

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 26 SEPTEMBER 1899**

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TUESDAY, 26 SEPTEMBER, 1890.

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

APPROPRIATION BILL No. 2.

ASSENT.

The SPEAKER (Hon. A. Morgan, *Warwick*) announced that he had on Friday last presented to His Excellency the Governor Appropriation Bill, No. 2, and that His Excellency had, in his presence and on behalf of Her Majesty, given his assent thereto.

### WORKMEN'S COMPENSATION BILL. FIRST READING.

The SPEAKER announced that he had received a message from His Excellency the Governor, recommending the necessary appropriation to give effect to this Bill.

Mr. FISHER (*Gympie*) presented the Bill, which was read a first time, and its second reading made an Order of the Day for the 5th of October.

### PAPERS.

The following papers, laid on the table, were ordered to be printed:—

Copy of agreement for the conveyance of mails between Sydney and Vancouver, calling at Brisbane.

Thirty-ninth Annual Report of Registrar-General on Vital Statistics.

### QUESTIONS.

#### PURCHASE OF LANDS ON SEAFORTH ESTATE.

Mr. DUNSFORD (*Charters Towers*) asked the Secretary for Lands—

1. Did the Mackay land agent or lands ranger report to the Lands Department on the recently purchased Seaforth Estate?

2. If so, why were not such included in the official departmental reports?

3. If any such reports have been received, will he cause them to be printed and laid on the table of the House?

4. Did the department pay £3 13s. per acre for this land?

5. Did Mr. W. C. Hume, member of the Land Court, state in his report that "land of the quality of the Seaforth Estate would, if situated in the South, not be worth 15s. per acre"?

6. Did Mr. R. W. Winks, of the Agricultural Department, report that "only 33 per cent. of this estate is suitable for agricultural purposes"?

The SECRETARY FOR PUBLIC LANDS (Hon. D. H. Dalrymple, *Mackay*) replied—

1. No.

2 and 3. Answered by reply to No. 1.

4, 5, and 6. Yes; and, in accordance with the provisions of section 19 of the Agricultural Lands Purchase Act of 1894, a report containing the information required was laid on the table of the House on the 13th June last.

#### CANE PLANTS FROM STATE NURSERY, MACKAY.

Mr. MAXWELL (*Burke*) asked the Secretary for Agriculture—

1. What number of cane plants have the Government issued from their State Nursery at Mackay to the various farmers in that district during this season?

2. Is it true that a great many of these plants were affected with the New Guinea borer?

3. How was this borer introduced to Mackay, and by whom?

4. What steps do the Government intend to take to eradicate the borer pest?

The SECRETARY FOR AGRICULTURE (Hon. J. V. Chataway, *Mackay*) replied—

1. The Government is not aware of any cane plants having been issued from the State Nursery at Mackay during this season. The overseer had instructions not to distribute any plants.

2. It is not true that a great many cane plants were affected with the New Guinea borer. The borer was discovered in a few stools of cane on one portion of the nursery.

3. Cane plants were introduced by the Department of Agriculture, and two years afterwards the borer was first discovered.

4. As soon as the borer was discovered instructions were issued to have the infected stools rooted out and destroyed by fire.

#### MEMORIAL TO LATE HON. T. J. BYRNES.

Mr. GROOM (*Drayton and Toowoomba*) asked the Premier—

When do the Government intend to ask the House to give effect to the resolution passed by the Legislative Assembly in the session 1898, for establishing a permanent memorial to the memory of the late Honourable T. J. Byrnes?

The PREMIER (Hon. J. R. Dickson, *Bulimba*) replied—

The Government have been in communication with the committee of the Byrnes Memorial Fund, who have, it is understood, decided that the best means of perpetuating the memory of the late Honourable T. J. Byrnes would be by the erection of a statue of the deceased Prime Minister in some prominent public position. As soon as the amount to the credit of the fund and the probable cost of the proposed statue have been definitely ascertained, the Government will, on approval of the design, be prepared to recommend to the House that the fund be subsidised to such extent as may be necessary to complete the amount required.

### QUESTIONS WITHOUT NOTICE.

#### TRANSVAAL TROUBLES.

Mr. JACKSON: I wish to ask the Chief Secretary, without notice—Can he inform the House when the copies of the correspondence and papers in connection with the Transvaal are likely to be laid on the table of the House?

The PREMIER: I think it would be better if the papers were presented in a more complete form than they are at present, but they are being copied, and will be presented as early as practicable. There is some correspondence going on now which might form a valuable addition to the series.

Mr. JACKSON: Are you likely to get them this week?

The PREMIER: I think so.

#### SALE OF LANDS ON EVESHAM STATION.

Mr. STEWART asked the Secretary for Lands, without notice—When will the papers with regard to the sale of lands at Evesham be laid on the table of the House?

The SECRETARY FOR PUBLIC LANDS: The papers were laid on the table of the House last week, but they were not printed.

The SECRETARY FOR AGRICULTURE: If he had been in the House he would have known that.

The SECRETARY FOR PUBLIC LANDS: The Government Printer is now engaged in printing them, and probably they will be printed by to-morrow. Every effort is being made to expedite the matter.

### THE HARBOUR BOARDS ACT AMENDMENT BILL.

On the motion of the TREASURER (Hon. R. Philp, *Townsville*), it was 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 Harbour Boards Act, 1892.

### APPOINTMENT OF MR. W. H. NISBET.

On the motion of Mr. JENKINSON (*Wide Bay*), it was resolved—

1. That there be laid on the table of the House, copies of all papers, correspondence, and cablegrams relating to the appointment of Mr. W. H. Nisbet as Chief Mechanical Engineer for the Queensland Railways.

2. Also a statement showing the total amount of money paid by the Government to Mr. Nisbet for travelling or other expenses incurred between the date of his appointment and the time of his arrival in this colony.

### JOINT LIBRARY COMMITTEE.

#### SUBSTITUTION OF NAME.

The PREMIER, in moving—

1. That Mr. George Jackson be discharged from service on the Joint Library Committee, and that Mr. Andrew Fisher be appointed to that committee.

2. That this resolution be notified to the Legislative Council by message in the usual form—

said: I have made this motion "not formal," because I desire to amend it. Since Mr. Jackson expressed a desire that his name should be omitted, Mr. William Kent has also intimated his desire to retire from the committee; therefore, I ask the permission of the House to

amend the motion to the effect that Mr. George Jackson and Mr. William Kent be discharged from service on the Joint Library Committee, and that Mr. Andrew Fisher and Mr. William Bligh Henry O'Connell be appointed to that committee.

The SPEAKER: Is it the permission of the House that the motion be so amended?

HONOURABLE MEMBERS: Hear, hear!

Motion, as amended, put and passed.

# ABORIGINALS PROTECTION AND RESTRICTION OF THE SALE OF OPIUM BILL.

## SECOND READING.

\* The HOME SECRETARY (Hon. J. F. G. Foxton, *Carnarvon*): I am quite sure that any legislation at all which has a tendency to ameliorate the condition of the unfortunate people whom we as a race have displaced on this continent must meet with the hearty approval of every member of this House.

HONOURABLE MEMBERS: Hear, hear!

The HOME SECRETARY: In the past, I am sorry to say—in the far distant past—we have, I think, failed to a very great extent to do our duty by those people; latterly—and I refer to the last few years only—I believe it is a fact that Queensland at all events has risen to the occasion, and has endeavoured to grapple with the question of how best the aboriginals of this colony may be dealt with, and if it be that they are to be extinguished altogether as a race, that their disappearance may be made as light to them as possible. Now we have the Aboriginals Protection Act, of which this is a proposed amendment, and we have also the Native Labourers Protection Act, both of them very admirable enactments in their way, but in one singular particular somewhat clashing; and it is partly with the view to remedy that anomaly that this Bill is introduced. In the administration of the Aboriginals Protection and Restriction of the Sale of Opium Act of 1897 there have been found to be many points on which difficulties have arisen in connection with the duties imposed upon protectors of aboriginals, and it is now proposed by this Bill to give those protectors enlarged powers in order that more complete control may be obtained for the benefit of the employers, and for the protection of the aboriginals against harshness and various abuses to which a race such as they are liable, not only by our own race, but also at the hands of alien races who largely employ these aboriginals in the North in connection with the pearling industry.

Mr. DAWSON: They are the worst of the lot.

The HOME SECRETARY: They are. I dare say it will be asked by some hon. members why it is not proposed to prohibit absolutely the employment of the mainland aboriginals in the North by any person who is an Asiatic alien. I was asked to introduce legislation on those lines when I was recently at Torres Strait, but on full consideration—though I have every sympathy with that view—I think it is best not to do so, because there are Asiatic aliens who are really amongst the very best employers that can be found of the mainland aboriginals. It would be by no means certain that we should not, under those circumstances, be prohibiting their employment by persons who would be kind to them, and treat them in every way as they ought to be treated, while we might inferentially be allowing them to be employed by white people who would treat them just as badly as any coloured man, because there are scoundrels belonging to every race. It is certain that if you are going to draw a hard-and-fast line and say any European shall be at liberty to employ

these people, and no Asiatic alien should be allowed to do so, then you are not by any means protecting the aboriginal against a large number of abuses which he would have to suffer at the hands of Europeans, and you would at the same time be depriving the aboriginal of many good employers. For these reasons I do not think it desirable, and I trust the House will not think it desirable either. It may also be asked whether it is to the advantage of the aboriginals that they should be employed at all in this trade? I have no hesitation in saying that, under certain restrictions, it is to their advantage. They are admirably suited for it, and I believe it could be carried on without doing them any injury; on the other hand, it enables them to go away for a period of six or twelve months, as the case may be, and come back to the mission station, or to their own particular district wherever it may happen to be, with perhaps not money in their pockets but money's worth, in the shape of clothing, implements, tomahawks, and so on, which is very highly appreciated by them. I may say that I have arrived at this conclusion, after consultation with such men as the Rev. Mr. Hey, who, though he has had occasion to defend those under his charge from great abuses to which they have been subjected at times, still is decidedly of opinion that it is not desirable that the employment of aboriginals should be entirely prohibited in connection with the pearling industry. Indeed it is a very great advantage that they should be so employed in what is known as the swimming pearling industry, as they are the best swimming divers that are to be found; and I believe it can be safely said—and I base my opinion on what I have learnt from the Rev. Mr. Hey and other missionaries, and also the Hon. John Douglas—that it can be carried on with mutual advantage to both employer and employee. As to the islanders in Torres Strait, they, I think, are well able to take care of themselves. This Bill is mainly directed towards the protection of what is known as the "binghi"; the Torres Strait islander is fairly well civilised, thanks—as far as my observation has been able to go—to the energy and enterprise of the London Missionary Society and its representative in Torres Strait, and I do not think he has anything to fear. In many of the islands they are highly civilised. They have courts of their own, where the chief administers justice and inflicts his own penalties at his own sweet will—administering the law in accordance with the ten commandments. Undoubtedly they are a people who are getting on wonderfully well; I really think they have survived their contact with the white man, and are in a fair way to become highly civilised members of this great community. The Native Labourers Protection Act did not make it necessary that the permit of a protector of aboriginals should be obtained prior to the employment of an aboriginal. It is proposed to alter that and make it quite clear that no one, under any circumstances, can employ an aboriginal without the consent of a protector.

Mr. JACKSON: Is it not necessary under the principal Act to get a permit?

The HOME SECRETARY: Yes; but this is a point on which the two Acts [4 p.m.] clash, and it is now proposed it shall be necessary in every case, no matter whether he is employed under one Act or the other. It is also proposed to make a ship or boat lying in any river or harbour within the district practically a house or premises, so that it may be entered by the protector, and the person in charge of the boat will be made responsible for what takes place thereon. I shall refer presently to what takes place on these boats sometimes. There also appears to be a doubt as to whether a protector

can give a permit for less than twelve months' employment under the 13th section of the principal Act. For my own part, I am inclined to think he can; but it is better to set the matter at rest entirely and make it quite clear, because it is desirable in some instances that it should not be given for a hard-and-fast period—no more and no less—and there should be a discretion that, in the case of men who are going away for the first cruise, it should not be more than six months. We have heard of strange cases of marooning these unfortunate men and leaving them to die. Whether these stories are true or not, there is no doubt a vast number of them have disappeared. The tendency of legislation of this kind will be very largely to minimise, if not do away, with such a thing as that. It is provided that the permit shall be in a particular form for the sake of uniformity. Another evil which frequently happens is, that men who employ aboriginals take them to another district and do not return them to their own district. Those of us who know anything of the aboriginals know the difficulties they are placed in if they are circumstanced in this way. They are in a strange country. They are regarded as aliens by the members of the first tribe they come in contact with, and, perhaps, lose their lives. It is, therefore, proposed that recognisances should be entered into and proper securities given for the return of the aboriginals to their own districts, if their employment necessitates their being taken from that district. Under the *Aboriginals Protection Act* it was enacted for certain offences that a minimum penalty of £20 should be imposed. Unfortunately, the *Justices Act* renders that nugatory. It is, therefore, necessary—if it is the desire of this House that the intention of Parliament should be carried out—to specially mention that the minimum penalty of £20 shall be imposed, notwithstanding anything which may be said to the contrary in the *Justices Act*. That is provided by section 5. It is nothing new; it is simply a proposal to carry out what was the intention of Parliament when it passed the *Aboriginals Protection Act*. It is also proposed that no marriage of a female aboriginal with any person other than an aboriginal shall be celebrated without the permission of a protector. The reason for that is this—that unscrupulous men who, for their own purposes, wish to employ aboriginals at their premises—their stations, their camps, or whatever it may be—manage to evade the provisions of the Act by entering into a form of marriage with them. That is no protection to them.

Mr. MAXWELL: They do not trouble about that in the West.

The HOME SECRETARY: Indeed, they did trouble about it in the West. I can assure the hon. member that they are compelled to trouble about it by the protector, because, in order to keep the women, they are compelled to do it.

Mr. DAWSON: They do it.

The HOME SECRETARY: They do it; they marry them. If they do not marry them, the protector would take the women away and deal with them under the Act. If the women are legally married, as no doubt they are, the form of marriage under the *Marriage Act* is gone through—then unscrupulous employers can defy the protector. That, I think, is not desirable. Hon. members may laugh; but I regard it as a serious matter—a very serious matter—and one that ought to be dealt with in a serious manner.

Mr. GIVENS: Who is to protect the aboriginal females from the protector?

The HOME SECRETARY: That leads me to another matter which is provided for in the Bill—that no person shall employ on board of or in connection with, or suffer or permit to be upon, any ship, vessel, or boat, any male aboriginal

who has not arrived at puberty, or any female aboriginal or female half-caste. This is really a most serious matter. I have had ocular demonstration of the most shocking deeds which take place on these boats in connection with the kidnapping of women and children. I say children advisedly. I saw one child, whose age was estimated at between six and seven—who was certainly not more than seven—who had been grossly violated on these vessels, and made a wreck of for life. I was assured that although, perhaps, the age in that case was exceptional, it was no uncommon thing, but happened both up and down the coast on both sides of Cape York Peninsula. The protectors have been very largely unable to cope with this evil in the past; but this will render it penal for any person to have such a female on board a vessel for any purpose whatever. The Bill also provides for the claims of a crew consisting of aboriginals. It is a very necessary provision, because although a great deal has been done in the way of protecting them by administration, a great deal has still to be done, and it can only be done by legislation. The practice has been latterly for the police to be present when an aboriginal was paid off at Thursday Island. They took his money and went with him to see that he got value for it at the store, or that he got what he wanted to buy at a fair price. But when the man was shipped as a passenger, say to the Batavia or the Embley River, he went on board with all his belongings, and he always arrived at his destination empty-handed. Undoubtedly the trade was taken from him in some way or other on the voyage. I know on some occasions it was used for the purpose of trade to the relatives of other men whom they desired to ship on board the boat. That is proposed to be rectified as far as it is possible to do so. It is also provided that in the event of the death of an aboriginal on one of these boats his wages shall nevertheless be payable up to the date of his death to the shipping master at the port of discharge. It has been commonly rumoured—I do not know that there is any absolute proof, for it is a matter that is very difficult to prove, but when these rumours are persistent they very likely have some foundation in fact—at all events, it is rumoured that in numbers of instances aboriginals employed in these boats have been quietly got rid of when the time came for them to be returned to Thursday Island to be paid off, and the owners of the boats had evaded the payment of the boys' wages—some £6 perhaps being due. This Bill will provide that, notwithstanding the death of the aboriginal, the wages will still be due, so that there will not be the same inducement to get rid of an aboriginal that there has been in the past. There is also a minimum wage fixed here, which hon. members on the other side will, no doubt, be very glad to see introduced here. It is not a very great wage, but I believe it is a fair thing. I do not think these men ought to be employed at less than 10s. a month.

Mr. GLASSY: Ten shillings a month!

The HOME SECRETARY: Yes, 10s. a month. They are very well satisfied with that, and I do not think it would be advisable to give them very much more.

Mr. FISHER: There is no danger of that.

The HOME SECRETARY: Some of them no doubt get a great deal more, but then they are able to look after it. As it is, 10s. a month at the end of a six months' cruise provides them with about £3, and really that is about as much as they are capable of absorbing, so to speak, in satisfying their needs. Their needs, it must be remembered, are very trifling. They come into competition with nobody. There is nobody else

who is able to undertake the particular work of diving in which they are engaged, and I understand that those of the aboriginals who are capable of forming an opinion on the matter are of the opinion that 10s. a month is about as low as they ought to be allowed to take.

Mr. KERR: There has been no organiser among them yet.

The HOME SECRETARY: It is not desirable that the minimum should be raised above 10s. a month—at present, at all events. They are well satisfied, and if it was raised it would deprive a large number of them of the means of making a little to provide themselves with necessaries when they go back to their homes after one of these cruises. On the whole, I hope the Bill will commend itself to hon. members. I have taken a great deal of interest in the question, and I have been amongst these people and have heard what is said both by employers and by those who take a deep interest in the employees—that is, the aboriginals—and I believe this Bill will, to a very large extent, check the abuses which exist at the present time, even if it does not—as I am inclined to think it will—obviate them completely.

Mr. FITZGERALD: What about the settlements under the old Act? Can you give us any information as to how the principal Act has worked so far? Has it been a success?

The HOME SECRETARY: Undoubtedly it has been a great success. It is only within the last few days that I have myself visited the settlement on Fraser Island. I believe there is a good deal which can be done in the way of improving that, and it probably means a slight expenditure of money. But, within reasonable limits, I do not think the monetary consideration should weigh with us in matters of this sort. If we are satisfied that we are on the right track—if we are able to do something to alleviate the evils to which these people are subjected, and ameliorate their condition, I believe it is our bounden duty to do it. It is owing to our presence here as colonists that they are reduced to their present straits. We have deprived them of their hunting grounds, and it is but reasonable that they should be cared for as well as it is possible for us to care for them. In the long past we have undoubtedly, as a community, not done our duty; but I think we are on the right track now. I believe further that it is possible, not only to make their condition very much better than it was, but that they are really capable of a considerable degree of civilisation. Anyone who takes the trouble to go to Deebing Creek, for instance, and sees what has been done by the aboriginals there, with the assistance of a considerable Government endowment, must believe this. They have been able to make homes for themselves—many of them very comfortable little homes indeed. They have actually purchased 320 acres of scrub, which they are clearing and cultivating at this moment, and of which they are extremely proud. Anyone who goes there and enters the school, and sees what can be done there must realise that these people—no matter what opinions we may have held in the past—are capable of, perhaps not a high degree of civilisation, but certainly of a limited amount of civilisation, and of taking their part in the general work of the community. Possibly it is exceptional, but I may mention to hon. members that at Deebing Creek I saw one little girl—not a half-caste, but a pure aboriginal—I think she was only about ten years old, who did for me on the blackboard a simple sum in vulgar fractions. It seems almost incredible that such should be the case, but there is the fact. I have no doubt that she may have got by this time into decimals. Perhaps it is not desirable that

they should in all cases be forced in this way, but I mention the fact—and it is a very interesting fact—in order that hon. members may realise that these people are capable of receiving a considerable amount of education in an elementary way.

Mr. DAWSON: She may be a candidate for head mistress of the Girls' Grammar School.

The HOME SECRETARY: At least a dozen of them in that school were doing compound proportion and sums of that sort; and the letters they write after they go out to service, to those who have had the care of them, are really very interesting indeed, and show that in the past we, as a community, have very much misunderstood the aboriginals. I move that the Bill be now read a second time.

Mr. BROWNE (*Croydon*): I think every hon. member on both sides of the House will agree with what the Home Secretary has said as to recognising the necessity of trying to do something for the aboriginals. When the principal Act was passed in 1897, I, in common with others, took a great deal of interest in the question, and I may say that since the Act was passed, on my periodical trips North, I make inquiries from all sorts of people who are affected by it as to the success or non-success of that Act. I quite agree with the Home Secretary in what he said—that, to a certain extent, the Act has been productive of a great deal of good. At the same time, I say—and other hon. members who have aboriginals in their districts will bear me out—that there are many complaints. Some men seem to think they have a sort of vested interest in the aboriginals, to do with them what they like and to pay them what they like; and they particularly dislike the Act. I do not know whether it has been pointed out to the Home Secretary that a general feeling is that the protector-in-chief should have more power. Another thing that has been pointed out to me is that the principal protector, Dr. Roth, with whom I have had many conversations on the subject, as well as with other people up there, should be made directly responsible to the Home Secretary. It seems there is a sort of divided authority now.

The HOME SECRETARY: Not now; that has been rectified.

Mr. BROWNE: I am very glad to hear it. It has been pointed out to me in different districts the protectors look at the Act in different ways, and that the chief protector practically had no authority over them to stop them from doing anything they liked. There are one or two things in the Bill that I consider of great importance. Anyone who knows anything about the pearl-fishing industry knows that great abuses exist with regard to the blacks. I believe that pearl-fishing is eminently an industry for the aboriginals of this country to be employed in, of course under proper conditions and supervision. But they want to be treated properly, and I will support any legislation which will ensure that they shall be treated properly. At the same time I am firmly of opinion that coloured aliens should not be allowed to employ aboriginals at all. In 1897 I moved an amendment to that effect, but unsuccessfully. Since then I know that there is a very strong feeling up there in favour of that provision being in the Act. On the 1st July a petition was presented to the chief protector, signed by twenty-three merchants, business men, boatowners, and residents of Thursday Island—all men really engaged in that trade—asking that coloured aliens should be prohibited from employing aboriginals.

The HOME SECRETARY: They wanted a monopoly.

Mr. BROWNE: That may possibly be so. At the same time if anybody's interest is to be considered the interest of the white man should be considered first.

The HOME SECRETARY: I think the interest of the aboriginal should be considered first.

Mr. BROWNE: Taking them man for man, although we get some very bad white men there who will ill-treat the aborigines, yet when we see the class of coloured aliens engaged in the bêche-de-mer and pearl-shell industry, who are as savage and even more savage than the aboriginals they employ, we shall be doing only right to preclude those semi-savages from employing the aboriginals of this country at all. That is the view I take of it, and in committee I shall take an opportunity to test the feeling of hon. members on the subject.

The HOME SECRETARY: There is a good deal to be said both for and against it.

Mr. BROWNE: At the present time the protector has the power to refuse to give a permit to any European or anybody else to employ aboriginals, but it has been pointed out to me that he has a far better opportunity of knowing the character of the white men than of the coloured aliens, whom he can hardly tell one from the other; and it has been stated to me that on more than one or two occasions a coloured alien has applied in one place to the protector for a permit to employ aboriginals, and that protector, knowing something about him, has refused it yet he has then gone to another place, and put in the same application to the constable or officer of police acting as protector, and the permit has been granted, in spite of the wish of the protector. The Hon. John Douglas, the Resident of Thursday Island, perhaps knows as much of this matter as anyone in the House, or perhaps more, and he is a strong advocate for preventing coloured aliens from employing aboriginals in the industry. As to the industry itself, it is, as I have said, just the one they are fit for; it would be a benefit to themselves and to the country. With regard to other matters in the Bill, I regard the provision compelling aboriginals employed on boats to be returned to the place of their engagement as a very good one. In former times they have been landed wherever the skipper liked, perhaps hundreds of miles from the country they came from, which was not the pleasantest thing in the world for the blacks themselves. I will not take up the time of the House longer. While there is not a great deal in the Bill, it contains some very good provisions, and it will go far to carry out the intention of the House as expressed in the Act of 1897. There is no doubt the feeling of the House was then that the aboriginals of the country should have a little more care taken of them than in times past, and although that was not completely done at the time, this amending Bill will go a long way towards it, and I shall give my hearty support to its second reading.

Mr. SMITH (*Bowen*): I am very glad indeed to hear from the Home Secretary that the Act at present in force has been working so well, and that a great deal of good has accrued to the aboriginals from the working of it. Of course it wants time. It was supposed that nothing could be done to ameliorate the condition of the aboriginals when civilisation came along; that civilisation would completely wipe them out. That has been the result in former years. But I am pleased to know, and I am sure that every hon. member in this House will be pleased to

know, that the Act which we passed [4:30 p.m.] for the protection of aboriginals is working well for the benefit of that race. In the working of any Act we will always find in time that some improvements can be made in it, and the Act which we passed

some time ago, although we considered it to be perfect at the time, or as near perfection as we could get, yet, in the details of the working of that Act, it has not been so successful as it will be with the amendments now proposed by the Home Secretary. I have no doubt that these amendments, together with the Act now in force, will be of much benefit to the aboriginals, and I think it is the duty of the Government to do as much as they possibly can to ameliorate the condition of the aboriginal natives of this country.

Mr. DAWSON: How do you make that out?

Mr. SMITH: Does it require any explanation at all? I am surprised at the leader of the Labour party asking such a question. We have taken their country from them; we have limited them to a very small portion, comparatively speaking, of this country which belonged to them; we have taken their livelihood from them, and is it not our duty to ameliorate their condition as much as possible?

Mr. DAWSON: We give them half a blanket a year, anyhow.

Mr. SMITH: We are very generous with blankets, and that reminds me very much of what the aboriginal formerly explained in poetry had been done for them by the white man. He said, "That fellow lady very kind, she savee very well making swop, she give im blanket and take im land." That in a terse way expresses what we have done for the aboriginals. We have taken their country from them, and I say the Government are doing a very worthy action now in endeavouring to make the condition of the aboriginal natives of this colony as good under the circumstances as they possibly can. I am very pleased indeed to see that there are amendments to the Act proposed by the Home Secretary, and to hear that the present Act has been working satisfactorily.

Mr. DAWSON: Why, he wants to make them work, and they do not want to work.

Mr. GIVENS (*Cairns*): I do not intend to occupy much of the time of the House on the second reading of this Bill. Before proceeding to give the House my views on the matter I should like to heartily endorse the remarks of the Home Secretary wherein he said that it was desirable that something should be done to ameliorate the condition of the unfortunate races which we have displaced. I believe that sentiment will appeal to the good feelings and good sense of every hon. member in this House, and also that everyone in the country who has any feeling of humanity at all must applaud and approve that idea. But in order to ameliorate the condition of those people we must have something more than legislation; no matter how good legislation may be it will be absolutely ineffective unless we have good administration of that legislation, and I do not think we have had effective administration in our efforts in the past to ameliorate the condition of the aboriginals. I myself know that times out of number in the Northern portions of the colony the food which has been voted for aboriginals has been used by people to feed their own labourers who were employed doing their work. But I believe that was done prior to the passing of the Aboriginals Protection Act of 1897.

The HOME SECRETARY: It has been done since, too.

Mr. GIVENS: I am inclined to agree with the hon. gentleman that it has been done since, and in my opinion scarcely any punishment could be too great to mete out to persons who would be guilty of such misconduct—such treacherous conduct towards those unfortunate aboriginals, who are unable to protect themselves. I think it should be the duty of the protector to see that in every instance of that kind the persons

who are guilty of such mean, contemptible conduct to these poor unfortunate races are severely punished. A great deal depends, not only on the power that we give to the protectors, but also on the class of gentlemen who are appointed to that position. I am not personally acquainted with any of them. I believe the principal protector in the North, Dr. Roth, is in full sympathy with the objects of our legislation on this subject.

The HOME SECRETARY: Hear, hear!

Mr. GIVENS: And that he is animated with a desire to preserve what can be preserved of the aboriginal races of the colony, and to imbue them with certain ideas which will enable them to cope with the advancing civilisation which threatens to overwhelm them, and also to preserve to us that race which from an ethnological point of view will be valuable by-and-by. I think Dr. Roth has special qualifications for the position, but I do not think some of the other men appointed as protectors are the best men for the position. One of them, a gentleman named Mr. Meston, got up a troupe of aboriginals to carry them round as a sort of wild west show—something after the style of the Buffalo Bill shows—and newspaper reports have led me to believe that he left that unfortunate troupe stranded outside the colony from which he took them.

Mr. J. HAMILTON: That's not true.

Mr. GIVENS: I do not know whether it is or not. If the statement is not true I shall be only too pleased to hear that it is not, and will withdraw anything I have said in connection with the matter. But I was certainly led to believe it at the time, and I say that any gentleman guilty of that sort of conduct is not the best possible person to have appointed as a protector of aboriginals. One of the very things we desire to protect aboriginals from is from people who will take them from their homes and leave them stranded far away subject to any evil that may befall them.

Mr. KEUGH: Mr. Meston is the wrong man to do anything of the kind; I have known him for years.

Mr. GIVENS: No gentleman in this House will be more pleased than I should be to learn that I am wrong in this matter, and if I am wrong I will gladly retract anything I have said in that connection. There are one or two points in the Bill which I do not agree with, but as they do not affect the principle of it, I shall wait until we get into committee before taking any action in regard to them. The first is the provision which is made for shifting aboriginals from one reserve to another. I am fairly well acquainted with some of the traits of the aboriginal character, and I find, and have always found, that they have the strongest and most decided objection to leaving their own district for any length of time. They look upon the country in which their tribe has lived from time immemorial as their home, and the greatest hardship you could inflict on them is to take them away from the portion of the country in which they have lived, and immure them on a reserve in some other portion of the colony. Such power should not be given to the protectors, because it may be liable to abuse. At any rate these unfortunate aboriginals should not be required to move from that portion of the colony to which they belong. They are quite satisfied to remain in a reserve which is within reach of the country belonging to their tribe, so that they can occasionally visit their own particular quarters, where they sometimes enjoy a hunt. If you take them out of that portion of the country and place them in another they would not be able to do that, and would become restless and dissatisfied. In fact the feeling of discontent would grow so strong that they would run away from the reserve

altogether. There is another clause in this Bill which I take exception to, subsection 4 of clause 7, which says—

A protector shall not grant a permit for the employment of any aboriginal or half caste on board of, or in connection with any ship, vessel, or boat trading, fishing, pearling, or voyaging outside the territorial waters of Queensland.

I may say that the previous subsection, which prohibits the employment of any male aboriginal who has not arrived at puberty, or any female aboriginal or female half-caste on vessels, I am in accord with. It is a very wise provision to insert in this Bill. But I would like to point out that in North Queensland there is an industry pursued up there which is specially suitable for the employment of aboriginals—that is *bêche-de-mer* fishery; but it will have to be pursued within Queensland waters, which I understand means a strip stretching three miles outside of the mainland.

The HOME SECRETARY: They go out to the Barrier Reef.

Mr. GIVENS: Why should they be confined to three miles outside the Barrier Reef? These vessels travel all over the reef, right out to the Coral Sea.

The HOME SECRETARY: The blacks ought never to be taken there.

Mr. GIVENS: Possibly the Home Secretary, in committee, will give good reasons for this provision, but I speak from my own experience, and I know that these aboriginals are specially eager to go in these *bêche-de-mer* vessels, and I am satisfied that they would not be so eager to go unless they were well treated. These vessels leave Queensland ports in April or May, and are only away five months in the year. They return to port before Christmas, and don't go out again till the following April or May. Thus, we may say that the aboriginals are away only four or five months in the year. The employment is suitable to them, and they are generally paid decent wages, and are well treated. In fact, as far as I know, they are better treated on these vessels than by the average employer on shore. I know *bêche-de-mer* fishermen who sail from the port I have the honour to represent, that is Cairns, and they are all of fairly high character, and I believe they treat their aboriginals with the utmost consideration. I believe it would be a serious blow to that industry, if the employment of aboriginals therein is prohibited. I fail to see that these men—whose character is good—should be deprived of the right to employ these people, when the conditions under which they employ them are as good, if not superior to those on the mainland. I think it will inflict unnecessary harm on an important industry if this clause is not amended in committee. I would like to point out—although I am not acquainted with legal phraseology—that there are several clauses in this Bill which say that certain things shall not be done, but there is no punishment set out for doing these things. In the principal Act there is always a punishment for the doing of an act which is forbidden to be done. I find no such provision in this Bill. Possibly the Home Secretary may explain that in committee. The object of the Bill has my sympathy, and I may state that I will do anything in my power to better the condition of the aboriginals in this colony. But let me emphasise this point: If this House is sincere in its desire to ameliorate the condition of the aboriginals, they will absolutely prohibit their employment by Asiatic aliens. I have had a good deal of experience in the Northern portion of the colony, and I know that most disgraceful scenes are carried on when the aboriginals are brought into contact with these Asiatic aliens. It is from these Asiatic aliens that the aboriginals generally



get the opium they use. Rarely, if ever, does a white man supply them with it. Most demoralising scenes have occurred up North, when Asiatic aliens have supplied them with opium—scenes which were something intolerable to be endured by any civilised community. This is the most important point, and we shall fall short of our duty to the aboriginals and to ourselves if we allow them to be debased by any further contact with these Asiatic aliens.

Mr. J. HAMILTON (*Cook*): I shall not speak at length on the second reading of this Bill. I shall reserve any remarks I have to make when the clauses are considered in committee. I only rise to refer to one statement made by the hon. member for Cairns—a statement in which he attacked a gentleman who was once a member of this House, Mr. Meston. No hon. gentleman who values his own reputation should utter such slanders unless he is prepared to prove them up to the hilt. The statement made by the hon. member I know to be utterly without foundation. I know that Mr. Meston took a troupe of aboriginals to the other colonies, but there were other parties in the venture, some of whom failed to provide their share of the money, consequently Mr. Meston was stranded in Victoria. He made every effort to provide for these blacks; he raised money on his life insurance policy, and even pawned his watch to keep them going. The only person who suffered was Mr. Meston. The blacks were all returned to this colony in the pink of condition, and went to their own districts. If Mr. Meston were only sitting on the bench which he occupied in this House a few years ago, the hon. member for Cairns would have had the warmest ten minutes ever he had in his life for making such statements which have not a scintilla of foundation.

Mr. JACKSON (*Kennedy*): I myself am not familiar with the circumstances of the case referred to by the hon. member for Cairns; but I think those who heard him speak will agree with me that he said he was not too sure of his grounds, and he would only be too willing to apologise if he found that they were not true. I think all hon. members know that Mr. Meston's sympathies lie in the direction of the welfare of the blacks.

HONOURABLE MEMBERS: Hear, hear!

Mr. JACKSON: I may inform the hon. member for Cairns that Mr. Meston has been the protector of the blacks since the Act of 1897 was passed. I think he had some official connection with the aboriginals even before that in some way or other. With regard to the penalties not being in the Bill, I think the principal Act will cover that, because there is a clause there which enables the Governor in Council to make regulations imposing punishments for any breach of the terms of the Act. We, in Queensland, should not complain very much I think of any expense or trouble in dealing with the aboriginals, particularly when we think that other countries suffer much more than we do, if it is suffering, though perhaps that is a wrong word to use—when we think of the United States having to spend so much in connection with their aborigines, the red Indians, and the South African colonies in connection with their aboriginal population. And even coming to New Zealand we find the aboriginal population in possession of a considerable amount of the land, which the New Zealand Government have to buy back from them.

The TREASURER: Buy back from them!

Mr. JACKSON: They have to buy it from them. We have not to do anything of that sort; we simply give our aboriginals some little assistance in the way of rations and a blanket, or, as some hon. members have said, half a blanket. They are supposed to get a blanket, but they

tell me in my district that they do not always get it. These are matters that the Home Secretary ought to look into.

The HOME SECRETARY: He has looked into them.

Mr. JACKSON: I am glad he has, and I would like to know whether what I have said is correct or not.

The HOME SECRETARY: There is some justification for it, but I hope there will be none next year.

Mr. JACKSON: I hope there will be no occasion for these complaints in connection with this paltry allowance, or subsidy, we make to the aboriginals. It seems rather a pity that we have not a report from the protector, Mr. Meston, or Dr. Roth. I understand that there is one in preparation by Dr. Roth, and I think it is rather a pity that we have not that report before us in passing this Bill, because it would have thrown more light on the subject. I am glad to notice that the Bill proposes to provide for the employment of casual labour. The Home Secretary stated that in his opinion they have power at present to grant permits for the employment of aboriginals even though the term may not be twelve months; but I find that in the Act the two clauses conflict—clauses 14 and 16. Under clause 16 it looks as if the protectors had power to enable aboriginals to be employed for any period, even less than twelve months, but the previous clause seems to come in conflict with that provision, but, as the Home Secretary said, this Bill will make the matter quite clear. As regards the administration of the Act of 1897, I believe it has been satisfactory, probably because it has not been administered harshly. I do not know much about the coastal blacks, but as regards many of the inland blacks on stations and in mining camps, if this Act had been rigorously administered it would not have been possible to allow the inhabitants to employ them at all, even a day or two's casual labour; but the Government have administered the Act in a fair and liberal spirit, and it is to be hoped they will administer it in a similar spirit in future, though as regards evil-doers it cannot be too rigorously administered. The colony is so extensive and the conditions of the aboriginals vary so much that it would not be possible to frame an Act of Parliament that would apply in every district equally, so a good deal must be left to the discretion of the Government. Another point I wish to mention was referred to by the hon. member for Cairns and the hon. member for Croydon, and that is with reference to allowing coloured aliens to employ aboriginals. I think the hon. member for Croydon had mostly in his mind their employment by those engaged in the bêche-de-mer fishery and similar occupations, but I know it would be of advantage to prevent coloured aliens, Chinamen for instance, employing aboriginals in the inland districts. For instance, in the Herberton district, at Atherton, I found, when I was there two or three years ago, that it was a common thing for the Chinamen about there to employ aboriginals, and instead of paying them in money they simply paid them in opium.

Mr. GIVENS: Opium charcoal.

Mr. JACKSON: The hon. member says in opium charcoal, which is even more injurious than opium itself. That is what they are usually paid in. As I was saying, the Chinamen round Atherton—and I believe the same thing happens along the coast in some of the sugar-growing districts—the Chinamen employ aboriginals, and simply pay them in opium or opium charcoal, so I believe it would be an advantage, not only as regards their employment on the coast but also inland in the agricultural districts, if coloured

aliens were entirely prohibited from employing aborigines. However, these are matters we can consider further in committee. In conclusion, let me say I am sure that every member on this side welcomes this Bill, and I do not think there would be any difficulty at all in this House in obtaining a larger vote than is given when the Estimates are passed, if it is necessary to assist or protect the aborigines of this colony.

Mr. MAXWELL (*Burke*): Whilst agreeing a good deal with what has been said by the Home Secretary, I do not think he has gone far enough in this matter when he refers only to the natives on the coast lands.

The HOME SECRETARY: I did not say anything about the coast lands.

Mr. MAXWELL: You were only referring to the boat part of it.

The SPEAKER: Order!

Mr. MAXWELL: I know from my experience, which has extended over a good few years in the inland districts of Queensland, that the greatest transgressors of the laws are generally the Chinamen, and, like the hon. member for Croydon, I think it would be a very good idea when the Bill comes into committee to try and stop those people from having anything to do with the aborigines of Queensland. I know that the payment they generally get doled out to them is in the line of opium. This Bill is to provide against that, and I think it is a good idea. A good deal has been said about how the Act of 1897 has been working. I must say, from my knowledge of things in the inland part of the colony, that I do not think the aborigines are one iota better to-day than they were before that Bill was passed. Anyone knowing what the aborigines have to put up with in those parts or what their employment consists of—probably carrying a drop of water or cutting a bit of wood—knows that if this Act was strictly carried out the first thing a person would have to do before employing an aboriginal to do that would be to register the native. On the other hand, I think, with this Act being allowed to be in the hands of the police in those inland districts, the difficulty could be very easily overcome. When the police see there is any infringement of the law, they could prosecute, but they could allow a certain amount of latitude to those people. A few months ago, in my electorate, there was a man charged under the Act of 1897 with having in his employ a boy. This boy had been reared by him, and he did not object to having him registered; but when he went to find out from the clerk of petty sessions in that part of the district, who was also the senior constable in charge just at that time, he could do nothing in the matter.

But shortly after this he was summoned. [5 p.m.] When he went to court he said he had no objection to the boy being registered; but the police objected. What was the reason? That is what I should like to know. I think they wanted him for a trooper or something else. It is not as far as the boys are concerned where the wrong is done. It is where the young females are concerned. So I think that if it were proposed to place them on a reserve by themselves it would be much better. It should certainly have my support.

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

#### ORDER OF BUSINESS.

On Order of the Day No. 2, University of Queensland Bill, second reading, being read—

The PREMIER (Hon. J. R. Dickson, *Bulimba*): I move that Order of the Day No. 2 be postponed for consideration until after Order of the Day No. 6.

Mr. McDONALD (*Flinders*): I think the Premier should give some reason for this. I regard it this way: We get these papers the first thing in the morning, and members naturally watch for the order on the paper. We come here expecting that certain business will be gone on with; but when we come we find it is going to be postponed and other business gone on with. I do not think that is a wise practice to adopt.

Mr. GLASSEY: It certainly does place hon. members at a disadvantage.

The PREMIER: These are less contentious measures than No. 2, and I wish to let the non-contentious measures come first.

Mr. GLASSEY: There is no intention on the part of members on this side of the House to object to the Government taking business in the most convenient way; but, as the hon. member for Flinders says, members, as a rule, prepare for the business in the order in which it stands on the Orders of the Day. When the House adjourned on Thursday we were told that the order of business would be as we find it on the business-sheet; but for certain reasons—no doubt good reasons—the Premier proposes that the second Order of the Day should stand over until Order No. 6 is disposed of—that is, to take Orders 3, 4, and 5 in the meantime. Are they to be considered in the order they are in? I certainly think it is not a good practice. These matters are sprung on us from time to time without members having the notice they should have when preparing the business of the day.

Question put and passed.

#### SUPREME COURT ACTS AMENDMENT BILL.

##### COMMITTEE.

Clause 1—"Construction and short title"—put and passed.

On clause 2—"Jurisdiction of registrars in the absence of Central or Northern judge"—

\* The ATTORNEY-GENERAL (Hon. A. Rutledge, *Maranoa*) said that since the Bill was read a second time he had received a communication from Mr. Justice Chubb, of Townsville, making a suggestion with reference to the insertion of an amendment which appeared to him to be very desirable. The suggestion was that the same powers should be conferred on the registrars of the Central and Northern courts under the Bill under section 17 of the Bills of Sale Act of 1891 as was proposed to be conferred upon those registrars in other respects under the Bill. The Bills of Sale Act, of course, required the filing and registering of documents under that Act, and that such filing and registering should take place within a certain time. Section 17 of the Bills of Sale Act was as follows:—

A judge of the Supreme Court on being satisfied that the omission to file or register any document under this Act within the time hereby prescribed, or that any omission or misstatement made in the process of filing or registration of any document was unavoidable or accidental, or due to inadvertence may, in his discretion, order such omission or misstatement to be rectified by extending the time for such filing or registration, or by allowing any document, book, or register to be corrected or amended on such terms and conditions, if any, as to security, notice by advertisement, or otherwise, as he thinks fit.

It very frequently happened that persons who had transactions under that Act were prejudiced by reason of some accidental omission on the part of those whose duty it was to look after the registration of the documents within the prescribed time; but when the omission to register or file was purely accidental, there seemed to be no reason why it should require a judge of the Supreme Court to give the authority to rectify the mistake. It was proposed in the Bill to confer that power upon the registrar in the same way as the other powers were being conferred

on him, and he moved, therefore, the addition of the following words to follow line 17 of the clause :—

(iii.) Any application under section 17 of the Bills of Sale Act of 1891.

Of course if the registrar thought it was not a mere case of inadvertence, he would defer the matter until it could be heard before the judge; but when it was perfectly clear that a mere slip had taken place, there seemed to be no good reason why the parties should be put to that expense, or that their interests should be imperilled by not going before the registrar.

Amendment agreed to; and clause, as amended, put and passed.

Clause 3—"Power to make rules"—put and passed.

On clause 4—"Amendment of section 9 of the Supreme Court Act of 1895"—

The ATTORNEY-GENERAL said that the reason for the clause was to be found in the 9th section of the Supreme Court Act of 1895, which read as follows :—

The Governor in Council may from time to time appoint, for the purposes of the Central court and of the Northern court respectively, such and so many duly qualified persons as may be requisite to perform within those districts respectively the duties of sheriff, prothonotary, and registrar, and the duties of such other officers as may be necessary. And the officers so appointed shall be called respectively the Central sheriff and the Northern sheriff . . .

although just previously the clause had described the sheriff, prothonotary, and registrar. It was a mistake on the part of the draftsman to insert the words "shall be called respectively the Central sheriff and the Northern sheriff," and clause 4 of the Bill would remedy the blemish by omitting those words.

Clause put and passed.

The House resumed; the CHAIRMAN reported the Bill to the House with an amendment. The report was adopted, and the third reading of the Bill was made an Order of the Day for to-morrow.

#### REGISTRATION OF DEEDS BILL.

##### COMMITTEE.

Clause 1—"Short title"—put and passed.

On clause 2—"Certain instruments not to be registered under Registration of Deeds Act"—

The ATTORNEY-GENERAL said that there was an apparent omission, inasmuch as provision was not made for validating documents that had not been registered previous to the passing of the Bill. The Bill was prospective in its operations, and he moved the addition to clause 2 of the following words :—

And no such instrument executed before the passing of this Act, and no instrument of any kind whatsoever executed before the passing of this Act, under the provisions of any Act now repealed relating to Crown lands or relating to goldfields, mines, or minerals respectively, shall be deemed to be invalid or be in any way prejudicially affected, merely by reason of the fact that it has not been registered under the provisions of the Registration of Deeds Act.

Amendment agreed to.

Mr. DAWSON (*Charters Towers*) said he was not going to make any objection to clause 2, but he would point out to the Attorney-General that when he was going to move an important amendment like that, he might adopt the usual course of circulating it among hon. members beforehand.

\* The ATTORNEY-GENERAL said the observation was a very proper one. He was under the impression that the amendment had been circulated. But he had intimated his intention to move this amendment to the hon. member for Mitchell and had shown to him the necessity for not only providing for the non-necessity of registering under those Acts in the future but for preventing from becoming invalid documents

that had been registered in the past; and it had been his endeavour to make the validating clause as complete as possible.

Mr. FITZGERALD (*Mitchell*): He might mention that the Attorney-General had shown him the amendment, which was not circulated. He quite agreed with the amendment as now carried, but he hardly thought there was any necessity to say so in the Bill. He knew that many documents had never been registered under the old Act at all.

The ATTORNEY-GENERAL: That was why they were in danger; the old Act said they should be.

Mr. FITZGERALD said the question had never been brought up as far as he knew. He merely rose to say that the Attorney-General showed him the amendment before he put it.

Clause, as amended, put and passed.

Clause 3, and schedule, put and passed.

The House resumed; the CHAIRMAN reported the Bill with an amendment.

The ATTORNEY-GENERAL: I move that the Bill, as amended, be taken into consideration.

Mr. LEAHY (*Bulloo*): I have no objection to the Bill, as amended, being taken into consideration at present, but I think it is a bad practice. This amendment has not been circulated; it has been moved without notice; and as there is no pressing necessity for considering the matter just now I think that at all events the consideration ought to be postponed until we have had an opportunity of reading the amendment. I am not objecting to it because it is not right. I am objecting to the principle.

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

#### LOCAL WORKS LOANS ACTS AMENDMENT BILL.

##### COMMITTEE.

Clauses 1 to 3, inclusive, put and passed.

On clause 4—"Existing loans, Schedule II"—

Mr. GLASSEY (*Bundaberg*) presumed the Treasurer must have had communications from various local authorities with regard to the time within which their loans should be repayable, and should like to know if it was thought that that clause would cover their reasonable demands.

The TREASURER (Hon. R. Philp, *Townsville*): Did the hon member refer to loans with respect to which the time for repayment had been postponed?

Mr. GLASSEY: Yes.

The TREASURER: In those cases the local authorities had been given three years already, and he thought that with better times in the colony, with the bigger endowment which was given last year, and with the bigger endowment the Government proposed to give this year, the majority of the local authorities would be able to repay principal as well as interest.

Mr. GLASSEY: There was no doubt that the extension of time which had already been granted was a relief, but the increased endowment, which was something like £17,000, did not amount to a great deal when it was distributed among so many local bodies. Considering the number of years during which local bodies had received very little endowment, and considering the very deplorable condition of the roads, bridges, and culverts in the country, he was doubtful if the proposed relief was adequate, and thought some further concession was desirable. The matter was one which affected more particularly local authorities in country districts, though some of the smaller municipalities, and some mining districts, where the rating area was small and the values of land low, would feel the pinch. He should

like to see some means devised whereby the main roads of the country, the main arteries of communication, should be made and maintained by the Central Government, more particularly in sparsely populated localities. Then the local bodies might be able to get along, but without some substantial relief he sometimes thought that in some parts of the country the local authorities must ultimately break down.

The TREASURER: The Government increased the endowment last year by £25,000, and also put a sum of £5,000 on the Estimates for roads to goldfields, and there would be another increase in the endowment this year, making in all £50,000, which should be a considerable relief to local authorities.

Mr. McDONALD: How is it distributed?

The TREASURER: It was very well distributed; the larger sums of endowment this year would go to divisional boards.

Mr. DAWSON (*Charters Towers*) wished to know what was the meaning of the term "and in arrear" in the proviso, which said "Provided that such sums shall not be taken to include any moneys accrued due to the Treasurer by way of interest upon any loan, and payable and in arrear on the said first day of July."

The TREASURER: Interest at 5 per cent. due up to the 1st of July would have to be paid at that rate, and not at 4 per cent. They would not allow the interest on arrears to be reduced to 4 per cent., but he thought there were only two, at any rate there were very few, local authorities in arrears now.

Clause put and passed.

On clause 5—"Loans to be repaid by half-yearly instalments, Schedule III."

Mr. CAMPBELL (*Moreton*): Loans were divided into six classes, and class 1, embraced works of a permanent and reproductive nature. He thought that tramways should be included in that class, and hoped the Treasurer would accept an amendment to that effect, so that local authorities should be empowered to construct tramways under the extended terms of payment, and at the reduced rate of interest now proposed. At present loans for tramways were payable in twenty-one years, and the annual payments of interest and principal at 4 per cent. would be £7 2s. 7d., whereas if the term were made forty years the payment would be £5 1s. 1d. yearly. He believed there was a provision in the Act which enabled the Treasurer to extend the term, but he thought it should be made clear that loans to local authorities for the construction of tramways where they thought it desirable should be for forty years, and not leave the term of the loans to the option of the Treasurer. If the Treasurer would accept the suggestion and embody it in the Bill he would be quite satisfied; if not, he would like to move it.

An HONOURABLE MEMBER: What is the amendment?

Mr. CAMPBELL: That this matter of the tramways should come under class 1 instead of class 3.

The TREASURER: It was quite true what the hon. gentleman said with regard to works under class 3, but the Governor in Council had power to alter the classification of any special work, if desirable. In some districts loans for tramways might be repaid in twenty-one years, but as regarded other districts, where special applications were made, the Governor in Council had under the present Act power to extend the term to forty years. There was no occasion for the amendment.

\* Mr. CAMPBELL: Considering what the Treasurer had said, he would like to ask whether the local authority making the application for a loan under this section would be enabled to get the term extended to forty years. He was

satisfied that many local authorities would hesitate to make application to the Government, seeing that the Act was so specific. He submitted that tramways properly constructed were permanent and reproductive works, and should be embodied in class 1. He had omitted to say that under clause 3 of the 1880 Act the repayment for twenty-one years was £7 16s. 8d., and that there was no railway able to make such annual payments as that.

Mr. DAWSON: Yes, the Northern line.

Mr. CAMPBELL: No doubt that line had developed, because it was connected with a large goldfield, but on small tramways, as contemplated by this Act, it was unfair and ridiculous to penalise them by such a high rate of repayment. The House ought to see its way to assist these small tramways. He thought the local authorities wanted a great deal more consideration than had been accorded to them in former years. His object was simply to get means of communication by tramways established as extensively as possible.

Mr. DAWSON would like to correct the hon. member for Moreton with regard to his statement about no railway in the colony being able to make the £7 16s. 8d. annual payments mentioned. As he had interjected, there was the Northern line. But the hon. member for Moreton was a Southern member, and a strong anti-federalist, and he did not want to give the North credit for that. He would point out that there was power under the old Act given to the Treasurer to make any adjustments thought necessary.

The TREASURER: The Governor in Council.

Mr. DAWSON: After all, that was the Treasurer.

The TREASURER: No; he's only one in nine.

Mr. DAWSON: It was no use hon. members saying that, because he had got an adjustment, and he did not go near the Governor in Council. He got it from the Treasurer, who might have approached the Governor in Council. At any rate he dealt with the Treasurer, and he adjusted the matter. Supposing no such power was given, even then subsection 2 of this Bill amply provided for that. All they had to do was to keep sweet with the Treasurer, and seeing that they had a refreshment bar, that ought not to be very difficult, especially as hon. members sitting on the Government side could threaten to join the Labour party if they did not get any adjustment they desired. He did not think anything could be much plainer than the clause under discussion. If tramways under class 3 were found to work badly, and a good case were made out, they could be brought under class 1. At any rate, there should be someone in authority who would have power to make the adjustment, and there was no one more competent to make the adjustment than the Treasurer.

An HONOURABLE MEMBER: That is the Treasurer for the time being.

Mr. DAWSON: Yes, for the time being. Perhaps in a month's time, the present Treasurer would not be the Treasurer, but the hon. member for Leichhardt would be in his place, and then the hon. member for Moreton would have to keep sweet with the hon. member for Leichhardt. He thought this subsection amply covered the whole ground, and he would be very loth to agree to any proposal that would take the power of adjustment out of the hands of the Treasurer. To put it into the hands of the Governor in Council was a bad system. He had objected to this sort of thing right through the piece—to any such power being given to anyone outside the House. That is the reason why he objected to the Civil Service Board.

An HONOURABLE MEMBER: And to the Railway Commissioners?

Mr. DAWSON: Yes, and to the Railway Commissioners, and to various other boards of that kind. He wanted to see the old system re-established, in which the Ministers of the Crown took the responsibility, and if anything went wrong they could be taken to task in the House. He did not want to see a butt between the Minister and the party aggrieved. They were suffering several grievances at the present time from the establishment of outside authorities. No more outside authorities were wanted. He presumed the Treasurer would not make the adjustment unless those who required it made out a good case, if he did he would have to suffer the consequence.

The TREASURER: They really had only one tramway at present in working order—the Cairns-Mulgrave tramway. They borrowed the money for twenty-one years, and were paying interest and redemption. The Government last year authorised the building of three or four other tramways on those terms, and if the terms were found too onerous no reasonable Government would refuse to extend them. The original Act gave that power to the Governor in Council—which was the Ministry of the day—and the gentleman who administered the Act was the Treasurer. Clause 6 of the main Act contained the proviso that the Governor in Council might assign to any specific work a higher or a lower classification as the case might require; so it was entirely in the hands of the Government to extend the terms if it was deemed necessary.

Mr. McDONALD (*Flinders*): When the Treasury happened to be full it was only natural that the Treasurer would be willing to extend the time when asked to do so by the authority running the tramway or this particular class of work, but if, on the other hand, he was not flush of money, and found it difficult to meet the requirements of government, he would naturally raise a good many objections to granting the provisions that might be asked for. That was where he could see the difficulty coming in, and he thought it would be better to have it specified in the Bill. Another thing, when the Government borrowed at  $\frac{3}{4}$  per cent.—latterly at any rate—they borrowed for fifty years, and in getting 4 per cent. for forty or forty-two years he thought they were on fairly safe ground in regard to having the money repaid. He thought if it was definitely stated here it would be more encouragement to boards to go on with those works.

Mr. CAMPBELL (*Moreton*): Under the principal Act wharves and jetties were included in class 1, and he submitted that tramways were just as permanent works as those, and it would be only a fair thing to grant a loan for forty years in the case of tramways, instead of the tramway authority having to ask first for the loan for twenty-one years, and then having to go cap in hand to the Treasurer for an extension to forty years. As far as his district was concerned, none of the local authorities could afford to pay an annual rate of £7 16s. 8d. for any money they might borrow for the purpose.

The TREASURER said the rails of a tramway would want relaying at the end of thirty years, and the sleepers in some parts of the colony would want renewing every ten or fifteen years. Those in the Northern scrubs would want renewing in that time. But if it was shown to the Government that the tramway was kept in good repair, there was no doubt that an extension would be granted. If a tramway was kept in proper order it would last an indefinite time.

Mr. DAWSON: The Committee had reason to be glad that the hon. member for Moreton had raised this question, and he would like to hear

the opinions of other hon. members who had long experience of local government. It seemed to him that the question raised by the hon. member was a question of authority. The hon. gentleman claimed that a tramway was a work of such a permanent nature that it should come under the forty-year classification. He (Mr. Dawson) had pointed out that under the old Act there was authority given to the Governor in Council to adjust the classification, and, as a matter of fact, it had been done in scores of cases. If the Treasurer was satisfied that a good case had been made out by those who required an adjustment, he would no doubt extend the terms of the loan from twenty-one to forty years.

Although tramways were classified [7 p.m.] as works of class 3 under the principal Act, they could be classified as works of class 1 if the local authorities were able to satisfy the Treasurer that such an adjustment was desirable. Up till the present, the principal tramways had been constructed to the mining fields, and it was a long stretch of imagination to think that any tramway would last forty years. The only tramway the Government had found the money for was the one from Cairns to Mulgrave, and he contended that every case should be treated on its merits—that each line should be submitted to the Treasurer for the time being, and that he should exercise his discretion. To lay it down as a general principle that those who desired to construct tramways must have a forty years' loan was a very bad thing to do, because the industry in a district to which the line was to be constructed might not last twenty years. Local authorities should have the chance of borrowing for twenty-one years, and if at the end of that time the Government found the work was of a permanent character, and that the district or the industry was likely to live long enough, it could convert the loan from one of class 3 to one of class 1.

\* Mr. COWLEY (*Herbert*): It should be borne in mind what the object of tramways was. It was not to make money, but to develop country districts. The Government railways paid about £3 5s. 6d. per cent.; but the local authorities were expected to pay £7 15s. per cent.

The TREASURER: £7 2s. 7d.

Mr. COWLEY: That was rather much to ask the local authorities to pay when the Government, with all its enormous plant and able men they had at the head of its railways, could only pay £3 5s. 6d. on the average. The only line which had been constructed under the Act up to the present, and which was in working order, was the Cairns line. It paid handsomely, but it was exceptional, inasmuch as it ran through level country and the traffic was very great, as it connected a rich agricultural centre with the port. But it was not to be expected that every line which would be constructed under the Act would pay so handsomely. It was much better that the local authorities should know what they were to expect rather than that they should have to come cap in hand to the Treasurer after a series of years and ask for an extension of time. It was during the first few years that they wanted money at a lower rate of interest. After a line had been constructed and in working order for fifteen years it was very unlikely an extension of time would be wanted. After it had paid fifteen annual instalments it would only have six more to pay, and a line should be in a paying state then if it was ever to pay at all. It was the first few years it was constructed that it was more difficult to make it pay. If the local authorities waited until the country was sufficiently settled to make a line pay, they would never get it settled. It was to assist the settlement of the country that the line was constructed. If they let that

lause pass—as they should do—they might insert a new clause to this effect:—"The word 'tramway,' is added to sub-section 1 of section 6 of the principal Act." That would meet all requirements, and would be of great assistance to local authorities they would know the exact terms on which they could come in.

Mr. GIVENS (*Cairns*) was altogether in favour of granting the extended period to local authorities for the repayment of loans. Forty years was only a reasonable term. If a local authority could repay principal and interest in twenty-one years, it would be the most profitable form of speculation that could be engaged in. He failed to see why the Government should impose harder conditions on local authorities with respect to loans than those on which they could themselves borrow—they could obtain almost any term. He represented the district in which the first big experiment had been made in the construction of a tramway by a local authority, and he was pleased to say that the success of the undertaking surpassed the expectations of the most ardent believers in the scheme. Not only had the tramway earned sufficient money to pay interest and redemption, but the local authority was also able to devote a large sum annually out of the profits to the improvement of the line, and he believed that every mile the line was extended would render it still more profitable, as larger profits would accrue from the longer freights. But although that line had been an enormous success, it had to be borne in mind that the district possessed exceptional advantages, and that very fact was a source of danger to the colony, because it might induce local authorities who had not the same prospects of success to undertake similar works. He did not think that if the term was fixed at forty years it would induce any local authority to rush in. It was the duty of the Government to see that before a loan was made to a local authority there was some reasonable ground for believing that it would be a success. If the term was reduced to ten years there were plenty of local authorities who would be willing to borrow, even if there was no reasonable prospect of their being able to meet their liabilities. They would trust to getting an extension of time afterwards. The hon. member for Herbert had pointed out that those lines should precede settlement, in order to develop the country. He hardly agreed with the hon. member in that. In the case of the Cairns tramway settlement had preceded the construction of the line. He was satisfied that the line would have paid after a year or two, even if there had been no settlement, because it would have induced settlement, but at the same time it owed its great success to the considerable amount of settlement and traffic awaiting it as soon as it was opened. If a division was taken, he would certainly vote for the longer period. The Government should encourage local authorities to take up that sort of business, rather than leave it to private enterprise. He would be only too pleased to assist local authorities to carry out all such public works, so long as the interests of the colony were not likely to suffer. The success which had so far attended the experiment warranted them in being as generous as they could to local authorities.

Mr. DUNSFORD (*Charters Towers*) said it opened up a big question if they started to tinker with the different classes of public works. In the principal Act there were no less than six classes of public works, forty years being the maximum term for repayment and five years being the minimum. If hon. members were going to interfere with the third class of works, which included tramways, to be consistent, they should also deal with bridges, bores, and other

constructions of brick and stone. He had chiefly risen to ask the Treasurer whether it would not be possible for him under sub-clause 2 to extend the term to forty years for any of the works that he had mentioned.

The TREASURER: Not under this clause.

Mr. DUNSFORD: Did it mean that the Treasurer could make any adjustment he considered necessary with respect to the term? His reading of the sub-clause was, that it would be possible for the hon. gentleman to give the maximum term of forty years in connection with any of those works.

The TREASURER: No. The principal Act gives that power.

Mr. DUNSFORD: No; it classified works under six different headings. First, there were works for which the maximum of forty years was allowed; for works of the second class thirty years was the term of repayment; for the third class, twenty-one years; for the fourth class, fourteen years; for the fifth class, ten years; and for the sixth class, five years.

The TREASURER: Read what follows that.

Mr. DUNSFORD: There was another clause following that, but he did not see that it overrode section 7. If the Minister could show that forty years could be given to any of those classes there was a contradiction in the original Act.

The TREASURER: It had been done over and over again. If the Treasurer deemed it necessary, and there was a good case before him, he could readjust the term under the original Act.

Clause put and passed.

Mr. COWLEY moved the insertion of the following new clause to follow clause 5:—

The word "tramway" is added to subsection 1 of section 6 of the principal Act, and omitted from subsection 3.

The TREASURER said he could not accept the amendment. There was no occasion for it. If the term were extended to forty years they would be deluged with applications to build tramways. At present, people who built tramways were satisfied if they could pay the interest and redemption in twenty-one years; and that was a good check on applications of the kind. If the Government, as time went on, were satisfied that the line was a good line, and was opening up country, they would be prepared to extend the time for final payment. He thought that was quite sufficient. If they held out to local authorities that they could borrow money to build tramways all over the colony, and have forty years to pay it in, they would get applications to build tramways where they now had to build railways, and there would not be enough money to supply them. So far they had done exceedingly well in building tramways. The Cairns tramway was paying, and he had no doubt the two lines passed last year would do the same thing. But local authorities could build and work tramways very much cheaper than the Government could do. At Cairns, the clerk of the divisional board was traffic manager, stationmaster, guard, and everything else, and he could do the work for a third the Government could. The lines were built much cheaper, and they did the work just as effectually. He was very pleased to see the divisional boards going in for tramways. There was a greater chance of opening up the country by tramways than by waiting for railways to be built. In every reasonable way the Government were ready to encourage local authorities to build their own tramways; at the same time it would be dangerous to extend the term to forty years. They might well let things go on for some little time as at present; and if it was found that any

local authority, after making an honest effort, found they could not pay up, no Government would refuse an extension of time.

\* Mr. COWLEY said he was sorry to see the attitude the Treasurer had taken up, because he thought he was wrong. All the tramways that were to be constructed would not be as successful as the Cairns line. What the hon. member for Cairns said was perfectly true; they had enjoyed exceptional advantages, and the line was well managed. There was another proposed tramway in the Geraldton district. Permission had been given to construct it a certain distance, but fifteen miles beyond that, at Jordan Creek, was a goldfield which he believed would ultimately prove a very payable field for small miners. The difficulties of transport in that country, owing to the heavy wet season and the very dense scrub, were so great that it was utterly impossible to connect with any large centre of population by ordinary wheel traffic. The soil was volcanic, and there was an average rainfall of 150 inches a year. There was another tramway being constructed in the Ingham district to the Kangaroo Hills Tin Mines, which would probably be a very large one. These would develop the resources of the country just as much as it would be developed by a system of Government railways, for which the Government only pay  $\frac{3}{4}$  per cent., with no redemption whatever. For guaranteed railways the local authorities only paid 2 per cent., with no redemption whatever. Why should fish be made of one and flesh of the other? Why should tramways pay 7 per cent. while guaranteed railways were only paying 2 per cent.? He believed that all the latter, with the exception of the Mount Morgan line, were being worked at a loss, and yet the ratepayers had to pay their share of that loss, as well as 7 per cent. on their own lines. The local authorities did not construct their lines for the sake of profit or to enrich themselves. They were simply doing it to develop the resources of the country. In the Johnstone River district it was contemplated to run a tramway for seven-

[7.30 p.m.] teen miles, and that would be a very good thing if the Jordan Creek Gold Field was permanent, as there was every reason to believe it would, as there were 200 men engaged in alluvial and reefing work, and some of the reefs were showing up very well indeed. But even if the field was not permanent they should remember that the whole way to the top of the range was dense scrub, and the whole of that land belonged to the Government, with the exception of 20,000 or 30,000 acres surrounding Geraldton. Nearly thirty years ago he rode through the country between the Tweed and the Richmond, and did not see a solitary settler from Casino to the Tweed. Now that country was densely populated and in a most thriving condition, and what had been done there would be done between Geraldton and the Russell, between the seaboard and the tableland, where there were about 2,000 square miles of unalienated scrub land capable of growing almost anything, either of a tropical or sub-tropical character. If the Government could see their way to give local authorities money at a lower rate of interest for the construction of tramways they would be amply repaid, directly and indirectly, by the enormous increase in settlement and the increase in Customs duties, and in every other respect. He sincerely hoped the Government would give way in that matter.

Mr. DAWSON (*Charters Towers*) was very pleased at the attitude taken up by the Treasurer, and hoped the majority of the Committee would support the hon. gentleman. The illustration drawn by the hon. member for Herbert was not *apropos* to this case. If the hon. member wished to prove anything

by it he should show that the settlement in the Tweed and Richmond district was due to facilities afforded by the Government of New South Wales for the construction of tramways by local authorities. But the fact was that there were no tramways constructed by local authorities in that district, and that there was not a single tramway in that district to-day.

Mr. BROWNE: And no local authorities.

Mr. DAWSON: As a matter of fact he believed that one of the principal complaints against the Government of New South Wales was that they had promised for years to bring in a Local Authorities Bill, and had not done so. As to the comparison between tramways and railways, he would point out that there was an important difference between the two, inasmuch as when a tramway was constructed it belonged to the local authority, while the railways belonged to the people of the colony. He had not the slightest objection to any local authority getting power from the Government to construct a tramline anywhere they liked at whatever cost they liked, but he contended that when they borrowed money from the Government the Treasurer should have some whip over them, and he was only willing in a general sense to give them the power to demand as a right that they should borrow for twenty-one years, and if at the end of that time they satisfied the Government that the work for which they had borrowed the money was of a substantial character, and the district of a productive nature, the Treasurer might extend the time to forty years. But they should have no right to demand a loan for forty years in the first instance. In a country like this, the right to borrow for twenty-one years was a very liberal one to grant. They were not quite sure that any tramline that had ever been constructed would last for twenty-one years. The white ants in the Gulf country ate galvanised iron, and he had yet to learn from the hon. member for Herbert, or the hon. member for Moreton, that they were prepared to guarantee that any tramline would last for twenty-one years without having to be renewed.

Mr. CAMPBELL: Everything requires renewal.

Mr. DAWSON: Quite so, but the hold which the Treasurer would have would not be on the renewed line, but on the line for which the money had been borrowed. A tramline might be constructed in a flourishing district, and yet the portion of the district in which the tramway was built might not be flourishing, so that the Treasurer might have no chance of ever getting his interest or principal. There was a tramway on Charters Towers which had not been constructed with money borrowed from the Government, but it might have been built in that way if the people concerned had been able to induce the Dalrymple Divisional Board to apply for a loan. That tramline was constructed from the Victory Gold Mine to the Excelsior Crushing Mill. It looked like a flourishing gold mine at the time, and the company expended a tremendous sum of money on that tramline, and what was the result? That that line was only in use for twelve months, and for something like four or five years never a truck had gone over it. The company were at a dead loss. Supposing the Victory company had induced the Dalrymple Divisional Board to make application to the Treasurer to borrow money to construct that line, and it had been granted. The Treasurer would never have seen either the principal or interest, notwithstanding that Charters Towers was the most prosperous goldfield in Queensland. There was a concrete case, which ought to teach hon. members that there must be a certain amount of power in the hands of the Treasurer. He must



be able to judge each individual case on its own merits. If the case is not worthy of further extension, it would not be given.

\* Mr. COWLEY (*Herbert*): The ignorance displayed by the senior member for Charters Towers was simply appalling. In the first place, he talked about the extension to forty years at the expiration of twenty-one years, but as the amount due for interest and redemption had to be paid off in twenty-one years how could they apply for an extension for forty years? Practically the whole thing would be paid off. The hon. member talked as though the railway was the only security, but the security was every pound's worth of ratable property in the district. If the railway did not pay, the Government could take over the line and levy a special rate. As to the line lasting forty years, works of this character must be maintained. Sleepers and rails would have to be renewed, and the lines must be kept in first-class order, the same as our main railway lines. These lines did not only carry goods—they carried passengers; and the local authorities took good care that the whole line was kept in fair working order. The hon. member compared the districts in North Queensland with those on the Tweed, but the condition of the roads was not the same, because the rainfall in one case was from 35 to 40 inches a year, and in the other from 150 to 200, as on the Johnstone and other Northern scrub districts. The produce on the Tweed could, therefore, be conveyed by drays far more easily there than in the North. They were not at all parallel cases.

\* Mr. GIVENS: The leader of the Opposition had just waxed very eloquent on the principle that animated Shylock a long time ago: that was to drag as much as possible out of the unfortunate borrower. According to the principle which the hon. member and the Treasurer advocated, local authorities who borrowed money would have to pay £7 2s. 7d. per annum for interest and redemption. But under the system contemplated by the amendment moved by the hon. member for Herbert, the amount to be paid would be £5 1s. 1d., and that amount was sufficiently heavy for local authorities. As a matter of fact, the railways of the colony did not pay anything near that rate as interest; and why should the Government charge a certain section of the people, who wished to borrow money for a very useful purpose, with £7 2s. 7d., when the colony was only paying 3½ per cent. interest? Where would the colony be if its creditors were to force it to pay its debt in twenty-one years? It was never contemplated that the colony should pay its debts in twenty-one or forty years, and why should they be so hard on people who wished to construct works which would be of great benefit to the public? He would remind the leader of the Opposition that the case he called a concrete one was not a parallel one. He (Mr. Givens) was at Charters Towers when the line mentioned was opened, when it was working, and when it ceased to work, and he knew as much about it as the leader of the Opposition. That line was built for the benefit of two private companies, whereas tramways under this Act would be built for the public benefit; they would open up large tracts of country for settlement, and do good in various other ways, but he was careful to draw a distinction between these lines and others. He maintained that tramways were the property of the State just as much as the ordinary railways. Although the roads in Brisbane, or anywhere else, were under the care of the local authority, would anyone dare to say that these roads were not public property?—the property of the people of Queensland? It was a ridiculous splitting of straws to say that because those tramways were to be built by local authorities they would not belong to the

people, and therefore the hardest terms should be imposed upon those who constructed those tramways. The first big experiment of this kind was the Cairns-Mulgrave tramway, which had been an exceptionally successful one. There was everything in favour of the line to make it a success from the start—magnificent land almost fully settled, comparatively level country, no heavy bridge work or engineering difficulties to be encountered, an exceptionally well-managed line from the start—but notwithstanding all that in favour of the line, if the terms at first had been exceptionally harsh it might have militated against the success of the line. Though Cairns might be able to pay this interest and redemption, it did not follow that everybody else was so favourably situated, and it was no reason why Cairns should be selfish and say that everybody else must do the same. The Committee should take a reasonable view of these things. Was it desirable that tramways should be constructed by local authorities or not? He maintained that it was where there was a reasonable chance of the lines paying and opening up and developing country suitable for settlement. If it was desirable, then it was the duty of the Committee not to make the conditions so hard that the generality of local authorities could not take advantage of them. A tramway in a place where there was a large amount of settlement would always be a valuable asset, which the Treasurer could fall back upon if necessary—it was not like the Charters Towers line, referred to by the leader of the Opposition. It would be kept in constant repair, and if the Treasurer took possession he would get full value.

Mr. JACKSON (*Kennedy*) intended to support the amendment, the only objection that struck him was that it might offer too much temptation to borrow, but it did not follow that the Government would grant those loans to every local authority that asked for one. Under the Meat and Dairy Act the loan was for fifteen years, but no interest was required for five years.

The TREASURER: We have that power here.

Mr. JACKSON was not aware of that, but that did not affect what he wished to point out—namely, that in one case the advance was to a private company, while in the other case it was to a local authority. Again, under the Agricultural Lands Purchase Act, though it could not be called a loan to a private individual exactly it really amounted to the same thing. There the payments by the individual were extended over fifteen or twenty years; and in this case, where it was asked that the time should be extended to forty years, there was a collective security.

Mr. SMITH (*Bowen*) said he would vote against the amendment. The Bill was brought in for the purpose of lowering the rate of interest to local authorities, and he thought a reduction from 5 per cent. to 4 per cent. was a very great concession. If they, in a generous mood, allowed tramways to be transferred from class 3 to class 1, the result would be that the local authorities would be building tramways in places where there would be no possibility of them ever paying.

Mr. DAWSON: From Ayr to the 6-mile peg.

Mr. SMITH believed it was "in the air" that there was an application for a tramline from Ayr to the 6-mile peg. Of course they would deal with that when it came up. His opinion was that that line would never pay, and he meant to oppose it. If they in a generous mood now granted this concession to local authorities they would be allowing them a privilege which, in some instances, they would take advantage of to their own detriment, and those people ought to be saved against themselves. If a local authority wanted to get a concession in regard



to these payments they need not wait till the twenty-one years were up, and it would be to their advantage to apply at the end of ten years, if they saw that they could not possibly fulfil their engagements, and get the term extended to twenty-five or thirty or forty years.

[8 p.m.] The Treasurer would have full power to recommend such alteration in the length of term as might be thought necessary, which, he thought, would be quite sufficient. He therefore intended, in order to keep the local authorities from plunging too much into tramways, to vote against the amendment. Of course, it was all very well as long as the lines were built in districts such as had been described by the hon. member for Cairns.

Mr. GLASSEY: The Government would not advance them money unless the district was one which would be likely to support a line.

Mr. SMITH: He did not know whether they would or not. He should be sorry to do anything against the local authorities, but he believed he should be doing them a benefit by voting against the amendment.

Mr. STEWART (*Rockhampton North*) intended to vote for the amendment. He thought the time had come when some new departure was absolutely necessary if the colony was to be developed at all. Hitherto the Government had concentrated their attention upon constructing such railway lines as would develop the colony from a pastoral and grazing point of view; but along the coast the population was becoming more dense and the demand for railway facilities was increasing every year. In fact, it had increased at such a rate that the Government was absolutely unable to cope with it. What was to be done? He was against the construction of railways or tramways by private enterprise. Therefore, the only resource, as far as he could see, was to place the construction of these light lines in the hands of the local authorities, and if they were to do that, they should give them all the encouragement possible. Hon. members who opposed the amendment did not seem to recognise that the population was going to continually increase, that the security would be improving every year, and that the security ten years hence would be much greater than it was at the present time. Taking that view of the case, he did not think the Government ran any risk whatever in extending the period to forty years. In fact, he found that, in the southern colonies, private individuals got loans from the Government for forty years, and if southern Governments thought it good enough to do that, surely the Government of Queensland might venture to lend money to local authorities upon like terms. The hon. member for Bowen, and other members, seemed to think that the Government might be flooded with applications for money. That might possibly be the case; but he did not suppose for a moment that the Government was going to accede to every application it received. He supposed they were going to use common sense, and deal with each application on its merits. Further, hon. members should remember that the local authorities would be undertaking an obligation, and if it was made absolutely clear to them that the payments must be made when they became due, they would take very good care that no wild-cat enterprises were engaged in. He thought if hon. members were desirous of seeing the country developed, as he believed they all were, they would agree to the amendment. He intended to vote for it, and he hoped it would be carried.

Mr. NEWELL (*Woothakata*) intended to vote for the amendment for the reason that he believed it would be for the benefit of settlement throughout the colony. He knew for a fact that in several portions of the colony settlement

had been retarded for want of rail or tram communication. It had happened more than once in the history of Queensland that railways had been passed by Parliament, and money voted for them, but the lines had not been built, and the money was diverted to other lines. The result had been that the development of these places had been kept back; but if this Bill were passed the local authorities would be able to come to the Government and borrow money to build these lines. The people who were living in a district ought to have a very good idea of whether the lines would pay or not. If a man started a business it cost him money at first. So it was with railways, and so it would be with tramways. It could not be expected that they would pay straight away, especially with the high rate of interest they were to be asked to pay; but if the loans were extended over forty years, the sum which would have to be paid yearly would be less. The consequence would be that the local authorities would have less to pay, and have a chance of opening up the country. The hon. member for Herbert referred to the Johnstone River and the district between there and Herberton. The people there had been waiting for rail or tram communication for years. Several of the inhabitants had been keeping their eyes on the land for fifteen years. There was the land and the timber and a splendid rainfall—a rainfall not to be exceeded, he supposed, all over Australia—everything, in fact, to encourage population to settle. He thought this was the proper manner in which to open up the country. If the Government were either not inclined to do it or would not do it, if they had not sufficient faith in a place to build a line to it, they should allow the local authorities to do it. He was strongly in favour of having the country opened up. If the Government could not do it, then it should be done, in the next place, by the local authorities; but, failing them, it should be done by private enterprise.

The PREMIER (Hon. J. R. Dickson, *Bulimba*) considered they were beating the air to some extent. He quite approved of offering every facility to local authorities to construct tramways to develop their respective districts, and he had invariably preached to people who approached him asking for light railway construction the facilities given by the Tramways Act of 1882. The 6th section of the Local Works Loans Act of 1880—which measure had to be read in conjunction with the Bill—gave the Governor in Council power to alter the classification of any work. Tramways came in the third class of works, the term for repayment for which was twenty-one years, but that could be extended to forty years if it was shown that any line was of a substantial nature. Of course there were tramways and tramways, and many now being built by local authorities would eventually have to be taken over by the State, to be replaced by more substantial roadways; and if they were to give tramways a longer life, as was proposed, they would really handicap the State in the way of taking them over, as a tramway with a life of twenty-one years would have a less negotiable value than one with a life of forty years. He yielded to no hon. member in his desire to assist local authorities to build tramways. He wished more of them would undertake the work, and relieve the Central Government of the construction of light railways. It had to be borne in mind that when the Act of 1880 was introduced, the construction of tramways by local authorities was undreamt of. Local authorities were now beginning to understand that the easiest way of getting railways was to undertake the responsibility themselves, and he was sure that any

Government would favourably consider an application from a local authority to give an extended term, provided the work was of such a permanent character as to warrant the granting of the longer period. He had consulted those who were well qualified to form an opinion, and they endorsed the view he had taken up, otherwise it was not a matter of any particular concern whether the amendment was agreed to or not.

Mr. GLASSEY (*Bundaberg*): The Premier had completely missed the point at issue, which was that the extension should not be left to the discretion of the Government, but should be fixed. The amendment would enable local authorities to know, prior to undertaking any work, that they would only be required to pay the smaller amount, which had to be paid in the case of works with a term of forty years. The amendment was a most reasonable one, as it would induce local authorities—who were the best judges of the manner in which such works would develop their districts—to undertake their construction. He had the greatest possible sympathy with local authorities and with settlers in districts where it was almost impossible to carry on their operations on account of the difficulty of access. Local authorities should not be placed, in that matter, at the mercy of the Executive, even although the latter might be inclined to lend a willing and sympathetic ear. He certainly intended to give the amendment his support, believing that it would be no danger to the country, for it was hardly likely that local bodies would enter into wild-goose speculations which would be a first charge on the property in the division. Besides that, the Government, before advancing the money, would send an expert to examine into and report as to whether the local body was justified in asking for the loan. If it was found that the local body was not so justified, they would not advance the money. It had been said that those lines might get out of repair, but that had been met by the hon. member for Herbert particularly well when he said that for the safety of the lines, which would carry passengers as well as produce, there must be a constant system of maintenance. It would, therefore, be unlikely that any line would fall out of repair. From every reasonable standpoint he thought the Committee ought to accept the amendment.

The TREASURER: Instead of picking out one work from twenty or thirty and putting it into the first class, it would be much better to revise the entire section, if they thought that in 1880 they did not know as much about those matters as they did now. He had pointed out several times that so far no local authority had suffered an injustice. Any reasonable request made had always been granted by the Government of the day; and the hon. member for Herbert knew very well that, if he thought any particular tramway could not pay, if he gave a good reason for an extension of time he would get it. There was one tramway in North Queensland—that at Mourilyan Harbour—that had been rebuilt in ten years.

Mr. COWLEY: It is seventeen years since that was built.

The TREASURER: And he believed it was now being rebuilt a second time. The Government of the day in passing the Act of 1880 took into consideration the length of time certain works would last, and they wanted the local authorities to pay for them before the works were done with—such as forty years for a wharf, thirty years for a bridge, and twenty-one years for a tramway. If those terms were wrong they could be rectified. Let them revise the entire section, and not pick out a special work because a particular tramway wanted a longer time. When the Johnstone River people applied for

the money to build that tramway they said they could repay it in twenty-one years, and he believed they understood their business. That was being done in the case of the Cairns and Mulgrave tramway. In every possible way the Government had shown themselves most lenient to local authorities. He recognised as much as anyone the importance of the building of tramways by local authorities. As he had said, they could build and work their lines much cheaper than the Government. They were satisfied with a line which would carry the local traffic at ten miles an hour. The Government must have a line that would carry a fifty or sixty ton engine travelling at thirty miles an hour. He would give every encouragement to local authorities to build tramways, but he did not think the present proposal would encourage them in any way. It would lead them to apply for tramways that had not much chance of paying. Of course the Government were always there to apply the brake, but it was very hard to do so at all times. It was better to adhere to the twenty-one years' system with the option of extension on good cause being shown. Only last year they passed two tramways on twenty-one years' terms, and if it was now found they could not repay the money in less than forty years they had no right to lend the money at all; and it came with a bad grace to say, a year afterwards, that they wanted forty years to repay the money.

\* Mr. CAMPBELL (*Moreton*): The Treasurer had told them that the divisional boards had been perfectly satisfied with the Act as it stood. Seeing that there had only been one application during nineteen years it did not show a vast amount of satisfaction. As to extending the term, no hon. member would enter into a bargain to borrow money on the off chance that the man from whom he borrowed it would extend the time of payment; and he did not think it fair that local bodies should be placed in that position. A system of light railways had been promised in the Governor's Speech, to which, however, he did not attach much importance, as he thought there was more chance of getting tramways or railways constructed by the local authority without an everlasting guarantee staring everybody in the face. It would be much cheaper and better to put the burden of constructing tramways on

[8.30 p.m.] the shoulders of the local authorities, than it would be to have them built by the Government. If the specification of a proposed tramline was satisfactory, and its position also satisfactory, there ought to be no doubt of the wisdom of extending the term of the loan to forty years. It was ridiculous to require a local authority to apply for a loan for twenty-one years in the first instance, and then at the end of ten years to have to go cap in hand to the Treasurer asking for an extension of the term to forty years, notwithstanding that the specification was good enough at the beginning for a loan for forty years. The local authority would always keep the line in trafficable order, so that the security would continue as good almost as it was at the commencement. He hoped the Government would give way in the matter.

\* The SECRETARY FOR RAILWAYS (Hon. J. Murray, *Normanby*) was inclined to think that it was desirable to give local authorities all possible encouragement to construct tramways, which could be built at a cheaper rate than they could make their ordinary roads. As to giving local authorities an extended time for the repayment of loans for tramways, he thought that was a most desirable thing to do, as the Government would always have the power to reject any applications for loans for works which were not such as to warrant the granting of the money. He did not see that any great harm

would result from accepting the amendment, and he believed that before many years had passed local authorities would receive very great benefit from local works of that description, but in his opinion the Commissioner or the Government should have more control over the working of those lines in the future than they had at present.

An HONOURABLE MEMBER: That would make them more expensive.

The SECRETARY FOR RAILWAYS: That might be so, but he had not the slightest doubt that as time went by many of these tramways would be converted into Government lines. In the meantime he thought it would be beneficial for the country generally for the time for the repayment of loans to be extended, and the rate of interest reduced.

\* Mr. COWLEY (*Herbert*): With regard to the Mourilyan tramway, he would point out that when that was constructed in 1883, there was very little known of the timber in the Northern parts of the colony, and it was thought that a timber called Johnstone River hardwood, which was grown in the scrubs, would make excellent sleepers. It was used for sleepers, and also for bridges and culverts, but it had failed, and now the local authorities were using hardwood from the South. For the Johnstone River tramway they actually brought the timber from the South, and the same thing was done in other cases where they could not get bloodwood or ironbark locally. The longer the term they gave to local authorities the more assurance they had that they would get a first-class line, because they could afford to spend more, and would spend more, as their annual payments in connection with the loan would be lighter. One reason why he moved the amendment was because the Local Government Commission, which had sat for some months and taken a great deal of evidence from all parts of the colony, had recommended that loans for tramways should be for forty years.

Mr. GLASSEY: Was that recommendation unanimous?

Mr. COWLEY: He thought it was unanimous, but was not sure. He thoroughly appreciated the generosity of the Government in reducing the rate of interest from 5 per cent. to 4 per cent., which would be a great boon to local authorities, and he did not wish it to be thought for one moment that he believed that local authorities would not make their redemption payments if the loan was for twenty-one years; but he said those payments would not be made out of the earnings of the lines; they would be made from a special rate levied for that purpose. He was satisfied that they would be able to pay, but they would be able to pay very much easier if the term of the loan was for forty instead of twenty-one years. With regard to the statement of the Premier that there were tramways and tramways, and that if a superior class of tramway was proposed to be constructed the Government would use their discretion, and give a forty-years' term, he held that the Government had no right to consent to the construction of any tramway unless it was of the first class, and the material of the very best description. No local authority should be allowed to use bad sleepers, or erect trumpy culverts or bridges, or use too light rails. Ample provision was made for the supervision of the construction of tramways, as before the money was advanced the plans and specifications had to be approved by the Chief Engineer for Railways, so that, though they were constructed by the local authorities, they were practically built under the supervision of the Chief Engineer of Railways. In the case of the Ingham tramline the Chief Engineer sent one of his officers to inspect the route, and the plans and specifications were afterwards altered in

accordance with his wishes. The Treasurer was wrong when he said that he (Mr. Cowley) was advocating the amendment purely in the interest of his own constituents. He was advocating it in the interest of the colony generally, because tramways could be constructed cheaper now than formerly, and rolling-stock was cheaper, and local authorities were beginning to see that they must have better means of communication than they now possessed. There were at least 300 miles of tramway running along the Northern coastal district, and the local authorities seeing the advantage of a two-foot gauge tramway in preference to a road, were prepared to guarantee the redemption of any loan advanced to them. All he asked the Committee was to take the matter into consideration, and make the burden to the local authorities as light as possible by extending the term of repayment to forty years.

The SECRETARY FOR PUBLIC LANDS (Hon. D. H. Dalrymple, *Mackay*) was under the impression that the local authorities were better off by leaving the Act as it stood. If a Royal Commission recommended that the period should be extended to forty years there was no reason why they should not have forty years, but it should not be obligatory to grant that term. Some discretion should be left with the Treasurer. It was perfectly true that a good many miles of tramway had been built in the North and that they paid very well, but if they were going to make the term of repayment forty years, and required a certificate from the Engineer-in-Chief, he doubted very much whether it would be a good thing for the local authorities.

Mr. COWLEY: They must be passed according to the Act by the Engineer-in-Chief.

The SECRETARY FOR PUBLIC LANDS: They were not necessarily passed as forty years' work. The hon. gentleman contended that tramways should be constructed to last forty years, but considering the progress of settlement, he ventured to say that it would be wiser to construct them on a less expensive basis, and improve the works as time went on. He thought that building the tramways in the first instance so that they would last for forty years was an action which in the long run was likely to tell very much to the disadvantage of the local authorities. As contended by the leader of the Opposition, it would be far better to allow the Treasurer to use his judgment, and there was no reason why he should not do so. There were periods when war broke out, or other circumstances arose which caused an increase in the value of money, and under those circumstances, although the local authority was in the first instance responsible, yet the people collectively were also responsible, and there should be some person who should be charged with the duty of exercising judgment in such matters.

Mr. BROWNE (*Croydon*) thought every hon. member was anxious to help the local authorities as much as possible, but he intended to vote against the amendment if only for one reason. The Bill was intended to amend the Local Works Loans Act, and it seemed to him that an effort was being made to alter it into a special Tramways Bill. In the past they had had experience of members of Parliament representing local authorities asking for an extension of time for the repayment of loans, and later on for a reduction of the interest charged upon loans. They had also had many local authorities complaining about the terms of repayment of loans for various kinds of works, and he did not see any justice in singling out one particular class of work and giving longer terms for the repayment of money borrowed for that particular

class of work. If the amendment were carried why should not bridge works, with equal justice, be included in the same category?

Mr. COWLEY: You have a perfect right to propose it.

Mr. BROWNE: Of course the hon. member would not deny his right, but he was very anxious to see the Bill passed, because relief would be given to local governing bodies in the direction they had been asking for it; but he had no desire to see the Bill thrown out for the sake of a few tramways. If they let the Bill go through as it stood, the hon. member for Herbert could then bring in a Bill or a resolution affirming that longer terms should be granted for the repayment of loans on a variety of works. The local authorities had been clamouring for long for a reduction in the rate of interest, and he did not think it would be fair to the rest of the community to single out one particular class of work to which specially favourable terms should be granted in the matter of paying for them. For that reason he intended to vote against the amendment.

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

AYES, 28.

Messrs. Murray, Glassey, Lesina, Campbell, Givens, Cowley, McDonald, Higgs, Stewart, Finney, J. Hamilton, Stodart, W. Thorn, Bell, Hardacre, Jenkinson, Ryland, Fogarty, Mackintosh, Dibley, Jackson, Bridges, Hanran, Dunsford, Forsyth, Fitzgerald, Newell, and Moore.

NOES, 14.

Messrs. Dickson, Rutledge, Philp, Dalrymple, Kerr, McDonnell, Smith, Stephens, Groom, Plunkett, Turley, Browne, Maxwell, and W. Hamilton.

Resolved in the affirmative.

PAIRS.

Ayes—Messrs. Armstrong, Stephenson, Story, and O'Connell.

Noes—Messrs. J. C. Cribb, Drake, Hood, and Dawson.

Mr. BROWNE (*Croydon*) said he had a new clause to add. As hon. members were so anxious to assist local authorities in regard to tramways, he hoped they would lend him their help to get the same assistance given to other public works. He moved: That the words "bridges, culverts, fords, and crossings" be omitted from subsection 3 of clause 6 of the principal Act, and inserted in subsection 1.

The PREMIER (Hon. J. R. Dickson, *Bulimba*):

The amendment just carried pro-  
[9 p.m.] vided for the inclusion of tramways amongst works of the first class with a term of forty years. As he stated before, there was a great deal to be said in connection with that, because tramways were to a certain extent works of a substantial character which opened up settlement in the country districts; and therefore might be considered as works that should be constructed by a local authority, and included in the first class; but he really could not see that bridges, culverts, fords, and crossings could be regarded in the same light. Though they were very necessary, yet, at the same time, they might be of such an ephemeral character as not to deserve to be included in the forty-years clause. If the Committee adopted the amendment they would be opening the door to a large number of similar undertakings which were not of the same useful character as tramways. It seemed to him that they were making a fiasco of the measure, and he must express the hope that hon. members would assist in carrying through the Bill in such a shape as to be practically useful to local authorities. If it was to be loaded with works of a certain character, possibly not of a permanent nature, comparatively speaking, he thought his hon. colleague would have occasion to consider whether the Bill would be improved by those amendments. He trusted

hon. members would view the measure in the light of being a benefit to local authorities; and though the hon. member no doubt introduced the amendment with a sincere desire to enlarge the scope of the Bill, yet it was introducing some very dangerous features, and the Government could not possibly accept it.

Mr. GLASSEY (*Bundaberg*) drew a very wide distinction between this amendment and the one which had just been passed; and while he would be sorry to even suggest to his hon. friend whether he was serious or not, because as a rule he was serious in matters of this kind, he hoped the hon. member would not press the amendment. If the hon. member did press it he would vote against it. The amendment just carried was undoubtedly an improvement to the Bill, and would be received with gratification in country districts where tramlines could be laid down with benefit not only to the locality immediately concerned, but also to the country generally.

Mr. HARDACRE (*Leichhardt*) said he supported the other amendment, not because it affected his own district, but because he believed it would be good for the country districts as a whole. That amendment was going to benefit the sugar districts chiefly, and now an amendment was proposed that would benefit other than sugar districts, members representing sugar districts were protesting against it.

Mr. GLASSEY: I did not have a sugar district in my mind when I rose.

Mr. HARDACRE: Having supported the other amendment he could not refuse to support this, which would benefit districts like the one he represented himself. Besides that, he saw no difference between opening up the country by means of a tramway and opening it up by means of a bridge. They both opened up communication. He had in his mind's eye a place where a bridge was required across a river, which, if constructed, would open up the whole of one side of the river for settlement. He knew of another place where it was difficult for drays to cross a creek, and if a bridge was thrown across that creek it would open up that district just as much as a tramway.

The PREMIER: It might not last so long.

Mr. HARDACRE saw no reason why they should not put in those matters as well as tramways, seeing that it would be enlarging the usefulness of local authorities. And seeing that the Government got loans for forty years he did not see why they should want the local authorities to pay back their loans in less time than that. The money was lent to the local authorities at such interest as provided a sufficient margin to recoup the Government.

Mr. PLUNKETT (*Albert*) intended to support the amendment on account of bridges alone. He considered that they were as necessary, and even more necessary, than tramways to a greater number of people, and a greater number of people were benefited by the construction of bridges than by the construction of tramways.

Mr. SMITH (*Bowen*) thought that if an amendment of such an important nature as this was to be proposed it should have been circulated.

Mr. HARDACRE: So should the other one.

Mr. SMITH: It had been sprung on the Committee, and members had not had time to consider its far reaching effects. Therefore, he dissented from it. He did not know but what, if he had had more time to consider it, he should have voted for it. No doubt when the classes were fixed in 1880 it was done on the advice of experts, but now members were asked at a moment's notice to upset that—to upset what had been done by the Government of the day after

due consideration and on the best advice it was possible to get. And the House would be placing itself in an absurd position if it passed the amendment.

The TREASURER hoped the mover of the amendment would not press it. If that hon. member thought forty years too long for tramways, certainly forty years should be too long for bridges.

Mr. BROWNE: I gave my reason for voting against it.

The TREASURER: The Bill was not intended to deal with all public works; the Local Government Bill, promised by the Home Secretary, would deal with all those things. Wooden bridges did not last more than ten years in many parts of the country. As a matter of fact, iron bridges would not last forty years. If this amendment were carried, he should seriously consider whether he should go on with the Bill.

An HONOURABLE MEMBER: The Ministry were divided on the question.

The TREASURER: He was sorry to say, they were divided—it was a most unusual thing; but it was not considered by some Ministers a very important matter. If the amendment were carried, he should be forced to withdraw the Bill altogether; because it was brought in to relieve the ratepayers—to reduce the rate of interest from 5 to 4 per cent. If every member was going to move an amendment, and make the Bill as big as the Local Works Bill, he should not go on with it.

Mr. BROWNE: He had been advised by several hon. members to withdraw his amendment, but he was not going to do so. He had pointed out the difficulty he was in—that the hon. member for Herbert had singled out a specific thing, and tried to tack it on to the Bill—that the Bill had been brought in at the request of the local-governing bodies to reduce the rate of interest, and it was being turned into a Tramways Bill. He had also pointed out that if the amendment agreed to were allowed to be carried, it was only just and reasonable that every member might put in other amendments, and it met with a chorus of "Certainly." What did they find? That the hon. members who were anxious to help the local-governing bodies when it was proposed to extend the time for loans for tramways in the sugar districts would not support an amendment to extend the term for loans for bridges, which were the only means of communication that some districts had. It was regarded as an attempt to wreck the Bill. If anyone wrecked the Bill, it was the hon. member's own supporters. He was only following up the course initiated by members on the Government side, who had deliberately interfered with the Bill. Even Ministers were divided on it. Members on the Government side interfered with the principle of it, because they wished to favour one class of people. But the House had a right to see that the time was extended to forty years in the case of other local-governing bodies in districts which did not grow sugar. He had not the slightest intention of withdrawing his amendment.

Mr. ARMSTRONG (*Lockyer*) regretted the hon. member would not withdraw his amendment. If he would read the Act he would see it did not go far enough. It was the works in class 3 that he proposed to apply the forty years' principle to; but works that the country districts such as those which were represented by the hon. member for Leichhardt and himself (Mr. Armstrong) were interested in were more directly specified in subsections 4 and 5. What was to be done with them?

Mr. BROWNE: Move them up two classes.

Mr. ARMSTRONG: What was the use of doing it piecemeal? The Treasurer had stated that the whole question would be dealt with in the Local Government Bill, and he (Mr. Armstrong) said that was the correct time to deal with it.

Mr. BROWNE: Why did he accept the other?

Mr. ARMSTRONG: Because it was for a specific purpose. The proper time to deal with the matter was when the local government measure was before the House. Then it could be dealt with thoroughly. If the forty years' principle was applied to subsection 3, a longer period must be given to subsections 4, 5, and 6.

MEMBERS on the Opposition side: Hear, hear!

Mr. ARMSTRONG: The Bill now before the House was introduced purely to reduce the rate of interest.

Mr. BROWNE: It was amended on that side of the House.

Mr. ARMSTRONG: He was as sincere as any member in the wish to see the classification of works constructed by loan money received from the Government reduced; but he certainly objected to deal with it in a measure of this sort, and should vote against the amendment.

Mr. DUNSFORD (*Charters Towers*) took exception to the statement of the hon. member for Croydon that hon. members who had voted for the last amendment had voted only for the sugar industry. He was voting for the building of tramways by any local authority in the colony, and the extension of the period of repayment to forty years. There had been a tendency in the past to hand over their tramways to private enterprise, and, believing in "Socialism in our time," he thought the extension of time would be an incentive to local authorities to build tramways instead of handing them over to private enterprise. There was a vital difference between building tramways and building bridges. Private enterprise did not undertake the erection of bridges, and another difference was that tramways earned interest, while bridges did not. At the same time he did not object to the extension of forty years being granted in the case of such works as bridges, as they helped to open up the country, and, since the Government could borrow money cheaper than any other section of the community, and since the Government always had sufficient security, having the power to collect the rates, there would be no harm in extending the term to forty years also to those other works.

Mr. McDONALD (*Flinders*) rose to a point of order. He did not believe that even the last amendment which had been carried was within the order of leave, and he would not be a bit surprised if to-morrow the Speaker, when the matter came before him, ruled that it was out of order. He asked the ruling of the Chairman as to whether the amendment was in order.

Mr. GROOM (*Drayton and Toowoomba*) took it that the question raised by the hon. member for Flinders was whether the amendment moved by the hon. member for Herbert came within the order of leave for the introduction of the Bill.

Mr. BELL (*Dalby*) rose to a point of order. He would be the last man to attempt to question the right of the hon. member for Toowoomba to speak on the question, but if he remembered the Standing Orders aright, when a point of order was raised no discussion took place upon it unless at the invitation of the Chairman. That invitation not having been given, he submitted it was out of order for anybody to anticipate the Chairman's ruling.

The CHAIRMAN (Mr. Grimes, *Ozley*): I can very speedily put the hon. member in order by inviting a discussion upon this important point.

Mr. GROOM : The question was whether the amendment which had been moved by the hon. member for Herbert and the amendment now moved by the hon. member for Croydon were consistent or not with the provisions of clause 4 of the Bill, which defined the particular loans to which the provisions of the Bill should apply. When leave was given to introduce the Bill, it was never intended that the Bill should deal with tramways, nor had any local authorities, so far as he was aware, asked that the provisions of the Bill should be extended to tramways, but all the ninety-two local authorities and twenty-six municipal councils had asked for a reduction in the rate of interest. He had notes of a conference of local authorities which had been held in 1889, at which a resolution had been passed unanimously asking for a reduction of the rate of interest on loans to local bodies to 4 per cent., and the then Chief Secretary, the Hon. B. D. Morehead, had promised that the matter would be taken into consideration in any future legislation. They had been considering the propriety of reducing the rate of interest for ten years, and now they had decided to do it. The question for the Chairman to decide was whether the proposal to introduce tramways was consistent with the first leave to introduce the Bill, and whether it would not increase the appropriation beyond the amount recommended by His Excellency, and whether the second amendment was not also inconsistent with that order of leave. The Treasurer had spoken of withdrawing the Bill, and he would be very sorry to see it withdrawn.

Mr. GIVENS (*Cairns*) pointed out that the Bill was a Bill to amend the Local Works Loans Act, and leave had been given for the introduction of a Bill for the amendment of that Act, one of the provisions of which was a certain classification of public works according to the length of time allowed for repayment of the loans. He took it that the extension of the time for the repayment of the loans had as much to do with granting the loans as the rate of interest; and, if the Committee had power to reduce the rate of interest payable by the local authorities, they had equal power to deal with the time at which the loans should be repayable. He was, therefore, of opinion that both the amendment of the hon. member for Herbert and the present amendment were perfectly in order, and he awaited with confidence the Chairman's ruling on the point.

The PREMIER said that neither of the amendments that had hitherto been [9.30 p.m.] proposed appeared to him to be outside the message of recommendation from the Governor. They did not increase the burden on the general taxpayer, but merely extended the time of payment, while the financial returns were fully maintained. Therefore he contended that even the amendment of the hon. member for Croydon, which did not increase the burdens on the State, but only provided for a reduction of the rate of interest over an extended period, which was mentioned in the message from the Governor, would not be outside the scope of the Bill.

Mr. McDONALD called attention to the ruling given by Mr. Speaker Cowley in 1897. The hon. member for Bulloo had moved, on a Railway Bill, that members who had been in the House for a certain number of years should get free passes for life, and the Speaker ruled that that was not covered by the Bill.

Mr. COWLEY : What was the result? The House said I was wrong.

Mr. McDONALD : It did not matter, from his point of view, whether the ruling was disagreed to or not. On another occasion Mr. Agnew moved an amendment to get certain

articles admitted duty free. That was also ruled out of order by Mr. Speaker Cowley. Again last year, when Mr. Newell moved the insertion of a clause in the Mining Bill offering a reward for the discovery of a mineral field, the same Speaker ruled that it was not within the scope of the Bill. He thought those cases were analogous to the amendment at present before the Committee. He merely raised the point to try to get something decided.

The TREASURER did not think those were cases in point. The amendment of the hon. member for Croydon would not increase the burden on the taxpayers; it would only lengthen the time of payment. The amendment proposed by Mr. Agnew for the remission of the duty on fruit would have added to the burden on the taxpayers, and so would the moving of the reward by Mr. Newell, which was not covered by the Bill. If the amendment contemplated a further reduction of taxation, he should say it was not within the scope of the Bill; but as that was not the case, and as the colony lost no money by it, although he did not agree with the amendment, and did not think he should go on with the Bill if it was carried, he must confess his belief that it was within the scope of the Bill.

Mr. GROOM scarcely thought the extension of the period of payment was the object of introducing the Bill. He understood that notice was given of a Bill to amend the Local Works Loans Act of 1890. He certainly never understood from the Treasurer that his object was not only to reduce the rate of interest to local bodies—which they had been advocating for the last ten years—and also an extension of time for the repayment of loans for various works. If that had been contemplated, he knew of local bodies who were burdened with municipal buildings who would have been only too glad to come to the Treasurer and ask him to include buildings in the forty years' term.

The TREASURER : I do not agree with either amendment.

Mr. GROOM : If the hon. gentleman opened the door to admit one set of local bodies who were burdened with tramways after the Bill had gone through certain stages—and that had come as a surprise to all parties—he would be equally justified in admitting those burdened with municipal buildings on which they were paying a high rate of interest; and even more so, because a tramway was in the receipt of daily returns, whereas the municipalities had their money locked up in bricks and mortar. But he never dreamt that the hon. gentleman had any such intention.

The TREASURER : I never had.

Mr. GROOM : He knew that that was never contemplated, but that this was intended to be simply a Bill to reduce the rate of interest from 5 per cent. to 4 per cent., and the hon. gentleman, in his second-reading speech never once alluded to any extension of time; he said it was simply a Bill for the purpose of reducing the rate of interest from 5 to 4 per cent., and showed how an average of 4 per cent. would cover the expenses of the borrowed money. He was sure that no hon. members representing local authorities had any idea that anybody was going to propose an extension of time either for tramways or anything else. He would again say, although it was for the Chairman to give his ruling, that there was a good deal in the contention of the hon. member for Flinders. The Bill was for the reduction of interest, not for the extension of time, to the local bodies. The hon. gentleman would now have to amend the schedule and put down the different local authorities which had tramways, and the amount

of interest they would have to pay, and he contended that an extension of time having been granted to such local authorities the same concession should be given to other local authorities which had gone into bricks and mortar, and were called upon to make heavy annual payments which they could ill afford.

Mr. BELL (*Dalby*) thought that if they had had the old form of Bill, which contained a preamble wherein the exact intention of the measure was stated, they would have no difficulty in determining whether an amendment came within the scope of the Bill.

An HONOURABLE MEMBER: The Treasurer stated the object of the measure in his second reading speech.

Mr. BELL: The Committee were not bound by any second reading speech of the Treasurer, or any other occupant of the Treasury benches, as to what was the intention of a measure; they had to consider the Bill as it came before them. As far as he could understand the Bill, it dealt with the manner in which loans which had been advanced for various local undertakings should be repaid, and he saw nothing in the measure which made the amendment of the hon. member for Herbert or the proposed amendment of the hon. member for Croydon out of order. But apart from that, they should bear in mind the general principle, that while it might be a very good thing to always keep amendments exactly in accordance with the nature of the Bill, it would be a very bad thing if they adopted any line which would restrict their freedom in making amendments which they really believed to be necessary.

\* The ATTORNEY-GENERAL (Hon. A. Rutledge, *Maranoa*) was not present when the point was first raised, but he did not think there was very much in the contention that the amendment was out of order, or inconsistent with the general scope of the Bill. Nor did he understand the hon. member for Drayton and Toowoomba to rest his objection to the amendment solely on that ground. The latter part of his observations certainly tended to show that the Government were not guilty of permitting an infraction of the Standing Orders by not regarding the amendment as inconsistent with the Bill, but rather that they were guilty of a want of generosity to local authorities generally in not giving them the relief in respect of other matters which they considered they were entitled to. That was another question altogether. But he (the Attorney-General) did not see that there was any inconsistency involved in the amendment; it was not irrelevant to the Bill, or governed by amendments already negatived, or inconsistent with, or contradictory to, the Bill, nor was it tendered in a spirit of mockery—and those were the general rules which governed the question as to whether an amendment should or should not be accepted. The Treasurer could not have anticipated that an amendment of the kind introduced by the hon. member for Herbert would have been proposed, but the fact that he did not intend to make provision for all matters relating to the relief of local authorities was no reason why some matters of relief which he did not contemplate should be out of order. Moreover, the 2nd subsection of clause 3, which provided that the Treasurer might make any adjustment which he considered necessary to be made "with respect to the term of any loan," etc., dealt with the terms of loans. He thought they were wasting time in discussing the point of order, as, in his opinion, the amendment was not inconsistent with the Bill as introduced.

Mr. TURLEY (*Brisbane South*) thought the contention of the hon. member for Flinders was right, if they were to be guided by previous rulings. In 1895, when the Railway Bill was

going through Committee, one or two amendments were introduced by the then member for Ipswich, Mr. Wilkinson, and were declared to be in order in committee, but were afterwards ruled out of order by the Speaker, because they were not in accordance with the principles of the Bill. The Speaker on that occasion said—

It may be contended that leave having been given to introduce a Bill to amend an Act, a clause may be inserted in committee amending or repealing any clause of the principal Act, but this is equally erroneous. In asking for leave to introduce a Bill to amend an Act, it is not necessary or customary to state what directions the amendment will take—unless the motion is opposed—or to place any restriction or limit on the powers of the member introducing it. The Bill itself does this, and its scope is confined, not to the order of leave, or to its title, but to its contents, or the principle it enunciates.

He understood that the principle enunciated in the Bill before the Committee was that there should be a reduction in the rate of interest on loans to local authorities, and the amendment, he contended, went outside that principle, and was therefore out of order. He submitted that the Chairman when giving his ruling should be guided by rulings on similar subjects which had been given in that Chamber previously.

The CHAIRMAN: I am of opinion that the amendment comes within the scope of the Bill—that the extension of the term proposed by the amendment does not increase the burden of taxation. The question more especially referred to by the hon. member for Flinders was whether the message of appropriation would cover the amendment. I am of opinion that it does, as it was without any specific limitation. I therefore think that the amendment is in order.

Mr. TURLEY (*Brisbane South*) intended to vote for the proposed new clause, because he thought the House should deal on equal terms with all local authorities. Hon. members should not, by their votes, grant a benefit to one particular local authority simply because a tramway ran through the district, and deny similar benefits to other local authorities which had expended money on other kinds of works. The hon. member for Drayton and Toowoomba had pointed out that he knew of local authorities which had borrowed money for buildings, the terms for the repayment of which was fourteen years. If that was so, there was no reason why Parliament should not deal just as liberally with those local authorities as with those which had borrowed merely for tramways.

Mr. ARMSTRONG: This amendment does not apply to them.

Mr. TURLEY: He wished to point out that while the amendment now before the Committee might not deal with those, there was no reason why the next class of works should not be brought up two classes in the same way as tramways had been brought up, and as it was proposed to bring up bridges and similar works. It was said that tramways were of a reproductive character, but so were buildings. Take town halls, for instance. They were built partly with the idea of raising money for the payment of interest and redemption. Offices were let and the hall rented whenever opportunity offered, and, although not to as great a degree, they were rent-producing just as tramways were. If the House was going to deal with the question at all, there was no reason why it should confine itself to dealing with tramways? As pointed out by the hon. member for Leichhardt, tramways would for some considerable time be confined to the sugar districts.

Mr. COWLEY: No.

Mr. TURLEY: Yes, in the North that was so. The Government had dealt most liberally with the sugar industry, to which the tramways were chiefly confined, and at the present time



half a million of money had been lent for that purpose. In one instance the Government had had to step in and appoint a manager of a central mill in order to insure it being better carried on in future, and the directors stated that the reason of their difficulty was that they had had to borrow largely for tramways. If that was so in one case what guarantee was there that the same thing would not be repeated? He contended that they should not limit the benefits of the relief to any particular work or to any particular district. There was no more reason for giving special terms for the payment of money borrowed for tramways than for the repayment of money borrowed for buildings or bridges.

Mr. RYLAND (*Gympie*) intended to vote against the amendment, for the reason that it was proposed to increase the terms for works under section 3 to forty years, and leave out No. 2. He hoped the amendment would not be carried, seeing that the local authorities desired very much to have their interest reduced, and by complicating the measure with amendments that object stood a chance of not being accomplished. As far as he could judge, tramways were far more permanent works than roads or bridges. The latter might be built of material of inferior quality and not last more than twenty-one years, while tramways were altogether more permanent. He saw no reason why the building of tramways should be confined to the sugar districts, and he had good reason to believe that if a forty-year term had been offered for the repayment of the money the tramways of Brisbane might have been constructed by the local authority instead of by a company coming from another colony. The advocates of the amendment left no discretion whatever. They passed by class 2 and took up No. 3 and then there were

Nos. 4, 5, and 6. Now they came to

[10 p.m.] the amendment under discussion, and if it were carried, why should not subsections 4, 5, and 6 of clause 6 of the principal Act be on the same level? If they wanted to be logical, why should not subsection 6 of the principal Act, which dealt with "roads newly cleared, drained, graded, and formed, but not metalled" be dealt with in the same way? These were works of a temporary character, but why should not this subsection be treated with the same consideration as subsection 3? He hoped that hon. members would look at the matter from a practical point of view and vote against the amendment.

Mr. HARDACRE (*Leichhardt*) hoped the statement made by the Minister that the Bill would not be proceeded with if the amendment were carried, would be reconsidered.

Mr. JENKINSON: That's the point.

Mr. HARDACRE: He hoped the question of granting relief to local authorities in the way proposed by the Bill would be fully considered. He did not see how the Treasurer could possibly be injured if the amendment were passed, because the great bulk of the Government loans had many years to run, so that the Treasurer would have ample time to get all the money lent to local authorities back again. He believed it would be a good thing to have all loans on a uniform system, repayable at stated periods.

The TREASURER: We can discuss that under the Local Government Act.

Mr. HARDACRE: He would be glad if this discussion led to the result of the matter being dealt with under that Act, because if bridges were not included tramways would be looked upon as a specialty, and nothing would be done with regard to the other works referred to.

Mr. GIVENS took exception to the statement that the amendment moved by the hon. member for Herbert, and affirmed by the Committee,

would only apply to certain districts. For his part he had not voted for the amendment because he happened to represent a sugar district, or because it would benefit his district at all. As a matter of fact, the tramway constructed in his district was quite able to repay the interest, no matter how severe the terms were. He was thinking of all districts and towns in the colony, whether supported by sugar, mining, or agriculture. He was particularly anxious that where there was a reasonable prospect of a tramway being of public service, or of being remunerative, every facility should be given to the local authority concerned to build the tramway, without having hard terms imposed on them. It was very probable that in the near future there would be propositions made that private firms or syndicates should be enabled to build tramways—

The CHAIRMAN: I think the hon. member's remarks deal more with the amendment already passed than with the present amendment. There is nothing about tramways in the present amendment.

Mr. GIVENS pointed out that hon. members, when speaking to this amendment, justified their action by referring to the previous amendment, and he was only drawing comparisons between the two amendments. He only desired to say that the two amendments were on entirely different footings. Tramways were a great public benefit, and would earn the interest required by the Government. The other works, such as fords, crossings, and bridges, could not be expected to earn interest at all, and would not last long. He did not think that local authorities should be encouraged to get loans for forty years for such undertakings. These works never lasted more than two or three years, and very often only one year. It was impossible to make crossings which would last for any number of years, especially in the North, where some rivers rose forty or fifty feet in the wet season, and swept everything before them. It was also pointed out that public buildings should be placed in the same category as tramways, but they were not of the same utility as tramways. It was not desirable that local bodies should be encouraged to build palatial public buildings and waste their money on mere ornamentation—on works which were not of the same utility as tramways, and which it was ridiculous to put in the same category. He, for one, would not sacrifice a beneficial measure for the sake of an amendment which he believed would not have been introduced but for the fact that the former amendment had been carried. The hon. gentleman who introduced the amendment, and those who supported it, had expressed themselves as being opposed to the former amendment.

Mr. BROWNE: I deny it.

Mr. GIVENS: At any rate, they voted against it.

Mr. BROWNE: You must have been out of the Chamber when I spoke.

Mr. GIVENS: He had not left the Chamber to-night except during the adjournment for tea, and the hon. member should not misrepresent him. The hon. member said now that he was not opposed to the principle of the former amendment, yet he voted against it, therefore he voted against a principle he was not opposed to. According to hon. members who supported this amendment, the former thing was an evil, yet they wanted to perpetuate three or four more evils. If it was so bad that they voted against it, why should they make it still worse by bringing in three or four similar amendments? If that was the sort of principle they were going on, he had not the slightest hope of being able to convince them that they were wrong, and therefore he would sit down.



Mr. MAXWELL (*Burke*) was rather amused at listening to the hon. member for Cairns. First the hon. member said the two amendments were totally different, but before he sat down he said they were one and the same. He (Mr. Maxwell) represented an electorate where bridges and other works were as necessary to the people as tramways were to Cairns and other places along the coast, and that being so he intended to support the amendment of the hon. member for Croydon.

Mr. BROWNE (*Croydon*) said he would like to explain matters to his hon. friend, the member for Cairns. When the hon. member misrepresented him he took it for granted that the hon. member was out of the Chamber when he spoke. The hon. member started off by pointing out that these two amendments were exactly opposite; then he turned round and said that those who voted against the last amendment were going to vote for precisely the same thing. This Bill was introduced at the request of a lot of local authorities to alleviate their burdens in the matter of interest. He thought the amendment moved by the hon. member for Herbert, and strongly supported by the hon. member for Cairns, was opening the door to a lot of amendments on the Bill, and if that was allowed those hon. members representing electorates where bridges were required rather than tramways, would have an equal right to introduce amendments relating to works other than tramways. When he pointed that out the hon. member for Herbert said "Decidedly," and the hon. member for Cairns said "Hear, hear"; but when he took up the same line of action as those hon. members it seemed he was wrong. He was anxious to see the Bill go through, and that was why he opposed an amendment being brought in by a sidewind relating to one particular class of works. Bridges were the only means of communication in many parts of the colony, and as to the argument that tramways produced a large revenue and could be made payable, while bridges were not so permanent as tramways, and had to be repaired often and were not payable, and all the rest of it, he said that the local bodies that had the least chance of making their works payable were the most deserving of consideration. He was sorry to introduce the amendment, but when once the principle had been admitted, every hon. member had the right to do the same thing. He could not see why hon. members on the other side should spring an amendment on the Committee and force the hand of the Treasurer, and other members should be debarred. So far as municipal buildings were concerned, the hon. member for Cairns distorted that again. That was brought up after his (Mr. Browne's) amendment had been moved, and had nothing to do with the question. As what the Bill proposed was what local authorities had been asking for for years, he thought hon. members would have been glad to pass it without discussion; but when he saw other members rushing in, and by a sidewind trying to get particular favours and concessions for one particular class of electorates—there were electorates that tramways would be of no benefit to—he objected to it. If the hon. members for Cairns or Toowoomba introduced any amendments to relieve the burdens of local governing bodies he should be happy to support them. His only reason for his action on this occasion was to see fair play all round.

Mr. JACKSON was surprised at the hon. member for Croydon reiterating the argument that the amendment carried a little while ago would apply only to certain electorates. That was quite erroneous. It would benefit many farming districts and mining towns. The proposal was quite in order, and it should be dis-

cussed on its merits in the same way as the other. His contention was that the previous amendment stood in quite a different category from this. As had been pointed out by the hon. the junior member for Charters Towers, private enterprise came into competition with the local authorities in the construction of tramways; but it did not in the matter of bridges. Tramways were reproductive, bridges were not, except indirectly—not in the same sense as tramways. Then it must be recollected that there was—or soon would be—a boom in the way of building tramways, owing to the discoveries in electricity. If bridges could be built by electricity there might have been something in the hon. member's contention, but that had yet to be proved. He thought he should be perfectly correct in saying that there would be many proposals by local authorities to build tramways under this provision, and he was surprised that any member of this side of the House should have opposed the previous provision, under which those authorities would be able to develop that system and build tramlines. He believed that there was a proposal in Townsville now to build a tramway, and he had no doubt proposals would be received from all over the colony—from, at any rate, all the large towns.

Question—That the new clause (*Mr. Browne's*) stand part of Bill—put; and the House divided:—

AYES, 15.

Messrs. W. Hamilton, McDonald, Lesina, Maxwell, Kerr, Dunsford, Browne, McDonnell, Furley, W. Thorn, Hardacre, Fogarty, Mackintosh, Groom, and Plunkett.

NOES, 29.

Messrs. Dickson, Rutledge, Glassey, Dalrymple, Higgs, Macdonald-Paterson, Philip, Murray, Armstrong, Cowley, Hanrahan, Newell, O'Connell, Jackson, Campbell, Forsyth, Givens, Chataway, Jenkinson, Bell, Hood, Bartholomew, Dibley, Stodart, Bridges, J. Hamilton, Fitzgerald, Ryland, and Stewart.

Resolved in the negative.

Mr. BELL (*Dalby*) had a new clause to move, to follow clause 6, to reduce the indebtedness of the municipality of Dalby. Properly, it should have been moved as a proviso to clause 4, and he would have moved it there had the Treasury benches adhered to the arrangement of business as set down on the paper. He had been called away at half-past 4 that afternoon, and he had left with a perfect assurance—looking at the business paper—that when he returned at 7 o'clock it would be in time to deal with that Bill. He found, however, that Order of the Day No. 2, had been put lower down on the paper, and by the time he arrived clause 4 had been disposed of. He hoped that the head of the Government would not shuffle the business-paper more than he was absolutely compelled to for the future. Previous Parliaments had heard a great deal about the Dalby Dam, and the amendment he had to move had for its intention the altering of the amount which stood against the municipality of Dalby in the 2nd schedule—reducing it by a sum just under £2,000. No hon. member who took the trouble to go into the matter would refuse his assent to the amendment. He had a select committee on the matter, and they brought up a proposal favourable to the revision of the debt. He had also the assurance of the Premier, who was aware of the facts of the case, that it was a debt which should not be charged to the municipality of Dalby. The hon. gentleman had not merely given that assurance to him, but he had in previous years made the same announcement to deputations from Dalby. Briefly, the debt was incurred by the municipality providing an additional water supply. The existing water supply was adequate for the consumption of the town, but, owing to the amount of

travelling stock and the amount of carrying that was going on at the terminus of the railway, the town found that they had to make extra provision in order to protect the municipal supply, and the Government advanced the money for that purpose. Through some blunder or bad management, the money was debited to the Dalby municipality. For several years they paid interest on it, and at the present moment interest was being debited against them. He did not think much opposition would come to the proposal from the Treasury bench, because the leader of the Government had expressed his sympathy with it. He moved the following new clause to follow clause 6:—

Provided further that the sum of £3,101 4s. 6d. mentioned in the 2nd schedule to this Act as loan moneys owing by the municipality of Dalby shall be taken to be the total amount of indebtedness of the council to the Treasury by way of loan from the last-mentioned date.

The CHAIRMAN (Mr. Grimes, *Oxley*): I think this proposed new clause is really outside the scope of the Bill. It is really asking for a grant of money to the municipality of Dalby, or in other words, asking that they should be forgiven an amount which it is presumed they are entitled to pay, and it is certainly increasing the burdens upon the people generally, though it may be lightening the burdens of the municipality of Dalby. On these grounds I cannot put the amendment.

Mr. BELL (*Dalby*) said he would be reluctantly compelled to move that the Chairman's ruling be disagreed with.

Mr. COWLEY: No.

Mr. BELL did not know what the hon. member meant by saying "No." He would remind the hon. member that he was no longer in the chair, and, as the hon. member had taken up a good deal of time that evening, he might allow him to deal with that question. He should place more value on the Chairman's ruling if it had been given earlier; but he had a discussion with the Chairman earlier in the evening, and he certainly had not held out any intimation that he intended to take the course of ruling the amendment out of order. He (Mr. Bell) could not see where it was outside the scope of the Bill. A certain amount was mentioned in the 2nd schedule as the sum owing by the municipality of Dalby, and on that sum the rate of interest to be paid was reduced. He submitted that it was entirely within the scope of the Bill for him to review the question whether that item was the proper item that should appear in the 2nd schedule. He would ask the Committee if they were going to confine the discussion of the Bill within such narrow limits as to refuse a member the right to suggest that the amount debited to the municipality in his electorate was the wrong amount, and if, when the indebtedness of the municipality should be put on another basis, the proper amount should not there be stated. He always disliked the practice of moving disagreement with the ruling of the Chairman, but he certainly did so in that case because he considered it was entirely within his province and within the scope of the Bill to allow the amendment to be moved. If the matter should unfortunately go to a division he would respectfully say to any hon. member who might be inclined to vote against him that he might very easily find himself in his position on some future occasion in regard to some important matter of a similar kind in his own electorate, and he asked any hon. member to think twice before he took any action which curtailed the freedom of the Committee in dealing with such matters. He moved that the Chairman's ruling be disagreed with.

The TREASURER (Hon. R. Philp, *Townsville*) entirely agreed with the Chairman's ruling

that the amendment was out of order. He sympathised very much with the hon. member for Dalby, but two years ago they had decided the matter of the Dalby dam. He would point out to the hon. member that there was another way of getting relief for the Dalby municipality. He understood there was a very large reserve at Dalby which would be very much better under cultivation than remain as it was at the present time. If the municipality would allow some of the reserve to be sold he thought the Government would be prepared to allow a portion of the amount realised to go towards the Dalby dam. That was the only solution of the difficulty. He could not see how the House could, by any direct vote, extinguish the debt.

Mr. BELL: Will you take action in that direction this session?

The TREASURER: I will try to.

Mr. COWLEY said he intended no offence to the hon. member when he called out "No, no," and he trusted the hon. member would take the utterance in the same spirit in which it was given. With regard to the Chairman's ruling, there was not the slightest doubt that it was sound, and he trusted the hon. member would see that that was so, and would withdraw his motion that it be disagreed to.

Mr. BELL: If he could get an assurance from the Treasurer that he would take action in the direction he had indicated he would willingly do so.

The PREMIER: He very much sympathised with the hon. member for Dalby. As a private member, he had expressed the opinion that the construction of the Dalby dam was made at a time when it was more a public convenience in connection with the railway than for the benefit of the municipality of Dalby itself. He thought it well if that indebtedness of Dalby could be removed, and the Government would endeavour to make some provision, if possible, this session, whereby that could be effected.

Mr. BELL: In view of the statement just made by the Premier, he would reconsider, if he might be allowed, his motion to disagree with the Chairman's ruling, and withdraw it.

Motion withdrawn accordingly.

Schedules 1 to 3, inclusive, put and passed.

The House resumed; the CHAIRMAN reported the Bill with an amendment.

The TREASURER: I move that the Bill, as amended, be now taken into consideration.

Mr. McDONALD: I would ask the Treasurer to leave this question open until to-morrow. I want to get your ruling, Mr. Speaker, as to an amendment that has been inserted in the Bill, and as things stand you have not yet seen that amendment, and it would be rather difficult to ask you to give a decision on an amendment you have not seen. If it is left over till to-morrow you will have an opportunity of reading your amendment and giving a decision upon it.

The TREASURER: I have no objection to take the report stage to-morrow for that purpose, and I move that the motion be withdrawn, and that the Bill, as amended, be taken into consideration to-morrow.

Question put and passed.

#### ADJOURNMENT.

The PREMIER: I move that the House do now adjourn. With the view that hon. members may understand the business for to-morrow I will enumerate the measures with which we shall proceed. I exceedingly regret that there should be any inconvenience sustained by hon. members on account of the Government having found it convenient to somewhat alter the programme as shown on the agenda paper to-day. Our first business will be the third reading of the Supreme Court Acts Amendment Bill and the Registr

tion of Deeds Bill, and the report and third reading of the Local Works Loans Act Amendment Bill, to be followed by the resumption of the second reading of the Criminal Code Bill.

Question put and passed.

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