Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 6 DECEMBER 1898

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LEGISLATIVE ASSEMBLY.

TUESDAY, 6 DECEMBER, 1898.

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

QUESTION.

INSPECTION OF LAND BOILERS.

Mr. McDONNELL asked the Premier—

Will the Government, during the present session, introduce legislation providing for a proper and systematic inspection of land boilers ?

The PREMIER replied—

The Government has not lost sight of the importance of this subject, which but for the pressure of other public measures would have been already dealt with. I am unable to promise legislation now in the present state of parliamentary business.

WEIGHTS AND MEASURES BILL.

On the motion of the HOME SECRETARY, it was formally resolved—

That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the law relating to weights and measures, and for other purposes connected therewith.

BRANDS BILL—MARSUPIAL PROOF FENCING BILL.

THIRD READINGS.

On the motion of the SECRETARY FOR PUBLIC LANDS, these Bills were read a third time, passed, and ordered to be transmitted to the Council for their concurrence.

ADDITIONAL SITTING DAY.

BUSINESS OF THE SESSION.

The PREMIER, in moving—

That, unless otherwise ordered, the House will meet during the remainder of the session for the despatch of business at 3 o'clock p.m. on Friday in each week, in addition to the days already provided by Sessional Orders; and that Government business take precedence on that day—

said: I think hon. members on both sides of the House will recognise, in view of the amount of business that appears upon the business-paper, that it is desirable that, even at great personal inconvenience, an additional sitting day is absolutely necessary. I am sure the Government feel quite as much as private members the strain which is imposed upon the House by an additional sitting day, and it is only with a desire to push through absolutely necessary business at the present time that we make this demand upon the patience and attention of hon. members. It is the desire of the Government that the session should close before Christmas. I should very reluctantly consider even the possibility of introducing a precedent by sitting after Christmas—a course that has never yet been initiated in our Parliament—and so far as possible I should desire to relieve hon. members of that necessity.

Mr. KIDSTON: Could you not have foreseen this?

The PREMIER: I do not think we could have foreseen it. The hon. member entirely forgets the very sad circumstances which tended to throw upon the last few months of the session a large amount of work which under ordinary circumstances would certainly have been proceeded with earlier. We desire to proceed as far as practicable with the measures which are on the agenda paper, and I think I may fairly say that that represents nothing of a very contentious nature. There may be individual differences of opinion, but nothing that should lead to a protracted debate or anything like a severe fight. The majority are measures of a simple character and great practical utility, and I think I am justified in asking the consideration of the House to assist the Government in passing them into law before we rise this session. I may be permitted to enumerate them. We shall deal with the Technical College Bill, which is not a contentious measure; I do not infer, from what was said on its second reading, that any great delay will take place in committee. Then there is the resumption of the debate on the Rabbit Boards Bill; I think it is necessary that that Bill should pass its second reading, as it deals with matters that are essential to rabbit boards. Then come three small Bills—British Probates Bill, Copyright Registration Bill, and the Evidence Bill. These are measures of a technical character, which were introduced by the late leader of the House, and my hon. colleague, the Home Secretary, is prepared to continue their consideration. I imagine there is nothing in them which may be considered of a contentious character; that they may be treated as formal legislation. If, however, it is found that in these or other matters there is anything severely contentious, it is not my desire to occupy the time of the House by insisting upon placing upon the statute-book a large number of measures I prefer dealing with those which may be of necessity—urgent—and which when passed will be of practical benefit. There is also the Game and Fishes Acclimatisation Bill; I do not know that that is contentious. The Elections Acts Amendment Bill deals with simple amendments of the present Act which will be explained, and which, I think, may be regarded as not furnishing any reasonable ground for delay in its consideration. Then there is the Pastoral Leases Bill, the second reading of which will be submitted. And in connection with the Maryborough Harbour Board Bill I may say that my hon. colleague, the Treasurer, desires to introduce a Harbour Boards Bill for Brisbane, and also an amendment of the general Harbour Boards Act dealing with the reclamation and alienation of foreshores. However, it will be for the House to say how far it will be prepared to give consideration to these measures. The University of Queensland Bill is certainly one we desire to see passed, if the House will accept it, but upon that also I will bow to the decision of the House. The Mining Act Amendment Bill, of course, is consequent upon the successful passing of the Mining Bill in another place. Indeed, it must be patent to hon. members that the duration of the session is to a large extent contingent upon the manner in which that measure is dealt with and the form in which it is returned to us for consideration. There is also another very important Bill I should like to have consideration given to—that is, a Bill for restricting the licensing of aliens in the pearlshell fisheries of Torres Straits. It is a very important measure, but it is one which must be very seriously considered by the Crown Law Officers in regard to its international features. The Bill is now prepared, and its introduction will shortly be announced, and I trust something will be done in this direction.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: This comprises the list of the Bills upon the paper, and which we desire to make progress with. But, as I have already stated, it will depend very largely upon the House how far we will succeed in placing any of the larger Bills upon the statute-book. With respect to the small ones to which I have specially referred, I ask the consideration of the House so that before we rise we may dispose of those measures upon which there may be no diversity of opinion. I must inform the House that there is another measure which I have in contemplation, but I am not prepared yet to say whether the approval of the House will be asked for it or not.

HONOURABLE MEMBERS: Oh, oh!

The PREMIER: I may say that it is one whick I think will commend itself to the attention of hon. members, though some seem to deprecate any further legislation.

Mr. KIDSTON: Not at all.

The PREMIER: When I mention the subject hon. members will see that there is good reason for consideration being extended to it. The question is that of federation. I may say that the Government have not been at all unmindful or inattentive to the progress of events in connection with federation in the southern colonies. It is a matter, I think, for regret that not only is the position more nebulous, but there are also great divergences and discrepancies of opinion existing in the south in connection with this question which render a conclusion even more remote than some of us had hoped for. One thing is certain, and hon. members on both sides, I think, agree that if there should be a convention or conference, or any meeting of representative men of the colonies to deal with the question of federation, Queensland should certainly be represented thereat.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: I think there is a consensus of opinion upon that, whether hon. members are ardent federationists or not, and I think it is consistent with the dignity and position of this colony that it should be represented upon so important a national movement at any national conference of Australasia. It would be a mistake if this colony were not so represented should the occasion arise.

Mr. GLASSEY: Is the hon. gentleman an ardent federationist himself?

The PREMIER: That does not enter into the present question. Still I am quite prepared to be catechised by the hon. member, and my actions will show that I am quite prepared to assist in the great movement on safe and sure lines. I say, then, that if there is any probability of a conference being held during the recess I am inclined to adopt such steps in advance as to ask this House to grant power for the appointment or election of representatives of this colony to that conference.

An HONOURABLE MEMBER: Why not take it in hand right away?

The PREMIER: We have to consider the probabilities of such a meeting being held. I am not at present inviting a debate upon whether the Government should take action or not. I shall take the responsibility of that as soon as I feel more assured of the ground upon which such action will be necessary. I mention the matter in connection with public business at the present time in order that the House may not be taken by surprise. I do not pledge myself to introduce the Bill or otherwise; I shall be guided by what the Government consider advisable in a very short time. I mention it now with the view of showing that it is under consideration, and that it is the desire of the Government, if there be anything like a reopening of the question of federation by the colonies interested, New South Wales of course being one—that is very important—the Government will be prepared to ask the sanction of the House either to appoint or to give power for the election of representatives of Queensland at such a council. I hope the House will assist the Government in passing the Bills to which I have referred, so that before the Christmas holidays commence we may be enabled to announce the prorogation of Parliament. I make this statement in pursuance of the promise I made the leader of the Opposition, that I would let the House know the views of the Government in connection with the public business it is desired to proceed with.

Mr. DUNSFORD: You have forgotten the Estimates.

The PREMIER: Their consideration goes without saying.

Mr. GLASSEY: I do not rise for the purpose of opposing the motion submitted by the head of the Government, as I quite believe that an additional sitting day is necessary if the business of the session is to be proceeded with at a reasonable rate, and if it is to close within a reasonable time. I share the opinion expressed by the hon. gentleman that, if it can be done, it is desirable that the House should rise before Christmas. I must confess after listening to the numerous measures mentioned by the hon. gentleman—some of which have not yet found a place on the order paper—and considering the enormous amount of work in connection with the Estimates, not only the Estimates-in-Chief but also the Loan and Supplementary Estimates, I am not so sanguine as the Premier that we can compress that enormous amount of work into the time mentioned. While there is something to be said with regard to part of the session having been unfortunately occupied with rather melancholy and lamentable proceedings, yet this policy of delay which has been pursued persistently during the last three sessions of Parliament is not one that commends itself to hon. members who wish to see the business of the session conducted in a reasonable manner. Whatever time it takes this House to transact the business which the Government may deem advisable, I say—speaking for hon. members on this side—that we are resolved to have the fullest discussion on all matters we think for the benefit and welfare of the country.

MEMBERS on the Opposition side: Hear, hear!

Mr. GLASSEY: I say this not with the view of suggesting in the remotest degree that there is any intention to prolong discussion unnecessarily. All we desire—and it is a desire that should be shared by every hon. member—is to see the business of the country transacted with that degree of care and accuracy that the important business of legislation warrants.

The HOME SECRETARY: What about the forty planks?

Mr. GLASSEY: I am not here to discuss the forty planks. I have here before me the business-paper which contains no less than fourteen or fifteen different items, every one of which would form a plank.

Mr. DUNSFORD: Seventeen to be got through in ten days.

Mr. GLASSEY: The Premier asks us to consider all these items in detail, but I cannot share the sanguine sentiment that we are likely to do all this within a fortnight. Just let us consider some of them. There is the Brisbane Technical College Bill. I do not anticipate that there will be a great deal of discussion on that when we get into committee; but when the debate on the second reading of the Rabbit Boards Act Amendment Bill is resumed I fancy it will take some considerable time to discuss even the second reading, and it will certainly take a considerable time if it happens to reach the committee stage. With regard to the British Probates Bill, the Copyright Registration Bill, and the Evidence Bill—they are little matters, and perhaps will not require a great deal of time. With respect to the Elections Acts Amendment Bill, which is down for the second reading, of course that deals with two or three matters, one of which is an important question—the appointment of a general electoral registrar. With regard to the Game and Fishes Acclimatisation Bill, that is a very important matter, though it may not seem so important to hon. members who have not lived where these old fisheries and game laws have existed and have been used with tyrannical force. I hope this Bill will be considered with every care, and I ask them, without being unnecessarily suspicious——

The SPEAKER: Order! The hon. member is out of order. The Premier made what may be taken to be a Ministerial statement. This was an unusual course, but I did not stop him, because I thought he was giving desirable information to the House.

Mr. DUNSFORD: There is a motion before the House.

The SPEAKER: Order! That statement can hardly be discussed now, and the hon. member is going into every detail. I trust that he will confine himself to the motion before the House.

Mr. GLASSEY: I will not attempt to prolong the discussion, and I bow to your ruling, but I may be pardoned for referring briefly to a few of these matters, and I hope the House will extend that indulgence on the present occasion. Coming again to a few of these other items, there is Supply. We have to cover Supply to the extent of £3,000,000 irrespective of the Loan Estimates and the Supplementary Estimates, and there is involved a most important question—the administration of New Guinea.

The SPEAKER: Order! The hon. member is going entirely away from the question. I must again ask him to confine his remarks to the question.

Mr. GLASSEY: I merely wish to say, in conclusion, that while hon. members sitting on this side will certainly assist the Premier to pass into law the various measures which in the judgment of Parliament are necessary, and also pass Supply with reasonable expedition, I say

that whether it is necessary to come back after Christmas or not, all matters that come before us, I hope will receive full, ample, fair, and legitimate discussion and criticism. With respect to the question of federation, I am ready and willing to provide machinery for the appointment of delegates to the convention contemplated, and I sincerely hope that Queensland will take her proper place and share in the movement of federation, which I think we have been unfortunately rather lax in doing in times gone by.

Mr. BATTERSBY: I understand that the question is that the House, until the prorogation, shall meet on Friday, and that Government business shall take precedence. There is no doubt about it, the Premier had every right to make the statement he promised, but I do not think we want to travel all over the ground. It is a matter whether the majority says yes or no whether we meet on Friday or not, or whether the majority says that Government business shall take precedence or not. I intend to vote for the motion; I want to get rid of this rubbishy "yabber." The longer we sit the more rubbish will be talked, and the longer we keep those on the other side there the sooner they will get tired. I hope hon. members who have anything further to say will keep to the motion moved by the Premier.

Mr. DRAKE: I quite agree with the Premier with regard to the great pressure of public business and the necessity of an additional sitting day if it is going to be put through before Christmas, but the hon. gentleman made no reference at all to private members' business. Of late years private members have been very badly treated; it has almost come to be accepted that they should not have more than two and a-half hours a week for their business. The hon. gentleman must know that it is almost impossible for private members to get their business through in the short time at their disposal. Previously it was always understood, when the House began to sit on Fridays, that that day would be devoted to private members' business—at all events, until the pressure of that business was relieved. If the hon. gentleman looks at the paper, he will see that in proportion there is nearly as much private as Government business on the paper. There are six Bills down for the 8th December, all more or less important, but not being contentious they could be disposed of if some little concession was made. The Bills I refer to have to pass through several stages, and consequently if only two and a-half hours are allowed on one day in each week it will be quite impossible to get those measures through. If they were contentious I should not ask the Government at this stage of the session to entertain the idea of assisting them through, but as they are not contentious I think I have a right to ask the Government to give private members so much assistance as to enable them to get their business through. I trust the hon. gentleman, when replying, will give private members some satisfactory assurance in regard to their business being disposed of.

Mr. STEWART: I have no intention of opposing this motion, although I think under the circumstances it is a very unwise motion. In the beginning of the session I divided the House on the question whether we should sit five days a week or three, but my proposal met with very little support. It is much easier for members to sit five days a week when the temperature is twenty degrees lower than at present, and it would have been wiser and more likely to promote good legislation if the Government had acceded to that proposal. But we know very well why they did not agree to it. They had no business ready. They had been swaggering up and down the country attending banquets and all that sort of thing during the time they ought to have been preparing measures for submission to Parliament.

The HOME SECRETARY: "Yeppooning."

Mr. STEWART: Yes, "Yeppooning." Not only was the House six weeks later than ordinary in meeting, but when we met there was no business for us to go on with.

The SECRETARY FOR PUBLIC INSTRUCTION: The Address in Reply took nearly six weeks.

Mr. STEWART: I think such action is most discreditable on the part of the Government. The leader of the Government brought forward the lamentable fact of Mr. Byrnes's death as an excuse for the delay in business; but he knows that that is nonsense. Mr. Byrnes's death had no need to delay business for more than a couple of days. There was the Mining Bill. It did not depend upon Mr. Byrnes's illness or health. It was not ready, and therefore was not introduced. The Mining Commission made their report eighteen months ago, and yet it was only in the month of August that the Bill was presented to us. The leader of the Government said he hoped to close the session before Christmas, and that it was not customary for this Chamber to sit after that date. It appears to me that our business here is to pass legislation and discuss the affairs of the country, no matter what time it takes. If the business of the country demands it every member on this side is ready to come back after Christmas. If the Government deliberately delay the business of the session until late in the year, then it is the business of members to discuss the business when it is brought in, as lengthily, as effectively, as closely, and as critically as if it had been introduced in the month of June or July.

Mr. BATTERSBY: By vote of the House.

Mr. STEWART: The hon. member who interjects told us that he wanted to get away from this "yabbering." I can assure him that the feeling is heartily reciprocated.

Mr. BATTERSBY: Goodbye.

Mr. STEWART: It is the duty of the Government to have their business ready for submission to Parliament. They have a whole army of draftsmen at their command, and yet they are not ready for a couple of months after Parliament meets. But that is only in keeping with the slipshod manner in which the whole business of the country is transacted by the hon. gentlemen opposite. I reciprocate fully the sentiments given utterance to by the leader of the Opposition—that no matter how long the session lasts every item before the House shall and must receive the closest attention from members on this side.

The PREMIER, in reply, said: In reply to the question raised by the hon. member for Enoggera, I desire to say that all private business which is of a practical nature, and not contentious, will receive time for its consideration. I have no desire to exclude the discussion of business which emanates from private members.

Mr. DUNSFORD: Of course it is not customary to rise to speak after the Premier has replied, but on this occasion the hon. gentleman has given us absolutely no information with regard to the Estimates. The Estimates which have not yet been passed represent a sum ten times as great as is represented by the Estimates already passed. They represent something over £3,000,000——

The SPEAKER: I would remind the hon. member that the only question now before the House is the appointment of an extra sitting day. It is not customary to debate a Ministerial statement.

Mr. DUNSFORD: My contention is that the Premier has said, "We desire to sit on

Fridays in order that we may complete our business by Christmas." The hon. gentleman foreshadowed certain business which is to be put through, and the Estimates follow as a matter of course. If anything like fair consideration is to be given to this business—and even at the end of the session we are not justified in assisting the Premier to pass legislation in a hurried manner—it cannot be done in ten days. We know further that another place has to be considered, and that they exist for the special purpose of preventing hasty legislation. My contention is that the leader of the Government should never be a party to hasty legislation. Either there will be a great "slaughter of the innocents" at the end of the session——

The SPEAKER: Order! The hon. member is going beyond the limits of the discussion at the present moment. The only question before the House is whether we shall sit on Friday or no. The Premier certainly expressed a hope that the business would be finished before Christmas, but I must ask the hon. member not to debate that question.

Mr. DUNSFORD: If I am to prove that the attempt to carry certain legislation by sitting on Fridays between now and Christmas is an absurdity, surely I can mention the probable business of the session! If the Premier wishes to carry that business, he should not only sit on Friday but on Saturday and Sunday as well, and sit twenty-four hours in every day. Let us work shifts, as the miners do, and work eight hours each shift. Let the seventy-two members divide themselves into three shifts of twenty-four each, and go on with the business.

The SECRETARY FOR PUBLIC INSTRUCTION: Go on with the talking.

Mr. DUNSFORD: No; but go on doing business without one unnecessary word being said. I know it is impossible to gag the Secretary for Public Instruction for the rest of the session; but even if we could we could not get through the programme foreshadowed by the Premier between now and Christmas. There are fifteen Government Bills at present on the paper, or of which notice has been given, while there are four motions and eight Bills on the private business-paper. The Government therefore desire to run through twenty-seven planks in seven sitting days.

Mr. MCMASTER: Can't you allow them to get on with the business now?

The SPEAKER: Order! I must again remind the hon. member that this is really not the question before the House. I would ask the hon. member to confine his remarks to the question.

Mr. DUNSFORD: The question certainly is whether we shall sit on Friday in addition to the days we sit at present. I am willing to sit on Friday; I certainly think that Saturday should be added to it, and I ask the Premier to make that addition to the motion. I shall not move an amendment, because I know that I cannot carry it if the Premier does not desire to add Saturday; but if the hon. gentleman really means to carry through even the Estimates, he should add Saturday.

The HOME SECRETARY: Can't you let us get to business?

Mr. DUNSFORD: Surely, if there is business of sufficient importance to be done, it is worthy of consideration whether we should not sit an extra two days—Friday and Saturday? Members may say that they are desirous of getting home as Christmas is approaching. They may have all sorts of excuses, but if business has to be done, we cannot possibly do it before Christmas by sitting Friday this week and Friday next week.

Mr. KIDSTON: With regard to granting the Government another sitting day, when Ministers who have departments to carry on are willing to sit on Friday, private members who have no departments to carry on should also be quite willing to sit. I only rise for the purpose of pressing upon the Premier the very excellent suggestion made by the junior member for Charters Towers that he should also consider the advisability of sitting on Saturday and Sunday. Two reasons have been advanced in favour of sitting on Friday. The first is that there is a great deal of business to be done, and which it is desirable to do before we rise; and the other is that it is desirable we should rise before Christmas. I do not see anything in the second reason. If the Government have anything to do, the House should do it whether it is before or after Christmas; but if it is desirable to try to put through the business on the paper, that object is not likely to be accomplished by simply sitting on two extra days. It seems to me that the Government have fallen into their own snare this year. They have in the two previous sessions delayed important business till the end of the session, with the manifest object of getting it rushed through without adequate discussion; and this session, owing to a number of little circumstances that have happened—the lateness of the meeting of Parliament, and one or two other matters—they have just sailed too near the wind, and have got on the rocks altogether. And now their manifest desire is to hurry things. I have no desire to obstruct or stonewall, but I have every desire to deliberately and carefully consider the business brought before the House—more particularly the very large amount of Estimates that are still to come. If all the time at our disposal between now and Christmas were taken up with the Estimates that are still to come, they would not get one minute's consideration too much, and I do not think it is desirable that the House should permit the Government to carry on this policy of delaying the business——

The SPEAKER: Order! The hon. member's remarks are quite beside the question before the House, which is the appointment of an additional sitting day.

Mr. KIDSTON: Yes, I quite understand that we are dealing now with the need for another sitting day, and the need for another sitting day is undoubtedly caused by the dilatory policy of the Government in the early part of the session. And I think that now, when the Government are on the rocks for want of time, and important business has either to be thrown overboard or hurried through, it is legitimate to use the occasion as a means of blaming the Government for delaying the business of the country in the earlier part of the session. I wish the Government to understand that as far as I am concerned they can sit on Friday and Saturday if they like, but that I shall take my own way of discussing the business brought before the House.

Mr. HAMILTON: It appears to me that on the most trivial subject that can be brought up in this House hon. members opposite raise a discussion and lose valuable time. Here is a subject that could be determined in five minutes, but hon. members opposite get up one after the other and with endless repetition express the same ideas, clothing them in their own language; they give reasons why the Government should not do this or that, and say there is no time, and all the while they are losing valuable time by their speeches. There is plenty of time to talk, but why do not hon. members settle down to business instead of delaying it? If a member on this side gets up for two minutes to object to that kind o thing hon. members opposite at once suggest

that they are wasting time. We have been sitting for many months now, and have been sitting four days a week for a short time, and what is the reason for the present position of business? The interminable talk of the Labour party on every conceivable subject. We should have got through the matters which have been mentioned had it not been for the interminable talk of hon. members opposite. Six weeks ago those hon. members objected to the Mining Bill going forward, because they said there was no time to deal with it, but the Government insisted on passing the measure, and we have got it through. Members on this side, however, were practically gagged on account of the interminable talk of hon. members opposite.

Mr. TURLEY: I congratulate the hon. member for Moreton on having got one member to assist him in the position which he usually takes up in this House. After a discussion has been going on for some time that hon. member gets up and says, "I object to this waste of time," occupies ten minutes or a quarter of an hour in saying what he has to say, and then says he does not think it is necessary for any other member to speak.

Mr. BATTERSBY: I rise to a point of order. What is the question before the House.

The SPEAKER: Order!

Mr. TURLEY: The hon. member for Cook accuses members on this side of wasting time in connection with the business that has been carried through already.

Mr. HAMILTON: Yes.

Mr. TURLEY: I absolutely deny the statement that that has been done by members on this side. We sat here and did not waste one minute in connection with the Mining Bill; only those members who knew the whole intricacies of the question spoke. It was the hon. member for Cook who stood up here for a long time and talked on questions in which he was deeply interested, and he wasted more time than any member on this side of the House.

Mr. HAMILTON: Utterly untrue.

Mr. TURLEY: The hon. member wasted more time on two or three little bits of trivial matters on which he had fallen out with the hon. member for Wide Bay than hon. members on this side occupied in the legitimate discussion of the measure.

Mr. HAMILTON: That is utterly untrue, and you know it.

Question put and passed.

BRISBANE TECHNICAL COLLEGE INCORPORATION BILL.

COMMITTEE.

On clause 1—"Short title"—

Mr. KIDSTON: He had pointed out on the second reading of the Bill that it was a mistake that it should be purely local. It had been said that a university would be the coping stone of their educational system, and if technical education was not the coping stone, it was a very important corner stone, as it would confer the greatest benefit that very many people in the colony could receive. Therefore it was undesirable that the operations of the Bill should be confined to one town in the colony. Its operations should be general, like those of the Education Act or the Acts relating to schools of arts and grammar schools; and with a view of furthering his contention, he moved the omission of the word "Brisbane," and the substitution of the word "colleges" for "college," in the short title. He hoped the Secretary for Public Instruction would accept the amendment. It would not interfere with the special purpose the Bill had in view: it would only necessitate a few consequential amendments later on, and would save the introduction of a number of similar Bills later on.

The SECRETARY FOR PUBLIC INSTRUCTION did not feel disposed to accept the amendment, because he did not think it desirable. After hearing from hon. members opposite that it would be impossible to get through all the business they had on the paper already, he was surprised that one of those hon. members should come forward with a proposal to make this Bill more comprehensive than it was. Another objection was that it would be most unjust to the people in Rockhampton and Townsville, and other places, who had not asked for a Bill of this kind—who had not even been consulted—to force down their throats a Bill that had been drafted to suit certain local circumstances which might not rise again for many years. He had consulted the committees of the school of arts and the technical college here, and had come to the conclusion that they should confine themselves to the special purpose for which the Bill had been introduced.

Mr. KIDSTON: He did not propose to compel the committees of colleges in other parts of the colony to come under the provisions of the Bill, but simply to enable them to do so if they felt inclined.

Mr. DUNSFORD: The Secretary for Public Instruction evidently desired that the Committee should believe that this Bill in no way interfered with colleges out of Brisbane, but that was not the case, because clause 11 gave the committee of the Brisbane college power to hold examinations in Brisbane and elsewhere in the colony, for the purpose of granting certificates and diplomas. In many other ways there was a direct interference with local management. Machinery was provided for the establishment of a central college having branches throughout the colony, and certainly it was not intended to be purely a local concern. They should so widen the Bill that its operations could gradually be extended to other towns.

Mr. GLASSEY did not see this matter in the same light as his hon. friends. The Bill would not interfere with colleges in other parts of the colony, but merely provided the machinery for incorporating the college in Brisbane, which—even if it did establish branches in other towns—would in no way interfere with existing colleges elsewhere. His hon. friends need not imagine that he wished to confine all the good things to Brisbane. He was anxious to assist technical education in every part of the colony, but he was not anxious to complicate that measure in such a way as to make it unworkable, and if that amendment was carried the entire structure of the Bill would require to be altered.

Mr. STEWART could not agree with the contention that the amendment would destroy the whole structure of the Bill. What country members desired was to promote technical education all over the country, and they had to consider whether this Bill was the best provision that could be designed to carry out that object. No doubt the Secretary for Public Instruction would say that when the Rockhampton and Charters Towers communities found themselves in a position to establish technical colleges they could apply to Parliament for the necessary Acts to be passed, but why not now embrace the whole lot in a common Act?

The HOME SECRETARY: You would have to have a totally different sort of Act.

Mr. STEWART: This is only another instance of Government blundering, as they had had plenty of time to consider the question. It was easy to see that the Bill was intended to establish a technical college in Brisbane which should be elevated to a position above all other

technical colleges in the country, and with special claims upon the Treasury, to the disadvantage of technical colleges in other parts of the colony. The measure required to be carefully watched. He specially directed attention to clause 11, under which the Brisbane college would be empowered to hold examinations in Brisbane and elsewhere, to grant diplomas and certificates, and to establish laboratories and technological libraries and museums. They all knew what that meant. It meant that all those things would be established in Brisbane only, and the whole power so far as the giving of technical education was concerned would be concentrated in Brisbane. But other communities were rapidly growing up in other portions of the colony. In Rockhampton they had the nucleus of a technical college, and a large population in the Central division which he hoped would every year avail itself more and more of the advantages of technical education. They did not desire that the young people of that division should be compelled to come away down to Brisbane to get technical education, to be separated from their families, and be an extra burden upon those who had to support them. In many cases such a state of things would place an insuperable barrier in the way of their getting technical education at all. Unless there was something which did not appear on the surface intended by the Bill, the hon. gentleman in charge of it should not have the slightest objection to the amendment. If an amendment so reasonable was not agreed to, hon. members on that side would be justified in coming to the conclusion that there was something behind it which had not come to the surface yet. If this Bill was not sufficient for the purpose in view it could be left over to next session, and the Secretary for Public Instruction would have plenty of time during the recess to consider the matter. When Parliament next met, no doubt the hon. gentleman would be found sitting where he was now, and then the Bill could be gone on with. The Minister was altogether wrong in refusing to accept the amendment, which only sought to place technical education on the same level as common school and grammar school education.

Mr. BATTERSBY: It was not often that he was able to agree with the hon. member for Rockhampton North, but on that occasion he was with him, because it would cover all that was required. If the clause was amended as proposed it would enable technical colleges to be established wherever they raised sufficient money to earn the endowment.

Mr. SMITH: If the Bill was passed in its present form it would cause Brisbane to be the head-centre of technical instruction, with branch colleges affiliated to it all over the colony. There was not much to find fault with in that. If they established a Queensland university it would have to be in the capital, not in different parts of the colony; and a diploma or certificate issued from the main technical college of the colony would have much greater weight than one issued from any other place. Hon. members were enlarging too much on an evil that would not exist if the centre of technical education was established in Brisbane.

Mr. CROSS: They must not lose sight of the object of the Bill, which was to provide a separate constitution for the technical college so long and so successfully carried on in Brisbane. The time had now arrived when that body should be separated from the school of arts. While he sympathised with the hon. member in his desire to have a Bill of general application, it must not be forgotten that this Bill had been introduced with a definite object, and that it did not interfere with other technical colleges that might be established elsewhere; and for those reasons he intended to vote for the clause as it stood.

Mr. DUNSFORD: The Bill clearly made provision not only for branch colleges or schools all over the colony, but also for the affiliation of kindred colleges. Supposing the technical school at Charters Towers voluntarily affiliated with the college at Brisbane, did not hon. members see that the title of the Bill would not fit, as the college would not be wholly and solely established in Brisbane, but in some other part of the colony. It was a Queensland Technical College Bill, or it was nothing.

Mr. TURLEY: He did not think there was much in the argument of the hon. member. The object of the Bill was to endeavour to give better facilities for the conduct of technical education in Brisbane, in the first instance. It was known that things had not worked altogether agreeably between the school of arts and the technical college, and the result was that, rather than keep back technical education in Brisbane, it had been thought advisable that a Bill should be introduced to provide a council altogether outside the school of arts to carry on technical instruction. The next clause provided that the Bill was to come into operation next year, and if this amendment were accepted every technical college in Queensland would be compelled, whether the persons concerned liked it or not, to have a council of twelve to manage their affairs. Though this had been asked for by the Brisbane Technical College, it would not suit the people in the small towns where there were only a small number of students attending classes in connection with schools of arts; and there was nothing in the Bill to give them more money than they had been in the habit of receiving in the past. If similar institutions in country towns affiliated with the parent society in Brisbane, the certificates obtained by their students would have an increased value, because it could not be said that a certificate issued by the technical college authorities at Cooktown would carry the same value as a diploma issued by the technical college in Brisbane. At one time all State school children who won scholarships had the right to attend the Brisbane Grammar School if they chose, but such a row was kicked up that they had to attend the nearest grammar school; and since then application after application had been made to the Minister to allow the holders of scholarships to attend the Brisbane Grammar School, because it was considered that they would thereby get greater advantages. The same argument would apply here. If the amendment were carried it would be better to withdraw the Bill and have it redrafted.

Mr. SMITH: There was something in a name after all, and he thought the general name suggested by the hon. member for Charters Towers would be better than the one in the Bill.

Mr. McMASTER: This Bill was similar in its character to a University Bill, and a university was named after the place in which it was situated. For instance, there was the University of Oxford, the University of Cambridge, and the University of Edinburgh.

Mr. KIDSTON: There are more than one.

Mr. McMASTER: And there were more than half-a-dozen technical colleges in Queensland already, but the others had not yet grown to such dimensions as the Brisbane Technical College. If the Rockhampton institution got to such a position as the Brisbane Technical College they would no doubt ask for a Bill to constitute themselves a corporate body, and he was surprised at the opposition shown to this Bill.

Hon. members would only be doing justice by giving this body the legal status proposed to be conferred.

The SECRETARY FOR PUBLIC INSTRUCTION: The objection taken by some hon. members seemed to be that by this Bill all sorts of powers which it never had before were being conferred on the Brisbane Technical College. For instance, it was said that they were going to be allowed to hold examinations and issue diplomas to successful students, but they had been doing that for years. They had held examinations not only in Brisbane but also in Ipswich, Maryborough——

Mr. DUNSFORD: They are under local management. Under this one council will hold examinations everywhere.

The SECRETARY FOR PUBLIC INSTRUCTION: There was nothing to prevent other technical colleges from holding examinations wherever they liked. The teaching staff of the Brisbane Technical College was in such high repute that it had been asked to examine pupils at a distance, and being anxious to promote the good cause it had done so. But it was not at all necessary to pass an Act of Parliament to enable them to hold examinations. Even the junior member for Charters Towers or the highly intelligent and well-informed member for Rockhampton North could hold examinations and issue diplomas to persons who were willing to submit themselves to examination. Doubtless, when the examination was held by such a body as the authorities of the Brisbane Technical College, the diplomas would be of a higher status; but he could not see why the Bill should be objected to because it conferred that higher status. They were not asking for any new power; this provision simply enabled the college to do what it could do without such a provision. The object of the Bill was to conform to facts. The Brisbane Technical College was no longer part of the school of arts. It was going to occupy an independent building, and in the interests of the public the governing authorities thought that they should be elected by those persons who were interested in technical education and those who had gone through a course of instruction rather than by the mere subscribers to a circulating library. Exactly the same thing had been done in New South Wales when the Sydney Technical College attained the dimensions of having 1,000 students. It was incorporated and severed from the Sydney School of Arts. He failed to see the object of altering the name. A Brisbane Technical College was by no means restricted to Brisbane any more than a Brisbane co-operative company was prevented from establishing branches outside of Brisbane, and he saw no reason for giving a misleading name to the institution. As the measure had the approval both of the subscribers to the school of arts and the technical college, he was entirely at a loss to understand why certain hon. members opposite should endeavour to block the first attempt to afford facilities to a large and important body for carrying on its operations.

Mr. DUNSFORD: The Minister asked why they should endeavour to obstruct the Bill. Surely making an effort to widen the scope of the Bill was not an attempt at obstruction! They did not take objection to such powers as were contained in the Bill being conferred on the Brisbane Technical College, but they did take objection to machinery being provided which might operate in every corner of the colony and at the same time calling the Bill a Brisbane Technical College Bill. Although the governing body of twelve men were to have power to conduct examinations all over the colony, yet they had the cast-iron cheek to call it a Brisbane Bill. He contended that the name should be widened, and that the amendment would be a distinct improvement.

Mr. KIDSTON must enter his protest against the way in which the Minister spoke to them of obstructing the Bill. There had not been a word said that could honestly be called opposition to the Bill. He had not the slightest desire to hinder, even by a day, the granting of power to the Brisbane Technical College to constitute itself under that Bill. What he wanted was to get a national question dealt with in a national way, and not in such a petty manner as was manifested in that Bill. It would have to be withdrawn and redrafted. If it could be shown that what he was proposing was a bad thing in itself, it would be a good reason for objecting to it, but to say that because the Government had brought in a bad Bill and they on his side tried to make it a good Bill, it would have to be withdrawn and redrafted, did not appeal to him at all. The hon. member for South Brisbane had told them that there was no need to force a council of twelve upon every little town in the colony, but it was absurd to suppose that every technical college constituted under the Bill would have such a council. It was not even necessary that it should be given an allotment of land and a new building. They might as well propose to pass separate Bills for every State school in the colony. The real purpose was to give the Brisbane college a special endowment.

The SECRETARY FOR PUBLIC INSTRUCTION: Nothing of the sort.

Mr. KIDSTON: Then why not put all the technical colleges on the same footing? The only reason which had been advanced for Brisbane receiving special consideration was that the committee of the school of arts and the committee of the technical college could not agree; because of that it was intended to give the technical college a larger endowment. In other towns in the colony, where the two committees were able to work amicably together, they were not to get any extra endowment. They did not want it. He had no objection to the committee getting an allotment of land or a larger endowment. He would be very glad to see the money voted.

Mr. TURLEY: They are not asking for it.

Mr. KIDSTON: The Bill asked for it. He had no doubt, although the Minister, for the sake of getting the Bill through, had agreed to delete the two clauses which asked for the larger endowment, that it would be given all the same. He would have the greatest pleasure in helping to vote the money, but he asked that all the technical colleges in the colony should be placed on the same footing.

Mr. CROSS: The hon. member forgot the most important point—that the Brisbane Technical College had grown to such great dimensions and usefulness that its management by the committee of the school of arts had become a bar to its progress, and it was absolutely necessary that it should be granted the greater facilities embodied in the Bill. He knew Rockhampton as well as the hon. member for Rockhampton, and he questioned very much whether the school of arts committee would agree to come under the Bill at all. His opinion was that they would not, and as far as he knew the hon. member for Rockhampton had no reason to say that technical colleges in other parts of the colony wanted to come under the Bill. It was only fair to allow other colleges to say whether they wished to come under the Bill before applying it to them, but in any case to adapt this measure to the circumstances of technical colleges all over the colony it would have to undergo a complete transformation.

Unless the hon. member for Rockhampton, and those hon. members who supported him, could convince the Committee that in their contention they had the support of those interested in the management of other technical colleges in the colony he should certainly oppose the amendment.

Mr. GLASSEY: He had never shown any partiality to Brisbane any more than to any other part of the colony, and was not doing so in supporting this Bill. If Brisbane was to receive special monetary consideration, then the criticisms of the two hon. members for Rockhampton, and the hon. member for Charters Towers, Mr. Dunsford, would be perfectly fair, and their opposition legitimate. But the Minister having stated that he intended to omit clauses 12 and 13, there could be no complaint on that score. The whole object of the Bill was to provide new machinery for the working of the Brisbane Technical College, and he could see no reason for the amendment. If hon members would look at the subsequent provisions of the Bill, they would see that the adoption of the amendment would make it absolutely nonsensical. If the amendment were passed, the whole Bill would have to be reconstructed, and then it would absolutely serve no good purpose, as far as other institutions were concerned.

Mr. BATTERSBY: Don't be a fool.

The CHAIRMAN: Order! I must draw the attention of the hon. member for Moreton to Standing Order 166, which reads as follows:—

A member shall not make any noise or disturbance——

Mr. BATTERSBY: I can't hear for the noise outside.

The CHAIRMAN: I hope the hon. member will keep order for a few moments.

A member shall not make any noise or disturbance while a member is orderly debating or whilst any matter is under consideration, and, in case such noise or disturbance is made and persisted in after warning from the Chairman, the Chairman shall call by name upon the member making the same.

I must tell the hon. member that if he persists in using the language he has used and conducting himself as he has done this afternoon, I shall be compelled to give effect to this Standing Order.

Mr. GLASSEY: It might not affect beneficially a single institution in the colony if the powers proposed to be conferred on the Brisbane Technical College were extended to such colleges in every part of Queensland. What the council of the Brisbane Technical College would have to do would be to frame rules and regulations for the government of technical colleges, and the hon. member for Charters Towers would be one of the first to protest against that body making rules for the Charters Towers institution. He (Mr. Glassey) would also object to their framing rules for the people of Bundaberg. In those matters they should be home rulers, and each college should frame rules and regulations suitable for its own circumstances. He hoped the hon. member for Rockhampton would not press his amendment When they came to clause 11, giving power to make regulations, they could insert a proviso that it should not apply to other institutions already in existence.

The SECRETARY FOR PUBLIC INSTRUCTION: It only applies to the one college—the Brisbane Technical College.

Mr. GLASSEY: Quite so; but they might insert a proviso making that clearer. He trusted that the hon. member for Rockhampton would not insist on his amendment, for it was not pleasant to wrangle over little matters about Brisbane as compared with other parts of the colony. This Bill would in no way apply to colleges in any other town in the colony.

Mr. SMITH: Those hon. members who wished to widen the scope of this Bill did not wish to hamper the Brisbane college in any way. All they wanted was to alter the Bill so that it would operate all over the colony, and it seemed to them that by having a head centre in Brisbane and affiliated colleges throughout the colony the certificates and diplomas of that centre would be of more value. A Queensland certificate would certainly sound better than a Brisbane certificate, but as he understood from the Minister that this change would necessitate a recasting of the Bill, and in the meantime deprive the Brisbane college of the benefits it would derive if the Bill passed at once, he would not further insist upon his views being carried out. He hoped that at another time a Bill would be brought in which would deal with the object they had in view. He might point out that the Queen's University in Ireland comprised three colleges—those of Galway, Belfast, and Cork, and if they adopted something in that line it would make their certificates and diplomas a great deal more valuable.

The HOME SECRETARY: He hoped hon. members would realise that this Bill was introduced for the purpose of giving a new constitution to a particular college, and for nothing else. There was an exact equivalent to what some hon. members were asking for in the Harbour Boards Act. There was one general Act applying to the whole colony, and special Acts to constitute local boards had to be passed in accordance with it.

Mr. KIDSTON: The cases are not parallel.

The HOME SECRETARY: Each harbour required a special Act before the provisions of the general Act could be applied to it, and that was really what hon. members opposite wanted now. Their idea was that this Bill should be made a general Bill in committee, and that the different technical colleges could come under it if they felt inclined. He assumed from the argument of the hon. member for Rockhampton that he desired that there should be a general law.

Mr. KIDSTON: Yes, without further legislation.

The HOME SECRETARY: That would require a totally different Bill from this, and it would be a much longer Bill. But as long as the hon. member could waste time he was satisfied. If he wanted to kill this Bill, he was going the right way to do it. He could tell the hon. member, as a lawyer, and as one with parliamentary experience, that it would be impossible to make this Bill what he desired—a general Bill—and, therefore, if the hon. member were successful in his present endeavours, he would simply deprive Brisbane of its technical college. No doubt when the college at Rockhampton had attained the dimensions of the Brisbane institution it would require a similar Bill to this, but at present there was no comparison between the two, and probably for many years it would be found desirable that country colleges should be under the aegis of the local schools of arts.

Mr. JACKSON did not think the Home Secretary had given any reason why one comprehensive measure should not be introduced.

The HOME SECRETARY: At this late period of the session? It would take a month to draft it.

Mr. JACKSON: He saw no reason why it could not be done. As the only argument the hon. gentleman advanced was that it was too late in the session, he really admitted the justice of their contention.

The HOME SECRETARY: The hon. member put words into his mouth that he had not used. He said this Bill could not be transformed into the Bill the hon. member wanted; that a totally different Bill would be required

Mr. JACKSON admitted that he Bill might require considerable alteration if the amendment was agreed to, but when they had disposed of that matter they would get on much quicker with the Bill. Northern members were discussing a most important principle of the Bill in dealing with this question. It was said that there was no analogy between the Bill and the Education Act. That might be so, but there was a strong analogy between it and the Schools of Mines Act; and a Bill framed on the lines of that Act was what they were contending for. It was a pity they had not more knowledge as to the manner in which technical colleges in the old country were managed, where there was a very large expenditure by municipalities upon technical education. He was not objecting to the principle of the State taking charge of the subject, but they were contending that this legislation might be rendered unnecessary. Another objection to the Bill was that it extended the scope of the Brisbane Technical College beyond Brisbane, and on that ground the title of the Bill was a misnomer. He did not say that any special concession was being given to the Brisbane college that would not be given to colleges in other places, and he did not take much exception to the power given to the Brisbane college to grant certificates and diplomas, and to establish branches in other parts of the colony. They had called the School of Mines Act "The School of Mines Act of 1894," and there was no reason why they should not call this Bill "The Technical College Act of 1898." Of course the other clauses would then require to be amended.

The SECRETARY FOR PUBLIC INSTRUCTION: There was no school of mines in existence when that Act was passed, and we could not speak of the Brisbane School of Mines.

Mr. JACKSON was aware of that, and unfortunately there was some difficulty in raising the £1,000 necessary to bring that Act into operation. What they were advocating now was that they should have a Bill with a comprehensive title under which technical colleges might be established in different parts of Queensland. Places quickly developed in Queensland, and the technical colleges in Rockhampton and Charters Towers might in a few years ask for incorporation, and unless they covered that contingency now, new Bills would have to be introduced for the purpose.

Mr. KIDSTON wished to make a final appeal to the Minister to accept the amendment. There might be something in the objections urged against the amendment if it could be shown that it in any way hindered the legitimate aspirations of the Brisbane college. A scheme of technical education with a head college in Brisbane and affiliated colleges in other parts of the colony would probably be the best way of dealing with the business. But that was not what was proposed by that Bill, which was the thin end of the wedge for something very different.

The HOME SECRETARY: The whole amendment is out of order.

Mr. KIDSTON: What was proposed by the Bill was simply to establish under special conditions a Brisbane college, when they ought to be establishing a Queensland system of technical education.

The HOME SECRETARY raised the question of order as to whether the amendment could be put, inasmuch as it extended the scope of the Bill.

Mr. DUNSFORD: You are a bit late in the day.

Mr. KIDSTON: Are you stonewalling?

The HOME SECRETARY: No, I am not, but I have had quite enough of this.

The CHAIRMAN: I consider this amendment is in order. The question of order I think should be raised when the hon. member states what he wishes to insert should these words be omitted.

Mr. BOLES: There was no doubt the object of the Bill was a very laudable one, and one which commended itself to every hon. member; at the same time be could scarcely conceive why, when hon. members desired to give it a wider scope, they should be charged with stonewalling and wasting time. He gave the mover of the amendment every credit for his desire to make the Bill more general. It would have been better if a Bill had been brought in providing that all technical colleges could take advantage of it, if not now, at some future time. The present Bill savoured too much of the policy of bolstering up Southern Queensland, and could not but create a certain amount of feeling between the North and the South. As a Central member, if the amendment went to a division, he should be bound to support it.

Mr. MAUGHAN: He did not think anyone on that side objected to the Bill as a Bill. The hon. members for Charters Towers and Rockhampton North had an idea that it would be better to make the measure a general one; but in view of the phraseology of the Bill that could not be done. He could not but think there was too much animosity displayed by some of their Northern friends to anything in connection with Brisbane. He was neither a representative nor a resident of Brisbane, but he wanted to see the capital go ahead. There was no cause for the everlasting denunciation of Brisbane, and he regretted to observe the tone displayed by certain Northern and Central members when anything turned up having reference to Brisbane. Personally he was as anxious to see justice done to the Centre and the North as any member of the Chamber; but that was not now the question. The Bill was one which would really give an impetus to technical education, and he could not see why his hon. friends should take exception to it. The bugbear seemed to be subsection 3 of clause 11, providing for the establishment of branch colleges or schools, which some hon. members seemed to think would depreciate the character and standing of the institutions at Rockhampton, Townsville, or elsewhere. But he was informed that that subsection had reference simply to the branch colleges which were at present established, or which might hereafter be established, in the suburbs of Brisbane and the districts immediately surrounding—such as Beenleigh, Southport, and so on. It did not apply to anything outside the metropolitan area. He hoped the Bill would be proceeded with, and that hon. members who professed to have the cause of education at heart would do everything they could to push it through. As to the amendment, he should vote against it.

Amendment put and negatived, and clause put and passed.

Clauses 2 to 5, inclusive, put and passed.

On clause 6—"Constitution of the Council'—

Mr. DUNSFORD: The clause provided that the council should consist of twelve members, six of whom were to be appointed by the Government, three to be elected by the subscribers, and three elected by the associates and students of the college. If there were branches of the college in various places, he thought they should have a voice in the constitution of the council.

The SECRETARY FOR PUBLIC INSTRUCTION: Assuming that there was such a thing as a branch college, the subscribers to the branch would be subscribers to the college, and would have a voice in the election of the council.

Mr. DUNSFORD: He did not know whether there were any branches of the Brisbane Technical College or not, but the hon. member for Burnett mentioned two or three places where he

thought there were branches. The 11th clause made provision for the establishment of branch colleges or schools, and he thought they should have a voice in the appointment of the council. That was a democratic principle which he would like to see in the Bill.

Mr. GLASSEY: Suppose there was a branch at Toowong, or in Beenleigh, or in Fortitude Valley, or in any of the suburbs, the subscribers forming that branch, and students and associates connected with it, would have an equal voice with those in the centre in the choice of the council, so that it was purely democratic. With regard to the six appointed by the Government, half the money was found by the Government, and they should have a say in choosing half of the council.

Mr. BATTERSBY did not think they had a right to have life members. He was connected with a society now, and life members had been the curse of it.

The CHAIRMAN: The hon. member will see that the marginal note to this clause is "Constitution of the Council." It has nothing to do with life members.

Mr. DUNSFORD: According to the leader of the Opposition, the mere fact that the Government paid a portion of the money towards the institution should entitle them to nominate a portion of the council; but how would that apply to divisional boards and municipal councils which were endowed by the Government? At present the subscribers in connection with these technical schools elected the committees of management, and the Government had enough to do without interfering in these local matters. They said this was purely a domestic matter affecting Brisbane, yet the central Government wanted to have their finger in the pie. Though he felt that he was almost alone in this, he must enter his protest against this undemocratic nominee system of management.

Mr. GLASSEY: Surely the hon. member would admit that there was a wide difference between an educational institution and a local body that had to make and maintain roads. He would like to see the local bodies taking over these institutions, but it could not be denied that this institution had done splendid work in the past and was likely to do better work in the future. The Government appointed half the trustees to look after the grammar schools, which were endowed, but were not under the control or supervision of the local bodies. Suppose the Government contributed £10,000, were they to have no voice in the management? Another point was that the college authorities had specially asked for those terms, so that everything might be in order, and there should be no suspicion as to the management.

Mr. KIDSTON: The proposal in the 6th clause was most objectionable; it simply meant that the Secretary for Public Instruction for the time being was to appoint six members of the council. What had the Minister to do with it? It was a purely local matter, and the people of Brisbane should be left to manage their own college. The practical working of the clause would be that a little clique of interested persons would wait on the Under Secretary and get themselves appointed. In the old days when the king established a school, he appointed persons to manage it, because he did not credit the citizens generally with having enough intelligence to look after their own affairs, and he ran the whole government on those lines. It was an old and vicious principle which it was well should be reformed. It was because it was so old and Tory-crusted that it had been abolished in connection with most institutions. He admitted that the subscribers were likely to be so few that it might be considered improper to hand over so large a sum of money to the control of a small number of persons, and he was therefore not prepared to move an amendment or suggest an alternative. None the less he thought the method proposed in the clause was antiquated.

Mr. BATTERSBY: If three subscribers gave £1 1s. apiece, could they elect a member apiece simply because they were subscribers? Very likely the men who wanted to be elected would subscribe £1 1s. each. He should like to see it provided that three members should not be elected by less than twenty or fifty subscribers. Would the Minister provide that twenty should be the minimum? Three might do it under the clause. [The hon. member here read portions of the clause.] Three could do it, and they should not have the power.

The CHAIRMAN: I would draw the attention of the hon. member to the proviso, which says, "Provided that if at any time the total number of subscribers shall be reduced below twenty," etc. He will see there the very provision he requires.

Mr. BATTERSBY was not satisfied yet. He contended that if they passed the clause as it stood, the next clause was very little good. It would be far better if the Minister would provide that twenty members should vote for the three to be elected.

Mr. MAUGHAN: Is this a burlesque?

Mr. BATTERSBY: Very well, let it go.

Clause put and passed.

On clause 7—"Election of council, etc."—

Mr. KIDSTON: Subsection (*b*) provided for the retirement of the four senior members of the council each year—that was two of the elected members and two of those appointed by the Governor in Council—so that it would be three years before one-half of the members could be renewed if the necessity for the infusion of fresh blood became very apparent. It might happen that the management of the institution would get into the hands of a little clique, and it would be a great improvement if the subscribers and certificated students elected their half of the members of the council every year. With the Governor in Council appointing the other half of the members, there would be no danger of any sudden change taking place in the constitution of the council, but it would give some hope that when things required shaking up those interested in the institution would have the power to do it.

Mr. CROSS: The hon. member's object could be attained by providing that on the 30th of June in each year the members of the council should retire, but should be eligible for re-election. The rest of the subsection might then be omitted.

The SECRETARY FOR PUBLIC INSTRUCTION did not believe that the alteration would produce any better results. The constitution would be sufficiently elastic if one-third of the members retired every year. That was the practice with regard to local authorities, and they were not considered particularly conservative.

Mr. KIDSTON: What was the good of having an election every year, when only two out of the twelve members could be changed? It would be much better to have an election every second or every third year, and put up the whole six elective members for re-election. What good would it do to take every year out of this Assembly half-a-dozen members? It would have no effect in altering the constitution of Parliament, and it would be just the same with this council. If those interested in the institution desired to alter the constitution of the governing body, it would take them three years to alter one-half of it. The Governor in Council would appoint two

men every year, but what was the good of that, because the same two would be reappointed every year? The method proposed would produce a very conservative governing body, and was about the most pernicious system of electing a governing body that could possibly be adopted.

The PREMIER thought that the criticism of the hon. member for Rockhampton was really hypercriticism. He could not see what evils were to accrue from one-third of the governing body of the college being re-elected or reappointed every year. There ought to be continuity in the administration of the institution, and the retirement of one-third of the members of the council every year would give an opportunity of infusing fresh blood into the management if that were necessary. As to the statement that the Government were likely to reappoint the same persons from year to year, that was mere conjecture. Circumstances might arise in the career of many men which would disqualify them for such an appointment, and in that case the Government would have to look further afield for other men.

Mr. BATTERSBY: The council was to consist of twelve members, and that clause provided that five should constitute a quorum. He would suggest that the word "five" be omitted, with the view of inserting "seven." If the Minister would not propose that amendment he would do it himself.

Mr. CROSS: The proposition that one-third of the members of the council should retire annually was not an uncommon one in connection with governing bodies of that description. He could not understand the hon. member for Rockhampton advocating that the whole of the Government nominees should be appointed for life, but if the hon. member moved that the whole of the members of the council should retire annually, but be eligible for re-election or reappointment, he was inclined to support that amendment, though he must admit that there was a great deal to be said in favour of the clause as it stood. Probably more effective work would be got from a council constituted in that way than from one elected or appointed every year.

Mr. KIDSTON: A very good reason for making the appointment of the six members to be nominated by the Governor in Council as obnoxious as possible was that it was always desirable to make the nominee system in popular institutions as obnoxious as possible. At the same time that was not his object in the remarks he had made. All that he claimed was that to have an election every year for the sake of electing two members out of twelve was too much trouble for all the good that would result from it. He felt inclined to alter the clause so as to make it read that the whole of the members of the council should retire, but should be eligible for reappointment or re-election. He would rather see one election every three years than one-third of the council retire annually, as that would afford a means of getting new blood if such were required.

Mr. DUNSFORD said at present the committees of schools of arts were elected every year, and under that system the present technical college had progressed very satisfactorily, so that he did not see why it should not be continued. Under subsection (*e*) the president, vice-president, and treasurer were to be elected every year, and he did not see why the whole committee should not be.

Mr. STEWART favoured annual elections and annual appointments by the Government in order that the work of the council might be reviewed every year, which would be impossible under the system proposed in the Bill. As things stood, in the event of the council carrying out a policy that those interested considered obnoxious, there would be absolutely no means of turning out that council except by instalments, and he contended that any such body as this ought to go before its constituents every year. If their conduct were approved of they would be re-elected, but if it were not, there would be an opportunity of getting new people. The case of municipal councils had been instanced as a precedent for this proposal, but he could assure hon. members that there was great dissatisfaction growing up in connection with that system. The ratepayers were beginning to discover that if a bad clique got into a council it was impossible to get rid of them, and the idea was growing that there ought to be annual elections of the whole body. In this case the weight of argument was in favour of the whole council retiring annually.

Mr. JACKSON thought annual elections would be an improvement, but they had already decided that six of the members should be appointed by the Government, so that it was only a question of dealing with the other six. Personally, he had no objection to their being elected annually, but he did not anticipate that there would be any great rush for seats on the council, which was a different matter from having a seat on a hospital committee or a school of arts committee. It would be more like a body of experts, and therefore he did not see the same necessity for annual elections; but at the same time he should be prepared to vote for the amendment if the hon. member for Rockhampton chose to move one in that direction.

Mr. BATTERSBY moved that the word "five," in line 46, be omitted with a view of inserting "seven." Seven was only a fair quorum out of a council of twelve, and he hoped the amendment would be accepted. To make a quorum of five in a council of twelve would be to give the minority the power to rule the majority.

Amendment put and negatived.

Mr. STEWART believed there was a feeling in favour of biennial elections, and he moved the omission of the word "each," on line 47, with a view of inserting "every alternate." He intended to propose later on that the whole of the council should retire and be reappointed or re-elected every two years.

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

AYES, 31.

Messrs. Dickson, Foxton, Dalrymple, Chataway, Murray, Hamilton, Smith, Grimes, Callan, McMaster, Morgan, Story, Hood, Bell, Finney, Stephens, Collins, Bartholomew, Lord, Corfield, Bridges, Stephenson, Leahy, Cribb, Fraser, Smyth, Stumm, Newell, O'Connell, Armstrong, and Castling.

NOES, 18.

Messrs. Glassey, Cross, Kerr, Dunsford, King, Jackson, McDonnell, Turley, Jenkinson, Boles, Fogarty, Dibley, Battersby, Browne, Kidston, Hardacre, Maughan, and Stewart

Resolved in the affirmative; and clause put and passed.

Clauses 8 to 10, inclusive, put and passed.

On clause 11—"Power to make rules, etc."

Mr. DUNSFORD: The clause gave power to do by regulations what he should prefer to see done by the Act. By a regulation the Act might be made to apply to any portion of the colony. The Bill was admittedly a Brisbane Bill, dealing with one local college, but subsections 3 and 5 of the clause gave power to go outside Brisbane and establish branch colleges and schools, and the regulations for that purpose might, for all they knew, be made compulsory. Those branches might or might not come into conflict with the technical schools already in existence which

issued their own diplomas and certificates. Might it not happen, for instance, that the Brisbane council might say to the committee of the technical school at Charters Towers. "Your diplomas and certificates are of no account at all; we are the only constituted body in the colony which has any right to issue them." In other words, that only theirs should be recognised. The Committee had no control over the regulations that might be framed under the Act.

The SECRETARY FOR PUBLIC INSTRUCTION: No harm could possibly be done. It did not require an Act of Parliament to examine candidates and issue diplomas for anything. It was already done by two bodies—Trinity College and the Royal Academy of Music—without any parliamentary authority whatever; and if the Brisbane Technical College could afford to extend their system throughout the colony it would be a boon and a blessing. With regard to the regulations of which the hon. member was so afraid, they must be under the Act, not outside it. If anyone submitted any regulation outside the Act it would be declared *ultra vires* and would not be gazetted.

Mr. DUNSFORD asked the Minister whether he thought that any diplomas or certificates issued by any other body than the Brisbane council would be recognised in the colony

The SECRETARY FOR PUBLIC INSTRUCTION: Unless the hon. member believed that by giving power to the Brisbane college to give diplomas they were depriving other people of the power of examining and issuing diplomas, he failed to see the force of his objection. The college had been doing for some years all those things which the hon. member was now objecting to; they were simply continuing to do what they were doing now. If any persons took a deep interest in education and chose to hold examinations, the Bill would not prevent them, and they could issue diplomas which the public might take for what they were worth. The present proposal was not in the least a novelty. The Bill had been carefully drafted and collated from various other Acts at present in existence. The clauses in which the hon. member saw so much danger formed a portion of the South Australian School of Mines and Industries Act, which had worked very well.

Mr. BATTERSBY: His opinion was that the sooner the Government gave up this the better.

The CHAIRMAN: I ask the hon. member to seriously consider the business before the Committee and confine his remarks to the clause under consideration.

Mr. BATTERSBY: He had not the slightest objection to doing that. The clause said that the council should have power "to make, repeal, alter, re-enact, and enforce rules and regulations for the following purposes." What were the purposes? For the conduct of their proceedings. Who was the council? That was what he wanted to get at. The Chairman could pull him up as often as he liked—it did not matter two straws to him.

The CHAIRMAN: The hon. member must not use language of that kind. I consider this Committee is very generous indeed towards the hon. member. I wish now to draw the attention of the Committee to the continuous repetition and irrelevance of the hon. member, and I warn the hon. member that if he continues this line of conduct there is only one course left for me.

Mr. BATTERSBY: He would like the Chairman to tell him what had been his continued repetition since he got on his feet this time.

For the due management of the affairs of the college, and for the appointment, suspension, or dismissal of the principal or director, secretary, lecturers, teachers, examiners, or any other officer or servant, and for defining their powers and duties.

If the Chairman would tell him who was going to suspend them that was what he wanted to get at. As far as repetition was concerned, he had said nothing, and was going to say less. There had been no continued repetition on his part on clause 11. What he had done in the past was settled, and if he had done anything to-night he left it for the House to decide.

Mr. DUNSFORD: The South Australian Act mentioned by the Minister was a national measure. If it had been a local measure it would not have contained provisions such as those to which he had taken exception. This was an effort to include provisions affecting the whole colony in a purely local Brisbane Bill; but if the Government would see that they would not affect other portions of the colony he would withdraw his opposition.

Clause put and passed.

Clauses 12 and 13 put and negatived.

The remaining clauses and the preamble were put and passed.

The House resumed; the CHAIRMAN reported the Bill with amendments, and the third reading was made an order for to-morrow.

BRITISH PROBATES BILL.

SECOND READING.

The HOME SECRETARY: This Bill is one which hon. members will recollect was introduced by the late Premier in the early part of the session, and is designed to bring our legislation into line with, not only the mother country, but several of the other colonies. I cannot at this moment say which of them have adopted this Bill, but I should not be surprised to learn that all of them have adopted it. It is of a reciprocal nature, and will tend very materially to diminish costs in connection with the administration of the estates of deceased persons where they happen to have property in more than one colony, or in the mother country and one or more colonies. As hon. members will know, the practice at present is that if a man has property in more than one country, probate or letters of administration are taken out usually in the country of his domicile, or at all events where the will happens to be at the date of his death. I am speaking now of the practice which obtains in Queensland, and not the revised practice as it obtains under the Colonial Probates Act of the Imperial Legislature, and a similar Bill which has been adopted, as I say, in most of the other colonies. After probate has been granted, say, in one colony, the practice is to take out what is called exemplification of probate in that colony and transmit that to Queensland in order that fresh probate or letters of administration may be taken out in this colony. This involves a considerable amount of expense, not only in taking out the exemplification of probate, but in taking out fresh probate in Queensland. What is proposed by the Imperial Act is to be found on page 4776 of our statutes amongst the selection of Imperial Statutes relating to the colonies. Section 1 provides that—

Her Majesty, on being satisfied that the Legislature of any British possession has made adequate provision for the recognition in that possession of probates and letters of administration granted by the courts of the United Kingdom, may direct, by Order in Council, that this Act shall, subject to any exception or modification that may be found necessary, apply to that possession.

The Imperial Act does not apply to Queensland yet for the reason that we have not yet adopted the reciprocal legislation. That is now proposed to be done by passing this Bill, and when it becomes law the Imperial Privy Council will issue an order providing that the Colonial Probates Act shall be in force so far as regards

Queensland, and we shall then stand in the same reciprocal relations with the mother country as are enjoyed by the other colonies. The material effect of that will be that on production of a British probate in Queensland, or the probate issued by a reciprocating colony, it will be re-sealed in Queensland, and there will be no necessity to take out probate again, or go through all the forms of proof of death. On certain affidavits as to the deceased being made in Queensland, the New South Wales or British probate, as the case may be, will be re-sealed here, and all the proofs of death which have been submitted to the court in England, Ireland, or Scotland, or in a reciprocating colony, will be accepted here as being satisfactory for the purposes of the Queensland Supreme Court. I think I need say no more in commendation of the Bill. Hon. members will see that it is a distinct advance—that it is a cheapening of the law, at all events, and a very great convenience and a great saving of time in regard to the estates of deceased persons. It is very much simpler in every way. It is in force in New South Wales, and I have had practical experience of its satisfactory working in that colony. I beg to move that the Bill be read a second time.

Mr. GLASSEY: I have had some little experience in connection with probates, and also with taking out letters of administration, both in the old country and here, and I must say that the law in the old country is much simpler, and that the costs in regard to both probates and letters of administration are much less than I have found existing in Queensland. Therefore this Bill—which tends in the direction of simplification and also of economy—is a step in the right direction. I recollect having had some conversation with the late Premier, Mr. Byrnes, on this matter, and some of the other questions which find a place on our business-paper. He went into this matter very fully, and attached great importance to this Bill, simple and all as it is, for the reasons I have given. I certainly think that this is one of the subjects on which federal action might well be taken. Probably the step which has been taken in some of the other colonies, and which is now being taken in this colony, will bring about that result—that is, that ultimately we shall have a federal law, so that there will be no conflict of opinion, neither will there be—as is sometimes the case now—a piling up of costs through litigation. I see nothing objectionable in the principle of the Bill, and will not attempt to oppose the second reading. It is certainly a step in the right direction, and I hope we shall see many steps in the way of making our laws much simpler and with a considerable lessening of the costs.

Mr. STEWART: I find that a Bill similar to this was introduced in 1884, and that no less an authority than Sir S. W. Griffith—the present Chief Justice—objected to it, and that the Bill was negatived. That gentleman gave his reasons very fully for opposing the Bill. I do not know whether the Home Secretary has considered the matter from Sir S. W. Griffith's point of view or not. It is no doubt desirable that legal costs should be minimised.

The HOME SECRETARY: You forget that the British Probates Bill was only passed in 1892, which puts an entirely different complexion upon the whole thing.

Mr. STEWART: Is not this exactly the same Bill as was introduced in 1884?

The HOME SECRETARY: Something the same, but then there was no English legislation to base it on.

Mr. STEWART: But we are a separate community, and we have a responsibility in the matter. If I followed the hon. gentleman aright, he stated that if a person dying in New South Wales had property in Queensland as well as in New South Wales, the proof of his will in New South Wales would be sufficient proof in Queensland.

The HOME SECRETARY: The authority of the court here would have to be obtained.

Mr. STEWART: I quite understand that. The production of the New South Wales probate would be sufficient to enable probate to be obtained here.

The HOME SECRETARY: Yes, as a matter of form.

Mr. STEWART: I do not know that that is desirable. We have a responsibility in the matter. The reason why persons are compelled to prove that they are the legal representatives of deceased individuals is that the State has a responsibility in the matter, and the State ought to be satisfied. Of course, if the hon. gentleman contends that proof in New South Wales might very fairly be presumed to be proof in Queensland, that disposes of the whole affair; but there might be circumstances which would put an altogether different complexion upon the matter. I shall just quote what Sir S. W. Griffith said in 1884—

> But there is another serious objection. At the present time the court in this colony—following, I believe, the practice of courts in some other of the Australian colonies—declines to authorise any man to administer personal property in Queensland unless he is here, so that they may have some control over him. The court here has determined, after solemn consideration, that they will not grant administration of personal property in Queensland to any man who is not resident within their jurisdiction, because otherwise great inconvenience might arise. A man residing in Western Australia might appoint an agent here. All the money might be collected here and sent there, and there would be no means of getting Queensland debts paid. There is no question that we in Queensland are interested in seeing that the property of deceased persons is not taken away without payment of his debts. That safeguard is entirely destroyed by the Bill as it stands.

Now, I would direct the attention of the the Home Secretary to the speech made by the Hon. P. Macpherson, I think it was, in the Upper House, who said that this Bill was an exact reproduction of the Bill introduced in 1884. Sir S. W. Griffith went on—

> I confess that these seem to me to be evils in the Bill. Now what corresponding advantages are there? None that are sufficient to outweigh the evils I have pointed out. There is simply a provision by which an executor who gets probate in the other colonies can come and claim probate here. In New South Wales the court refuses to grant probate to executors resident out of the colony.

The HOME SECRETARY: But they have adopted this Bill in New South Wales since 1892.

Mr. MAUGHAN: That is the only colony.

The HOME SECRETARY: I do not know—I think it has been adopted in Victoria, too.

Mr. STEWART: Then Sir S. W. Griffith went on to say—

> The whole scheme will have to be remodelled. The present practice is that if a man makes a will and dies a fortnight's notice is given; that gives anybody an opportunity of objecting. There is no difficulty in proving the will here if it has been proved elsewhere. The production of the official document is sufficient to prove the execution of the will; the only additional expense would be the advertisement. The exemplification of the probate of the will granted in another colony is taken as quite sufficient. I do not know that anything will be gained by the Bill: and I have pointed out serious inconvenience that may arise.

I would ask the hon. gentleman whether circumstances have so completely changed since then as to warrant this House in passing the second reading of this Bill without question—a Bill which Sir Samuel Griffith opposed, and was the means of getting defeated.

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

The HOME SECRETARY: I move that you do now leave the chair, and the House resolve itself into a committee of the whole to consider the Bill in detail.

Mr. DUNSFORD: I think it is a very bad principle to go into committee immediately after the second reading of the Bill. There were only about half-a-dozen members present while the Bill was being read a second time, and yet it is proposed immediately to go into committee on the Bill. I do not think that is right, and I enter my protest against this way of doing business.

Mr. BELL: I also may say that I think it is not a good principle to go into committee on a Bill immediately after the second reading. I felt disposed to make this remark last night before we went into committee on the Brands Bill, although I was quite in unison with that measure, as I am with this Bill. I do not think any injustice will occur or any mistake be made by going into committee on this Bill now, but the principle is not a good one, and we ought to think twice before agreeing to a proposal of this kind.

Mr. GLASSEY: I hope the Minister will not press his motion. Last night, after consultation, it was thought desirable to proceed with the committal of the Bill then in charge of the Secretary for Agriculture for certain reasons, but in this case I think we might fairly dispose of some other matters on the order-paper, and deal with this Bill on another day. It certainly is a bad principle to go into committee on a Bill immediately after its second reading, though sometimes it is necessary in order to get on with the business, as it was last night; but I do not think it is desirable to make that the practice.

The HOME SECRETARY: It works splendidly in New South Wales.

The PREMIER: I do not want to discuss the question whether the principle is a good or a bad one. If the measure were a contentious one, or one on which amendments were threatened, we should consider the convenience of hon. members, and not press the committal of the Bill immediately after its second reading, though I may inform the hon. member that in New South Wales it is considered advisable to go into committee immediately after the second reading of a Bill.

Mr. GLASSEY: They do a lot of things in New South Wales that we are not prepared to do here.

The PREMIER: However, I do not wish to discuss that matter. This Bill has passed the other Chamber, and its second reading having been agreed to here almost as a formal matter, I do not think there would be any irregularity in proceeding with it to its final stage, so as to remove it from the business-paper. It is simply for that reason that I ask the House to go on with the Bill in committee to-night. It has received very careful consideration by the other Chamber, and by my colleague the Home Secretary, and it also bears the *imprimatur* of the late Premier, Mr. Byrnes, and I think we might very well proceed with it in committee now.

Question put and passed.

COMMITTEE.

The several clauses of the Bill were agreed to without amendment or discussion.

The House then resumed; and the Bill was reported, and its third reading made an Order of the Day for to-morrow.

COPYRIGHT REGISTRATION BILL.

COMMITTEE.

The various clauses of this Bill were passed without amendment; and the third reading was made an Order of the Day for to-morrow.

EVIDENCE BILL.

COMMITTEE.

On clause 1—"Short title and construction"—

Mr. GLASSEY: As it was some time since this Bill passed its second reading, perhaps the Home Secretary would not think it out of place if he gave some explanation regarding its main features for the benefit of hon. members.

The HOME SECRETARY thought that any hon. member who took any interest in the Bill would have studied the debate that took place on the second reading. Besides that, he would be distinctly out of order if he were to traverse the whole Bill at this stage. However, with the permission of the Committee, he would reply to the request of the leader of the Opposition. The object of the Bill was to provide for facilitating the proof of laws and documents from other colonies.

Mr. BATTERSBY: Are you going to make a second-reading speech?

The CHAIRMAN: The hon. member has the permission of the Committee.

The HOME SECRETARY: It was proposed that these documents should be *primâ facie* evidence only. If a document were tendered in a court, say, as being an Act of the colony of Western Australia, without further proof—simply because it bore the impress of having been issued from the office of the Government Printer in Perth—and the party against whom that evidence was tendered were able to show that it was not what it purported to be, he would be at liberty to do so. The Bill applied not only to Acts of Parliament but to judicial papers as well, and it would be a very great convenience indeed. The hon. member for Enoggera took exception to the Bill on the second reading as being somewhat in advance of the times, and thought we ought to wait until a similar Bill was introduced in the other colonies. But although it might be very desirable that such a Bill should be introduced there, still it was a distinct advantage to the colony in which it was introduced, and he saw no reason why they should deprive themselves of that advantage simply because some of the other colonies might linger behind in the matter.

Mr. DRAKE had pointed out on the second reading of the Bill that it proposed to grant certain facilities to the other colonies and it was right that there should be reciprocity in the matter; that the other colonies should accept similar proof with regard to what had been done in this colony. It was really a measure of a federal character, and he still thought it would be better to let it stand over until a Federal Parliament was formed, when the measure would naturally be introduced and become law in all the States of the federation. If that was not done, it should only be passed here on the understanding that it should be passed in all the other colonies. He did not see that it would be any particular advantage to Queensland to pass it. Queensland would probably derive most advantage from the measure being passed in the other colonies. They were making a concession under the Bill which they should keep in hand in order to insist that the other colonies should deal with them as they intended to deal with the other colonies.

The HOME SECRETARY: That was just the point—as to whether it was a greater advantage to Queensland to pass the Bill or to have

the other colonies pass it. He was strongly inclined to the opinion that the advantage would rest with the colony that adopted the Bill.

Mr. DRAKE: Read clause 7.

The HOME SECRETARY: It provided that judicial documents issued in the other colonies should be admitted in Queensland courts.

Mr. DRAKE: They are to be admitted in evidence without proof.

Mr. BELL: That is a distinct convenience to Queensland litigants.

The HOME SECRETARY agreed with the hon. member that it would be a convenience to Queensland litigants. The litigants in their courts were commonly their own people, and surely it would be an advantage to them to facilitate proof of what the law might be in another colony, without having to adopt the present roundabout method of calling in a lawyer from the other colony to prove what the law there was.

Mr. BATTERSBY hoped the Bill would be withdrawn, and they would get to practical business.

Clause put and passed.

The remaining clauses of the Bill were passed without discussion.

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

ELECTIONS ACTS AMENDMENT BILL.

SECOND READING.

The PREMIER: I move that this Order of the Day be postponed until after the consideration of Order of the Day No. 9.

Mr. BATTERSBY: Why should it be? I object.

The SPEAKER: Order! I have not put the question yet.

Question put.

Mr. BATTERSBY: I have no objection if this order comes on in fair time. It appears to me that this order has been postponed for the purpose of trying to block until the Estimates get through. I am interested in it, and that is the reason why I say it should not be postponed. However, I will raise no further objection. We will let No. 9 go on and see what No. 8 is like afterwards.

Question put and passed.

GAME AND FISHES ACCLIMATISATION BILL.

COMMITTEE.

On clause 1—"Short title"—

Mr. DUNSFORD asked if the Minister could give the Committee any information as to the portions of the colony in which the Bill was likely to come into operation? According to the interpretation clause "district" meant "such portions of Queensland as the Governor may from time to time proclaim to be districts under the Act," and he therefore took it that the Bill would not apply to the whole of the colony. At Charters Towers there was an anglers' association, but he had not heard from them whether the Bill was suitable to that district or not.

The SECRETARY FOR AGRICULTURE: The application of the Bill, at first at any rate, would be very limited. An association formed on the Darling Downs had, at considerable expense, and from money obtained by private subscriptions, imported a large quantity of trout and a lesser quantity of birds—namely, partridges, grouse, Californian quail, and quail from Hongkong. He hoped that the good work done by that society, which had already sent a large quantity of young trout to Gympie, might extend to many parts of the colony. At present the Bill would be limited to those districts where there was imported game and imported fish.

Mr. GLASSEY: He looked upon the Bill with a great deal of suspicion, as he did upon any attempt to introduce those old laws and customs and usages from the old country. He was just as proud to belong to the old land as any man, but he objected to those of its laws, such as the game laws, which curtailed the rights and privileges of the people, in the modifying of which he had taken some little part. He was anxious to give encouragement to the importation, and the preservation to some extent, under Government supervision, of birds and fishes, but he could not willingly acquiesce in the introduction of those old laws into a new country like Queensland. He did not agree with the Minister that the Bill would be very limited in its operation, because if the Committee would allow him to refer to the next clause the interpretation of "district," after the words cited by the hon. member far Charters Towers, went on to say that—

> Until such proclamation the whole colony and its territorial waters shall be included in the term.

There was not much limitation about that. The proclamation might come soon or late; meantime there were those words in the interpretation clause.

Mr. MORGAN: Look at clause 5.

Mr. GLASSEY: Clause 5 provided that as fish or game became thoroughly established in any district an open season might be proclaimed in accordance with the regulations. But they did not know what the regulations were likely to be. He admitted that these societies had been in some instances doing good work and were likely to do good work in the future, yet it was well to circumscribe their action as much as possible in order that the liberties of the people might not be interfered with. If time and opportunity permitted he could go very fully into this matter.

Mr. MORGAN rose to order. What was the question before the Committee? Was the hon. gentleman in order in discussing the Bill generally upon this clause?

The CHAIRMAN: The hon. member, in addressing himself to clause 1, said that with the permission of the Committee he would like to follow a little while in the same way as the Minister for Agriculture, who spoke on a clause beyond the clause now before the Committee. No objection was offered by any hon. member, and I took it that the silence of hon. members gave the hon. member permission to do what he was doing.

Mr. BATTERSBY: Don't let us have any more of it then.

Mr. GLASSEY did not wish to prolong the discussion. There would be abundance of opportunity of discussing the various clauses as they came before the Committee.

Clause put and passed.

On clause 2—"Interpretation"—

The SECRETARY FOR AGRICULTURE: With reference to the definition of "district," though it was true that the Bill would apply to all the districts of the colony until the proclamation came into force, in the greater part of the colony it would be inoperative, because up to the present there were no imported fish or game which came within the definition.

Mr. KIDSTON: "Imported" might mean imported from one district to another.

Mr. GLASSEY moved the omission of the words "and until such proclamation the whole colony and its territorial waters shall be included in the term" from the definition of the term "district."

The SECRETARY FOR AGRICULTURE There was no particular objection to the omission of the words. It would not interfere with the working of the Act.

Amendment agreed to.

Mr. GLASSEY would like some information with regard to work of acclimatisation already carried out, what amount of fish had been imported, and how far the work had been successful up to date. He did not object to the acclimatisation of fish and game, provided their importation and preservation did not restrict the liberties of the people in those districts. His object was to safeguard the liberties of the people, and prevent the passing of anything like the old game laws that existed in the old country.

The SECRETARY FOR AGRICULTURE hoped the day would never come when any hon. member would support any Bill that would do other than safeguard the liberties of the people, and he hoped the day would never come when the wild game of this colony would be preserved under such laws as existed in England. But this was quite a different matter. Here a society had spent something over £1,000 in importing fish and certain birds. Those fish had reproduced themselves from the hatcheries, and there had been a sufficient number to send to Gympie. If a Bill like this was not passed it would be possible for anyone to drop a plug of dynamite into the ponds and destroy the fish, and subsequently gather them up. A Bill on almost identical lines had been found necessary in New Zealand, and had worked well there for some years.

Clause, as amended, put and passed.

Clauses 3 to 8, inclusive, put and passed.

On clause 9—"Search by guardian"—

Mr. GLASSEY: This was a most important clause, but it was altogether too drastic. If a guardian had suspicions that certain persons were poaching, he had the right to issue a warrant and instruct a constable to enter premises, search them, and seize any game he might find. That was going a very long way. A few nights ago he urged the granting of very drastic powers to inspectors under the Mining Bill, but he would hardly place guardians under such a Bill as this in the same position as mining inspectors. He thought the clause was rather dangerous, and deserved serious consideration.

The SECRETARY FOR AGRICULTURE did not think the clause so dangerous as the hon. gentleman imagined. If the game was wild and the property of nobody, it would be most unjust to grant such powers, but they were dealing now with imported game, the property of a society. The clause only asked that a duly appointed officer, if he had reasonable suspicions that property had been stolen, should have the power to search for it.

Mr. BATTERSBY was much inclined to think that the hon. member for Bundaberg was one of the wild game himself, and it would have been a good job for the colony if he had never been imported.

Clause put and passed.

On clause 10—"Entry by guardian"—

Mr. GLASSEY: This was even a more drastic clause than the last. It gave the guardian all the power and authority of a constable—to enter without let or hindrance upon lands, premises, rivers, streams, and lakes; and to examine nets, lines, or traps, or other instruments which could be used in contravention of the Act—and the production of his appointment was sufficient warrant for anything he might do. The Minister could not for a moment plead that such powers were reasonable. He thought the powers conferred in clause 9 were ample, and that clause 10 should be negatived. It was trying the patience of hon. members too far to ask them to swallow such a provision.

The SECRETARY FOR AGRICULTURE: He was not asking the Committee to swallow anything unreasonable. He had considered the clause very carefully. It comprised provisions of section 2 of the New Zealand Animals Protection Amendment Act of 1884, and of section 6 of the New Zealand Salmon Trout Act of 1867, and was similar to provisions in the Victorian Fisheries Act of 1890, and to section 6 of the Queensland Pearlshell Amendment Act of 1891. If such a provision had not worked well in the other colonies it would no doubt have been repealed long ago. But having had experience of a similar provision in the Pearlshell Act, and it having been found to work well, there was no reason to suppose that it would prove anything but a good clause when applied to the protection of game and fishes. He thought it might safely be adopted.

Mr. BATTERSBY: There was an old saying, but a very true one, "Set a thief to catch a thief." There was not the slightest doubt that the hon. member for Bundaberg had been a poacher in his day. He knew all about it.

The CHAIRMAN: I think the hon. member had better not use words of that kind. I know that he is speaking in a good-natured spirit, but I trust he will not continue to use such expressions.

Mr. BATTERSBY: If he had said anything to hurt the feelings of the hon. member for Bundaberg, he would apologise, but he did not think he had.

Mr. GLASSEY: Not a bit.

Mr. BATTERSBY: The hon. member had talked first of all about catching fish and about shooting——

The CHAIRMAN: I trust the hon. member will confine his remarks to the clause.

Mr. BATTERSBY would do so with pleasure. He had intended to say something further to the hon. member for Bundaberg, but there would be no suspension. He would guarantee that the hon. member for Bundaberg had snared as many hares and shot as many partridges as "old Mat," and he (Mr. Battersby) had shot and snared a lot.

Mr. GLASSEY: There was no need to take much notice of what was said by the hon. member for Moreton, but unfortunately there was a record of what was said, which went all over the colony. He had never set a trap or done any poaching in his life, although he hated the poaching laws.

Mr. DUNSFORD was under the impression that the clause went too far. It gave to any guardian the right to enter any premises at any hour of the day or night.

Mr. LEAHY: Or any person the guardian may appoint.

Mr. DUNSFORD: In clause 9 the guardian had to proceed by warrant, but under this clause he could enter any place because he suspected someone of having a fish or a bird. They ought to omit the words "or premises." He certainly objected to such a power.

Mr. TURLEY pointed out that under the interpretation clause the term "guardian" included "any person acting by the orders or in assistance of such guardian." That was a very different provision from that contained in the Pearlshell Amendment Act of 1891. The inspector under that Act must be the inspector appointed by the Crown. He was not allowed to delegate his powers to anyone else.

Mr. LEAHY: Under this Bill, if he is the assistant, he has the power, even without instructions from the guardian.

Mr. TURLEY: It seemed altogether too wide. The hon. gentleman surely did not mean that a guardian should have the power to appoint anyone he chose, and that that person should be able to exercise the powers and authority of a constable, and any other power which might be delegated by the Minister to the guardian.

Mr. MORGAN: It must be remembered that it was the lawbreaker, and not the man who observed the law, whom the Bill was designed to get at. The provisions in the New Zealand Act were much more drastic than were asked in this Bill. Not only was a guardian, or a person appointed by a guardian, empowered to act as a constable, but any holder of a license issued by any acclimatisation society, entitling him to fish in the streams in any district, could demand the production of the license of any person whom he found fishing in those streams, and if the license was not produced, the person who held the license could bring him to justice. The man who had no license had no right to be there, and rendered himself liable to the penalties prescribed by the Act. Nothing of the kind was asked in this Bill. The right of entry was asked for in order to make the Bill effective. There was no desire to unnecessarily harass people who were not offending against the law; but if there was reasonable cause for suspicion that a man was systematically poaching and destroying fish which had been acclimatised at great expense and great trouble, the guardian—who would probably be the manager of the particular acclimatisation society—ought to have power to enforce the Act. There was no real danger to be apprehended from the passing of the clause. There was only one acclimatisation society at present in the colony, and if the Bill became law the manager of the society would probably be appointed guardian with a jurisdiction extending over the few miles of creek in which the fish had been acclimatised. He did not suppose it would be necessary to do more than place that power in the hands of the society, because the very existence of the power to punish breaches of the law would prevent those breaches being committed.

Mr. TURLEY: When hon. members on his side pointed out that a certain law was in force in New Zealand, they were told that that was no reason why it should be adopted here, and the same argument would apply in this instance. What he objected to was that a "guardian" should have the right to delegate the powers which enabled him to exercise the authority of a constable to anyone acting by his orders—as he might do, seeing that under the interpretation clause the term "guardian" included "any person acting by the orders or in assistance of such guardian."

The SECRETARY FOR AGRICULTURE: While he thought that the clause did not give too wide powers to the guardian, he was prepared to admit that it possibly gave too wide powers to a delegate of the guardian. Now that the matter had been pointed out he should not be unwilling to recommit the Bill with the view of eliminating the latter part of the definition of a guardian.

Clause put and passed.

On clause 11—"Taking or killing"—

Mr. BATTERSBY said he was on his feet before the Chairman put the last clause.

The CHAIRMAN: I wish the hon. member would speak up; I know his voice very well indeed.

Mr. BATTERSBY: You don't want to catch it sometimes. However, the clause is gone; I thank you for your kindness; now think of it.

Mr. LEAHY had no intention of delaying the Bill, but he thought they should insert the word "knowingly" after "shall," so as to make the clause read "If any unlicensed person shall knowingly take or kill any game or fish," etc. Similar phraseology was adopted in clause 13, and should be inserted in this clause. He moved an amendment to that effect.

Mr. TURLEY did not think the insertion of the work "knowingly" was necessary in this clause, which dealt with persons catching fish or killing game, a very different matter from that dealt with in clause 13.

The SECRETARY FOR AGRICULTURE rather took the view of the hon. member for Bulloo, as far as regarded the first part of the clause, because it was possible that trout might go a long way down the Condamine, as indeed they had done already.

Mr. MORGAN: They would not be in the "district" then.

Mr. BELL: As far as he could see it did not matter much whether the word was in or not. As the clause stood at present, if a man proved before the justices that he did the thing innocently they would not convict him.

Mr. MORGAN: As the hon. member for South Brisbane, Mr. Turley, had clearly pointed out, there was a marked difference between this clause and clause 13. He could not conceive of any person using a gun, explosive, dog, or other instrument for the destruction of those fish and game, and not doing it "knowingly." All the effect the insertion of the words would have, would be to make convictions more difficult and render it more easy for guilty persons to escape punishment; and he was sure that the hon. member for Bulloo did not want to make the law inoperative to any extent. As for a man killing game innocently, not knowing that it was protected, if he could prove that, no bench of magistrates would convict him, or if they did they would inflict a merely nominal penalty. In any case prosecutions would only be instituted in respect of unlawfully killing within proclaimed districts, and those districts would be extremely restricted in area.

Mr. BELL: If the word "may" were substituted for "shall," on line 37, the point might be met, but he did not recede from his contention that no alteration was necessary.

Mr. KIDSTON: As the clause read, if any person killed any game or fish he would be liable to a penalty. It did not say within any prescribed district, or refer to imported game or fish.

Mr. TURLEY: The Bill will only apply to proclaimed districts.

Mr. LEAHY had no intention to restrict the operations of the Bill, and he would not insist upon his amendment if it could be shown that it would make the Bill inoperative. But clause 13 referred to a different matter. If a person had game or fish in his possession he would know it, and therefore the word "knowingly" was unnecessary in that clause, and it ought to be his business to find out whether it had been lawfully obtained. A man might be travelling up the Condamine from New South Wales, and might not know when he was within a proclaimed district, and therefore he should not be liable, because the principle of the law was that it was better that a great many guilty persons should escape rather than one innocent man should suffer. Very few people in the country districts read Government proclamations, and very many men when they went fishing would know whether they were going to catch trout or anything else. As for the other point, magistrates had no power at present to acquit persons who had innocently offended in this direction, but if this word were inserted they would have. He would be satisfied if the Minister, when they came to clause 16, would so alter it as to provide that if a man could show that he did not know he was in a proclaimed area he would be allowed to go free.

Mr. KIDSTON: The clause did not stipulate that the offence must be committed within a proclaimed area.

The SECRETARY FOR AGRICULTURE: The Bill will not apply outside the proclaimed districts. Look at clause 4.

Mr. KIDSTON: Clause 4 provided that the Governor might proclaim certain districts. He might do so or he might not, but whichever way it was, the clause would remain the same. If the clause provided that no one should take fish or game in a proclaimed district it would be all right.

The SECRETARY FOR AGRICULTURE: The word "district" meant such part of the colony as might be proclaimed under the Bill, and until some district was proclaimed the Bill would be inoperative. They had omitted the words that made the Bill apply to the whole colony.

Mr. KIDSTON could see nothing in the Bill which said that that should only apply to proclaimed districts, and the rational reading of clause 11, taking the previous portion of the Bill into consideration, was that any person taking or shooting a fish anywhere would be liable to a penalty.

Amendment put and negatived.

Mr. KIDSTON moved the insertion of the words "within the limits of any proclaimed district" after the word "shall," in line 34.

Amendment put and negatived.

Mr. JENKINSON pointed out that in this and subsequent clauses penalties for offences were provided for, but there was no alternative in default of payment of those penalties. He thought some alternative should be provided.

Mr. LEAHY: Section 173 of the Justices Act provides for that.

Clause put and passed.

Clauses 12 and 13 put and passed.

On clause 14—"Entry or trespass"—

Mr. BROWNE: They were told that the Bill was specially restricted to proclaimed districts and reserves, but in this clause any person entering upon private lands or leaseholds with the means of taking or killing game or fish, or accompanied by dogs, was made liable to a penalty of £10. Under clause 6 private owners or leaseholders could get their lands proclaimed under the Bill, and he could not see why clause 14 should be made to apply to private lands, the owners of which did not take the trouble to have them proclaimed as reserves.

Mr. BATTERSBY: It was amusing to hear the hon. member for Croydon talk. The hon. member did talk sometimes. There was no doubt about that. He was just going to give the hon. member a little bit of advice to-night.

The CHAIRMAN: I remind the hon. member that clause 14——

Mr. BATTERSBY: I knew I would get it.

The CHAIRMAN: I trust the hon. member will conduct himself in a proper manner.

Mr. MAUGHAN: A disgrace to the colony.

The CHAIRMAN: I remind the hon. member that clause 14 is now before the Committee, and he must not say he will give any hon. member a bit of his mind.

Mr. BATTERSBY: Mr.——

The CHAIRMAN: Will the hon. member be seated?

Mr. BATTERSBY: My word, yes. Don't get scotty.

The CHAIRMAN: If the hon. member thinks he is going to have me here for a target he makes a great mistake.

The SECRETARY FOR AGRICULTURE did not think there was much fault to find with the clause. If any unlicensed person entered upon private lands with the means of killing and taking fish and game and the owner complained and a conviction followed, the person was to be liable to a penalty.

Mr. BROWNE: But this Bill is brought in for acclimatisation societies, not to protect private owners or leaseholders.

The SECRETARY FOR AGRICULTURE: The intention was that a limited area below the hatcheries—for a mile or two miles—should be proclaimed as within the reserves, and the fish within that limited area while young—unable to get away—should be protected.

Mr. DUNSFORD thought the clause should be very carefully considered, because in this country people had been accustomed to a larger amount of liberty in such matters than people in older countries. Wherever they had running rivers or game here, it had been the custom to take for granted the right of entry to fish or search for game. The hon. member for Bulloo had pointed out that a stranger coming into the colony would not know where the boundaries of a proclaimed district were. If he came across a river, threw out his line, caught a fish, and cooked it for his dinner, according to the Bill he would have done a thing which was criminal.

The SECRETARY FOR AGRICULTURE: If he was trespassing then he will be trespassing now.

Mr. DUNSFORD: That had been a right exercised——

The SECRETARY FOR AGRICULTURE: Not a right; a permission granted by the goodwill of the owner.

Mr. DUNSFORD: Public opinion would not stand the owner proceeding where no harm had been done. If it was not a right it was a practice sanctioned by custom. The Minister proposed not only to give great powers to an association but to close possibly a large district to the residents because they would be trespassers. The mere fact that a man was found there with a dog or a gun would go a long way towards getting him into trouble.

Mr. ARMSTRONG: The position was exactly the same as that which prevailed at present. It was only on sufferance that people were allowed to pass over private lands now; but according to the law of trespass there could be no result unless the owner could prove actual damage.

Mr. BROWNE: It was not a question of trespass. They had been told all along that the Bill was one for the preservation of imported fish and game, and they had provided for the proclamation of districts and also of reserves within those districts. They were now going outside those reserves, and providing that men trespassing on private property or on leaseholds, if accompanied by dogs, should be liable to a fine of £10.

Mr. MORGAN: Not outside a district.

Mr. BROWNE: He was aware of that, but it was not for killing game, but merely for entering upon certain land; and the district might be a very large one.

The SECRETARY FOR AGRICULTURE: On the complaint of the owner.

Mr. BROWNE: Then it was about time they did something to stop the Bill. He did not complain about the amount of the fine, because no man who happened to cross private property, accompanied by a dog, ought to be liable to be hauled before a court. It was going outside the scope of the Bill, and if that was what the Acclimatisation Society wanted it looked as if there was something behind which the Committee knew nothing about. The provision, in any case, was altogether too drastic.

Mr. NEWELL thought the clause was perfectly clear. It only applied to persons entering on lands for the purpose of taking or killing game or fish.

Mr. BELL: It would rather mitigate the severity of the clause if the words "be liable to" were inserted after "conviction."

Mr. TURLEY: Taking this clause in conjunction with clause 7, there was something in the contention of the hon. member for Croydon. The 7th clause provided for the proclamation of any Crown lands and, with the consent of the owner or occupier, any other lands as reserves. This clause commenced with the words "If any unlicensed person shall enter upon any private lands or on any leasehold or proclaimed lands or reserves." It seemed to him that "private lands or on any leasehold" should be left out, because there was no need to protect them any more than they were protected at present under the law relating to trespass.

Mr. BROWNE moved the omission of the words "private lands or on any leasehold or."

Amendment agreed to.

Mr. BROWNE moved the omission of the words "owner, occupier."

Amendment agreed to.

Mr. BELL moved the insertion of the words "be liable to," after the word "conviction."

Amendment agreed to.

Mr. LEAHY asked the meaning of the words "or being accompanied by dogs," near the end of the clause.

The SECRETARY FOR AGRICULTURE: Dogs were used for the purpose of taking and killing game; that was why the words were inserted. He did not know whether the word "means" would cover it.

Mr. LEAHY: He could not understand the words being placed where they were, but if they were placed in conjunction with implements or means employed for the purpose of killing game or fish it would be all right.

The SECRETARY FOR AGRICULTURE: What about inserting "for such purpose" after "dogs"?

Mr. KIDSTON: Now that the operation of the clause was limited to proclaimed lands or reserves, he thought it was quite legitimate to prohibit a man from entering upon those reserves accompanied by dogs.

Mr. BELL, adopting the suggestion made by the Minister, moved the insertion of the words "for the said purpose" after the word "dogs."

Mr. MORGAN: The amendment would increase the difficulty of conviction by making it necessary to prove for what purpose the dogs were taken. The clause as it stood said that the presence of the dogs should be proof that they were there for a certain purpose.

Amendment put and negatived; and clause, as amended, put and passed.

Clauses 15 to 17 put and passed.

On clause 18—"Injurious imports"—

The SECRETARY FOR AGRICULTURE proposed to negative the clause, as it might be necessary at some future time to import some animal that was hostile to certain game.

Clause put and negatived.

Clauses 19, 20, and 21 put and passed.

On clause 22—"Summary proceedings"—

Mr. TURLEY asked why it was necessary to provide that proceedings might be taken in the name of the Minister?

The SECRETARY FOR AGRICULTURE: Probably the draftsman had a reason for inserting it. If the word "Minister" were left out, they might find afterwards that it was necessary for the Minister to take proceedings in certain instances.

Clause put and passed.

The remaining clauses of the Bill, the schedules, and preamble were passed as printed.

The SECRETARY FOR AGRICULTURE moved that the Chairman leave the chair, and report the Bill with amendments. He would ask leave to recommit the Bill, for the purpose of reconsidering the definition of the word "guardian," and to make amendments in clause 4.

Question put and passed.

The House resumed; and the CHAIRMAN reported the Bill with amendments.

RECOMMITTAL.

On clause 2—"Interpretation"—

On the motion of the SECRETARY FOR AGRICULTURE, the definition of "guardian" was amended by the omission of the words "and includes any person acting by or in assistance of such guardian."

Clause, as amended, put and passed.

Clause 4—"Districts"—was amended by the omission of the words "and may confine the operation of this Act to such districts."

The House resumed; and the Bill was reported with further amendments.

The third reading was made an Order of the Day for to-morrow.

ADJOURNMENT.

The PREMIER: I move that this House do now adjourn. The business to-morrow will be Supply.

HONOURABLE MEMBERS: Hear, hear!

Mr. BATTERSBY: I would like to ask the Premier when he intends to bring on the Elections Act Amendment Bill? It is a Bill which has bothered me for some considerable time, and I have been promised it will come, come, come, but, like Christmas, it has never come yet. If the hon. gentleman will tell me when I can expect it I can tell those who are looking for it when they may expect it.

The PREMIER: With the permission of the House, in reply to the hon. member, I may say that I propose to take the Elections Act Amendment Bill on Thursday evening.

Question put and passed.

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