

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 3 OCTOBER 1899

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LEGISLATIVE ASSEMBLY.

TUESDAY, 3 OCTOBER, 1899.

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

RESULT OF THE REFERENDUM UNDER THE FEDERAL ENABLING ACT.

MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR.

The SPEAKER (Hon. Arthur Morgan, *Warwick*): I have to announce the receipt of the following message from His Excellency the Administrator of the Government:—

"The Administrator of the Government acquaints the Legislative Assembly that the writ issued on the 8th July, 1899, for taking a poll under the provisions of the Australasian Federation Enabling Act (Queensland), 1899, upon the question of the acceptance or rejection of the Draft Federal Constitution therein referred to has been returned, having endorsed thereon the result of the poll, as follows:—

For the acceptance of the Constitution ...	38,488 votes.
For the rejection of the Constitution ...	30,996 votes."

PAPERS.

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

Statement by returning officer showing result of poll under the Australasian Federation Enabling Act (Queensland), 1899.

Return to an order, relative to charges by Mr. W. T. Jack against the Under Secretary for Public Works, made by the House, on motion of Mr. McDonnell, on the 20th of September last.

Thirteenth report of the Registrar of Patents, Designs, and Trade Marks.

Return to an order, relative to the Allora to Hendon guaranteed railway line, made by the House, on motion of Mr. Kates, on the 28th of September last.

Report of Post and Telegraph Department for the year 1898.

PETITIONS.

SUPPRESSION OF GAMBLING ACT AMENDMENT BILL.

Mr. GRIMES (*Oxley*) presented a petition from the adherents of the Baptist Church, Taringa, in opposition to the passing of the proposed Gambling Act Amendment Bill, and praying that the present Act be firmly administered.

Petition read and received.

Mr. McDONNELL (*Fortitude Valley*) presented a petition of similar import and prayer from fifty-three adherents of the Baptist Church, Gipp street, Fortitude Valley.

Petition read and received.

QUESTIONS.

APPOINTMENT OF MR. W. YATES.

Mr. BROWNE (*Croydon*) asked the Secretary for Railways—

1. What is the position in the Railway Department occupied by Mr. William Yates, and what salary does he receive?
2. Was he employed in the Railway Department prior to appointment to present position? If so, when, in what capacity, and at what salary?
3. Was he promoted to present position from some other office in Railway Department, or from outside the department?
4. Previous to appointing Mr. Yates, did Railway Commissioner certify that there was no person in the railway service fit to fill position, as provided in clause 3 section 53 of the Railways Act of 1888?

The SECRETARY FOR RAILWAYS (Hon. J. Murray, *Normanby*) replied—

1. Corresponding and confidential clerk to the Commissioner. £240 per annum.
2. Yes; in 1883, as mechanical engineer, at £156 per annum.
3. From outside the department.
4. No; being a re-appointment to the service, it was not considered necessary.

APPOINTMENT OF BOILER INSPECTOR, ETC.

Mr. McDONNELL (*Fortitude Valley*) asked the Secretary for Railways—

1. Were any applications received on the 1st ultimo for the positions of mechanical inspector, boiler inspector, foreman boiler-maker, and springmaker for the Queensland Railways?
2. If so, how many—and what were the number from each colony respectively?
3. Have any appointments been made; and, if so, from what colonies did successful applicants come?
4. If no appointments have yet been made, will the Minister, in making such appointments, give the preference to competent workmen resident in Queensland?

The SECRETARY FOR RAILWAYS replied—

1. Yes.
2. 146 applications were received—51 from Queensland, 40 from New South Wales, 24 from Victoria, 27 from South Australia, 3 from Tasmania, and 1 from New Zealand.
3. No.
4. The appointments are made by the Commissioner, not by the Minister; and in the selection the Commissioner will be guided solely by the competency of the applicants, preference being given to Queensland residents.

EXPORT OF DAIRY PRODUCE, ETC.

HON. E. B. FORREST (*Brisbane North*), in the absence of Mr. Armstrong, asked the Secretary for Agriculture—

1. Has an offer of subsidy been made to Messrs. Birt and Company, Limited, to induce them to run an insulated steamer between Brisbane and Sydney for the purpose of carrying dairy produce and chilled meat?
2. If so, has the Minister any objection to state what are the particulars of the offer?
3. Has a similar offer been made to each or either of the three coastal companies?
4. If not, why not?

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

- 1, 2, 3, and 4. Messrs. Birt and Company, Limited, William Howard Smith and Sons Proprietary, Limited, the Adelaide Steamship Company, Limited, and the Australasian United Steam Navigation Company, Limited, were approached to ascertain upon what terms refrigerated produce could be consigned to Sydney at regular weekly intervals; but nothing definite has been decided.

OMISSION FROM "VOTES AND PROCEEDINGS."

Mr. COWLEY (*Herbert*): With the permission of the House, I would raise the question of an omission from the "Votes and Proceedings" of the 28th September last. I think it will be within the recollection of some hon. members that, whilst the motion of the hon. member for Dalby was being debated, the hon. member for Cook, Mr. J. Hamilton, proposed the omission of a certain name from that select committee with the view to the insertion of another. I asked your ruling, Sir, as to whether the hon. member was in order in doing so without notice; but I find that through some inadvertence the ruling has not been entered in "Votes and Proceedings." I think it is very desirable, when a precedent is formed, it should be entered in "Votes and Proceedings" for our future guidance.

The SPEAKER: These matters, of course the House will understand, are in the hands of the Clerk, to whom, I think, they may safely be left. I may say that the Clerk does not plead inadvertence; but it seemed to him a matter of doubt whether the point raised was of sufficient importance to be included in the "Votes and Proceedings." It has, however, been arranged,

since the hon. member has drawn attention to it, that there shall be an amended record issued, in which a note will be made of the point raised.

Mr. DAWSON: It was merely a joke in the first instance. "Votes and Proceedings" is not a humorous production.

SUPPLY.

RESUMPTION OF COMMITTEE.

On the motion of the TREASURER (Hon. R. Philp, *Townsville*), the Speaker left the Chair.

THE FINANCIAL STATEMENT.

The TREASURER said:

Mr. Grimes.—It is almost unnecessary for me to explain that the cause of the delay in submitting to the Committee my review of the financial transactions of the year 1898-9, together with a forecast respecting the current year, has been the taking of the referendum on the question of federation. This has thrown the ordinary course of Parliamentary business somewhat in arrear; and, following so closely upon the last general election, possibly it has had a similar effect in various branches of commerce. But such consequences are inevitable when we have to deal with great questions, and especially with one like federation—involving, as it does, such momentous and lasting results, not only to the people of Queensland, but to the whole of Australia.

REVENUE ESTIMATES FOR 1898-9 AND RESULTS.

Taking all sources of revenue into account, my estimate was that we should receive £3,882,360. This amount, however, was exceeded by £291,726; the total cash receipts for the year having reached the unprecedented amount of £4,174,086.

The actual increases as compared with my calculations are as follow:—

Taxation—			
Received	...	...	£1,750,410
Estimated	...	...	1,622,140
			£128,270
Territorial—			
Received	...	...	575,105
Estimated	...	...	570,800
			4,305
Railways—			
Received	...	...	1,322,607
Estimated	...	...	1,195,000
			127,607
Other services—			
Received	...	...	306,526
Estimated	...	...	268,500
			38,026
			£298,208

On the other hand, there was a decrease in "miscellaneous services" of £6,482, the estimate being £225,920, while the amount received was only £219,438. Allowing for this deficiency, the net increase is the amount I have mentioned—£291,726.

Comparing the revenue receipts during 1898-99 with those of the previous year, it will be seen that there is a total increase of £405,933. The principal headings under which this satisfactory increase has accrued are taxation and railways, the former accounting for £190,765 and the latter for £163,949.

Taxation, under the sub-head of "Customs," is always an item of special interest, inasmuch as the yield is dependent more upon the resources of the consumers than upon the state of trade; in other words, upon wages rather than profits; and is thus an index of the condition of the great bulk of the people. Regarded in that light, we have reason for self-gratulation, as the returns exhibit an accretion of £160,077; of this amount spirits contribute the large increase of £42,867; and *ad valorem* duties £41,088. Grain, malt, etc., increased by £28,594, and tobacco, snuff,

and cigars by £16,757. Provisions, fruit, pickles, etc., show an increase of £12,908, and iron castings, wire, etc., an increase of £9,858. There are minor increases under the remaining heads, excepting oils, chemicals, and soap, which show a decrease of £3,605.

Excise contributes an additional £20,509, of which the beer duty accounts for £13,480, colonial distilled spirits for £5,815, and the totalisator tax for £1,154. There is a declension to the extent of £728 under the head of duty on colonial tobacco and cigars.

Stamp duty shows an increase of £10,607, and dividend duty a loss of £1,109.

Licenses show an increased credit of £682, pearlshell, bêche-de-mer, and other fishery licenses accounting for £629.

Territorial revenue shows an increase of £14,430, land revenue proper returning £19,284 more than last year, and mining occupation an increase of £6,434. Pastoral occupation *per se* continues to decline as a revenue-producing factor. The decrease last year amounted to £11,288. Rent of runs shows the heavy falling off of £15,806, which, however, is counterbalanced to some extent by an increase of £4,363 under the head of occupation licenses, and £154 under survey and transfer fees.

Railways, as I have already mentioned, show the encouraging increase of £163,949. The Southern and Western division comes first, with an increase of £73,970; next in order is the Northern system, with an increase of £71,230; then the Central, with an increase of £15,833; Cairns with £2,978; Mackay, £1,809; and Bowen with £435.

Cooktown and Normanton are again on the debit side of the ledger, the former to the extent of £294 and the latter, £2,013.

"Other services" contribute an increased collection amounting to £29,400, of which the sale of postage stamps and commission on money order and postal notes accounts for £17,465, and Electric Telegraph receipts for £7,773. Harbour rates and fees show an increase of £4,161. Harbour rates, pilotage, and Marine Board fees account for £4,711. As a set-off against this, the graving dock receipts were less by £550 than last year. Under the heading of fees of office there is a slight increase, £424. The sub-headings show increases:—Registrar of Titles, £672, indicating an increase in real property transactions; £129 extra from the Registrar of Patents, and small increases under sheriffs and shipping masters. The receipts from all other fees and courts of petty sessions were less by £516 than last year. Fines and forfeitures show a decrease of £545.

Miscellaneous receipts have produced £7,510 more than in 1897-8, the chief item being interest on loans to local bodies, which amounts to £3,195. Other increases over £1,000 are from asylums, orphanages, etc., £1,189, powder magazines £1,858, sale of Government property £1,861, and contributions towards the cost of the Thursday Island garrison £1,129. The only decrease of any moment is that of £8,460, under the head of interest on public balances. This is due to the reduced rate of interest now paid on the extended deposits, the balance of the public account having also been reduced considerably during the last year—viz., from £618,310 on the 30th June, 1898, to £225,003 2s. 10d. on the 30th June, 1899. The increased accumulation of funds to the credit of depositors in the Government Savings Bank

[4 p.m.] has also operated in this direction.

EXPENDITURE, 1898-9.

The total revenue proper for the year was	...	...	£4,174,086
The total expenditure	...	...	4,024,170
Giving a surplus of	...	...	£149,916

This amount, in accordance with the provisions of the Audit Act Amendment Act of 1895, will be handed over to the trustees of the public debt reduction fund, to be applied by them in the purchase of debentures or Government stock, thereby reducing the national debt to the extent of such purchases. I may here mention that £245,500 has previously been so applied, resulting in an annual saving of interest to the extent of £9,720. Opinions have been expressed as to whether it would not be better to place these surpluses aside to meet deficiencies which may hereafter occur; to establish, in fact, a sort of an equalisation fund to be used as occasion may require. Due consideration has been given to this suggestion, but a little reflection will show that the present system is much the better, inasmuch as it compels the Treasurer of the day to so present his Estimates, and so regulate the finances of the colony that, as far as lies in his power, expenditure shall not exceed revenue.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: Every item of expenditure connected with the past year that could be gathered in has been paid. To assure this being done, a circular was sent to the various departments requesting them to send in their vouchers without delay; and the Treasury officials were instructed to set aside a sufficient amount to meet cash credit payments for salaries due at the end of June in the Northern and distant parts of the colony, the vouchers for which could only reach the Treasury some time in July, too late to be included in the Treasurer's Annual Statement.

It was estimated that £3,866,407 would be sufficient to meet the requirements of the financial year just closed. The actual Treasury issues to meet expenditure amounted to £4,024,170, exceeding the estimate by £157,763, but being less, as already stated, by £149,916 than the actual cash receipts.

Turning now to the details of the expenditure, and comparing them with the corresponding items of last year, it will be seen that there is an increase of £2,629 on the interest on the public debt. Executive and Legislative exceeded last year's expenditure by £1,769. In the Chief Secretary's Department there is an increase of £21,319, the chief item being under the head of "Thursday Island Garrison," amounting to £7,053.

The Home Secretary's Department is responsible for an increase of £32,977—of which the Police Department is accountable for £14,709; lunatic asylums, £6,473; charitable allowances, £5,178; and expenses of elections, £6,151. There are also some decreases in this department—viz., £3,080 for miscellaneous services, and £6,387 steamers "Lucinda," "Miner," and "Otter," the charges in connection with the two former being now charged to the Chief Secretary's Department.

There is an increase in the Works Department amounting to £6,552—buildings accounting for £5,768.

The Department of Justice has called for £9,066 extra, the cost of the Queensland National Bank prosecutions amounting to £5,527.

MEMBERS of the Opposition: Oh! Whew!

The TREASURER: The demands on the Treasury Department exceeded the amount spent last year by £30,880. Of this £16,775 represents the increased endowment to local authorities; Customs, £5,002; and harbours, pilots, and light-houses, £8,405.

Lands show a decreased expenditure, amounting, after allowing for increases, to £7,034. The chief decreases are—department, £1,931; survey of land, £7,994; rabbit fence, £4,544; while the

more important increases are—land commissioners and land agents, £1,616; bailiffs and Crown rangers, £816; miscellaneous, £6,750.

Agriculture is responsible for an increase of £13,122, chiefly under the head of miscellaneous, £10,035.

Education shows an increase under every head except orphanages, the total amount being £28,242; £88 represents the small decrease under orphanages.

The Mines Department shows a somewhat heavy addition of £27,732; of which, however, £24,142 represents the value of mineral specimens purchases in excess of similar purchases last year. The total expenditure under this head during this year and last amounts to £47,361; but this must be regarded as only a temporary outlay, inasmuch as when the specimens have served the purpose for which they were bought they will be sold, and the proceeds returned to revenue.

Railways show an increased expenditure of £98,745, which can be readily accounted for by the rapidly increasing traffic on all our principal lines. There is a small decrease under the head of the Bowen Railway, and a reduction of £3,742 at Normanton.

In the Postmaster-General's Department there is an increase of £14,853, and in the Auditor-General's of £956.

BEER EXCISE.

The number of breweries registered during 1898-9 was twenty-six, the fees received amounting to £756, as compared with £641 paid in by twenty-seven establishments in the previous year. Six breweries having notified their intention to discontinue work, this will reduce the number to twenty; but as the small country plants have little prospect of competing successfully with the large brewing establishments of the metropolis and the coasting towns, this is not likely to affect the returns.

The quantity of beer brewed in 1898-9 shows that the industry is recovering from the check experienced by the imposition of the excise tax in 1897, the figures standing—

	Gallons.	Duty.
1897-8	4,780,098	£48,128
1898-9	5,287,448	61,008
Increase		£13,480

The cost of collection was, in 1897-8, £2,173, as against £2,111 in 1898-9.

I am advised Queensland-brewed beer continues to maintain its high reputation, and it may be safely estimated that this source of revenue will produce £65,000 in 1899-1900.

Imported beer shows a slightly increased consumption—viz., 458,258 gallons, returning £33,094, as compared with 441,038 gallons, yielding £31,306. This indicates that the added duty of threepence per gallon in 1897 has not affected the taste of the public for the more expensive liquors.

TOBACCO EXCISE.

Thirteen tobacco manufacturers—one less than in 1898-9—renewed their licenses during the past year—namely, nine in Brisbane and one each in Ipswich, Texas, Mackay, and Townsville.

The quantity of tobacco manufactured in the colony was:—In 1897-8, 570,091 lb; in 1898-9, 560,146 lb.

The excise duties received amounted to £30,627 13s. 6d. and £29,899 for the respective years.

The fees received from manufacturers produced £1,849 5s. in 1898-9, as against £1,795 in 1897-8. The number of persons registered to sell tobacco in 1898-9 was 5,193, and in 1897-8 4,934; and the fees received were £1,298 5s. and £1,233 10s. respectively.

It is satisfactory to note that Queensland-manufactured tobacco is entering our list of exports, 6,761 lb. having left our ports in 1898-9.

The number of registered growers for 1898-9 was 204, a falling off of ninety-one; and 182 have registered for 1900, principally in the Texas and Inglewood districts.

Returns show that 816 acres were cultivated in 1898-9, an increase of sixty-six on the previous year, and the weight of leaf cured was 305 tons, an increase of 111 tons.

The consumption of imported tobacco, which includes cigars, cigarettes, and snuff, still continues to increase, the duty received having exceeded the previous year's collection by £16,757 12s.

In my previous Financial Statement an increase of £15,701 under this head was noted, and as the above further increase arises chiefly from what are generally classed as luxuries, the inference is that the prosperity of the colony continues, and our people are able to indulge in the more expensive articles of consumption.

STAMP AND DIVIDEND DUTIES AND TOTALISATOR TAX.

The Stamp Office revenue for the past financial year amounted to £188,163, as against £177,511 received during 1897-8, an increase of £10,652.

Stamp duties proper exceeded the Treasurer's estimate by £813, and show an advance of £10,606 on the collections of the previous year, this being chiefly attributable to larger receipts from death duties, which produced £43,595 as against £34,249 in 1897-8. The number of estates dealt with was 784, of which 94 were exempt from duty; 528 under the value of £1,000, and 162 over that value, the figures for the previous year being 742 estates dealt with, of which 254 were exempt, 378 under £1,000, and 110 over that value. Small shortages occur in the payments made on account of mortgages, conveyances, and promissory notes, but these have been more than balanced by increased receipts under other headings.

Dividend duties show a falling off of £1,109, due to a shortage in the returns from mining companies, which latter, notwithstanding an increase of £3,958 in the payments on account of the Mount Morgan Company, still show a deficiency of £2,060.

The totalisator tax has produced £1,155 more than last year, the figures being £6,863 as against £5,708.

It is anticipated that the correction, by the passing of the proposed Finance Bill, of certain clauses in the Stamp, Succession and Probate Duties, and Dividend Acts, through which leakage at present arises, will result in some increase of revenue.

TREASURY NOTES.

The Treasury notes in circulation on the 30th June, 1898, amounted to £1,005,960, and adding the issues for the present year and deducting the cancellations, the balance is £1,063,248 10s., an increase of £57,288 10s. on the year's transactions.

The issues for the year were less than those for the previous one—£764,109 against £817,211—a decrease of £53,102, but the notes returned or cancelled were less by £76,150, being £706,820 10s. for the present year instead of £782,970 for last year.

The amount owing by the banks on account of notes advanced remains the same as last year—namely, £388,833, and the coin placed at fixed deposit is also unaltered, being £250,000. These sums, together with the coin held by the Treasurer (£424,415 10s.), make up the assets held against the notes in circulation.

GOVERNMENT SAVINGS BANK.

The operations for the year show a satisfactory advance, the amount to the credit of depositors having increased from £2,807,705 to £3,171,047, being £363,342 more than last year. The number of accounts has increased by 7,885. The total number of open accounts at the end of the year 1898-99 was 76,011, and the population of the colony, 492,602; therefore 15.4 per cent of the population are making use of the bank for saving and other purposes.

The total sum deposited during the year was £1,673,074 and the withdrawals made amounted to £1,390,193, the aggregate transactions for the year being £3,063,267. Interest amounting to £80,461 has been added to depositors' accounts, and the profit and loss account shows a credit of £53,246 13s. 11d., being more than last year by £1,825 11s. 5d. The deposits per head of population have increased from £5 17s. 4d. in 1897-98 to £6 8s. 7d. in 1898-99. This is exclusive of the amount invested in Savings Bank Stock. It is a gratifying reflection that a comparatively large proportion of the money we now borrow is obtained from our own people, the result being that the interest is kept within the colony and in turn becomes capital. In fact, one of the most valuable attributes of the institution is the encouragement it presents to our workers to save their earnings and so become capitalists in a reasonably short space of time.

MEMBERS of the Opposition: Hear, hear! and laughter.

TRUST FUNDS.

The TREASURER: A full statement of the present balances of the various trust funds will be found in Table E, which shows a cash balance of £21,280 19s. 3d. on the 30th June last. The smallness of this amount, as compared with the balances of former years, is accounted for by the fact that the Treasury has paid cash for the later purchases under the Agricultural Lands Purchase Act, and no less than £120,000 has been so advanced. The full particulars of these purchases, and their present position, will be found in Table Z6, which deals with this matter, and which is pretty complete. It will be seen that no less than twelve estates have been purchased under the Act, and there is every prospect that the result will prove satisfactory even from a directly financial point of view.

The requirements for 1899-1900 exceed the appropriation for the previous year by £24,560.

Under this head provision has been made for the estimated cost of administration for one year of New Guinea, which amounts to £27,264.

The other funds dealt with are the Pacific Islanders' fund, the police superannuation fund, and the harbour dues trust fund, from which the various harbour works throughout the colony are now being carried on.

The savings bank requires some small additional expenditure, necessitated by expansion of business.

Provision has also been made for the administration of the various Acts relating to stock, brands, and the Meat and Dairy Produce Encouragement Act.

RAILWAYS.

My estimate for 1898-99 under this head was £1,195,000, or £36,343 above the cash receipts for 1897-98. The amount actually received was £1,322,607, thus exceeding anticipations by £127,607, and the income of 1897-98 by £163,950. This gratifying result is due to returning activity in all branches of our industries and trade and commerce, and augurs well for the future.

1899—P*

The traffic earnings show an increase of nearly £159,000, made up as follows:—

Passengers	£41,000
Parcels and miscellaneous ...	11,000
Goods traffic (including wool, coal, agricultural produce, and timber)	92,000
Live stock	15,000

The following new lines have been opened for traffic during the year:—

	Miles.
10th October, Wyandra to Cunnamulla	60½
15th October, Stamford to Corfield	41½
26th November, Moonmera to Mount Morgan	1
5th February, Mayne to Enoggera	3½

Total (nearly) 109¾

The lines under construction at the close of the last financial year were as under:—

	Miles
Corfield to Winton (opened 25th July, 1899)	51½
South to North Rockhampton (including Fitzroy Bridge)	2½
Central Railway (deviations between 277 and 303 miles)	14¾

Total (nearly) 68¾

It is almost needless to say that this department has always on hand a very large number of works in connection with our several railway systems which, though not of sufficient importance to enumerate, are necessary to complete and improve existing lines, and provide for the convenience and comfort of the travelling public as well as the facilitation of goods traffic.

During the year contracts for rolling-stock, etc., were let, amounting to about £280,000, and of this £110,000 was paid during 1898-9, in addition to about £18,000 on account of contracts let in 1897-8.

TRADE AND COMMERCE
IMPORTS.

The total imports for the year ended 31st December last, as will be seen by referring to Table U, exceeded those of the previous year by £578,075, the value per head of population being £12 3s. 11d. for 1898, as against £11 6s. 11½d. for 1897—a very encouraging step forward.

Cotton, woollen, silk, and linen piece goods, together with the manufactured articles thereof, show an increased import of £132,489; boots and shoes, £14,767. Both these classes of imports showed a considerable falling off during 1897-98 and as they both consist of articles of daily use, it shows how the improved prospects and production of the colony are stimulating the import trade. Bags, sacks, woolpacks, cordage, and twine show an increase of £9,657; and metals, including wire, £19,633. There is a small decrease under the heading of manufactures of metal and of £13,295 under arms, ammunition, powder, dynamite, etc. In sewing machine the increased import amounts to £1,706; and in glassware, earthenware, to £10,614. Acids, chemicals, drugs, including opium, show the large increase of £57,885; paints, window and plate glass, an increase of £7,722; furniture, brushware, oilcloth, matting, etc., £18,724; and paper, books, stationery, and printing material, £16,758. Saddlery (harness and leatherware) shows a decreased import of the value of £3,553, due no doubt to the excellent goods of this class turned out by local makers. Timber, cement, slates, doors, an increase of £8,994, indicating activity in the building trade. Spirits, wines, and beer, an increase of £20,023; and tobacco, cigars, and snuff, of £5,356. In malt, there is a decrease of £9,309, showing that the malting industry in the colony is beginning to make itself felt. Tea, coffee, cocoa, etc., give an

increase of £23,077. In candles there is a decrease of £1,088; the import of this article has diminished from £13,238 in 1896 to £2,012 in 1898, which is conclusive evidence that the local manufacturers have captured nearly the whole of the trade. Oilman's stores show an increase of £10,312; oils of all kinds, £10,361; and rice, £6,775. The total value of flour, grain, maize, oats, barley, wheat, etc., imported is still large, amounting to £569,617, but this is a decrease of £4,003 on last year's import. Green fruits, seeds, plants, and vegetables show the comparatively large increase of £8,043.

EXPORTS.

The value of these in 1898 amounted to £10,856,127, being an increase over the preceding year of £1,764,570, the proportion per head of the population increasing from £19 0s. 0½d. last year to £22 0s. 9d. in 1898—another evidence of steady and satisfactory development.

Gold in dust and bars increased in export value by £287,079. Silver lead bullion and silver gold bullion decreased by £13,834, which, however, is nearly compensated for by an increase of £12,174 in the value of silver ore and gold ore slag. Copper and tin show decreases amounting to £19,757; drapery a decrease of £2,829, and shell fish (oysters) and *bêche-de-mer* of £8,196. Green fruit shows an increase of £8,863, and grain a decrease of £12,665. In hides and skins there is an increase of £28,054, but a decrease of £18,078 in pearlshell. The other main items of increase are preserved and salt meat, etc., £117,631; frozen meat, £13,704; sugar, £648,838; tallow, £56,003; and wool, £508,756.

The following return shows the population and value of imports and exports for the years 1893 to 1898:—

Year.	Population on 31st December.	Total value Imports and Exports.	Amount per head.
		£	£ s. d.
1893 ...	432,299 ...	13,985,445 ...	32 7 0½
1894 ...	445,155 ...	13,132,959 ...	29 10 0½
1895 ...	452,852 ...	14,331,607 ...	31 12 11½
1896 ...	466,364 ...	14,596,997 ...	31 5 11½
1897 ...	478,440 ...	14,520,748 ...	30 7 0
1898 ...	492,602 ...	16,863,393 ...	34 4 8

These figures show a growth of population during the five years of 60,303, or 13·91 per cent.; while our imports and exports have increased during the same period by £2,877,948, or 20·37 per cent., a rate of progress which, considering bad seasons, ticks, and other drawbacks, speaks well for the capabilities of the colony and the energy and enterprise of its people.

Table Y shows the ports at which the bulk of the import and export trade of the colony is transacted. On the pound sterling basis it will be seen that nearly three-fourths of this trade is transacted at the three chief ports of the colony. Brisbane heads the list with 34·54 per cent. of the total, next in order of the three is Townsville with 20·70 per cent., followed by Rockhampton with 18·12 per cent.

The border trade, which includes live stock, accounts for 8·87 per cent.

REVENUE ESTIMATES FOR 1899-1900.

The amount estimated to be received for the present financial year I have set down at £4,388,445—more by £214,359 than last year's receipts.

From taxation I expect to receive £1,918,000, or £167,590 in excess of last year's collections. Under Customs it will be observed that an increase of £32,074 is expected. Judging from the collections for the past quarter, this estimate appears to be amply justified.

Excise and export duties are expected to yield an increase of about £6,000.

From stamp duties, owing chiefly to the succession duty, I expect to receive at least the large increase of £129,186 this year. It may be well to remark that, whilst the ordinary stamp duties form a fairly regular quantity which can be estimated with some degree of precision, it is a most difficult matter to forecast the returns which may be expected from death duties, which are of necessity somewhat irregular and fluctuating. This year, for example, it is probable that these latter returns will be largely augmented by the recent death of a wealthy resident, and this reference will serve to explain the large increase shown in my estimate of receipts from stamp duties.

Mr. DAWSON: You won't have a Tyson dying every year.

The TREASURER: The revenue derived from land last year amounted to £575,105. This year it is estimated to produce £578,300, a small increase of £3,195.

From auction and selection by purchase a small decrease on last year's receipts—about £2,000—is expected. From rents (Acts 1884 to 1892) we may reasonably look for an increase of £13,078.

Rents of runs and occupation licenses are expected to produce only £328,000—less by £6,615 than last year's receipts.

Mr. GLASSEY: When may we expect to get an increase from these rents?

The TREASURER: The matter is now in the hands of the Supreme Court.

Our railway traffic is growing so largely that the returns are expected to exceed those of last year by £39,573.

The Southern, Central, and Northern lines are expected to account for nearly all this increase—viz.:—

Southern ...	£9,282
Central ...	£13,538
Northern ...	£15,175

"Other services," which include Post and Telegraph receipts, are set down to produce £3,474 more than last year.

PROBABLE EXPENDITURE, 1899-1900.

The satisfactory and elastic condition of the revenue has enabled me to make liberal provision for the needs of all parts of the colony during the present financial year, and I think I can claim that all reasonable demands for expenditure have been fairly provided for. A careful control of expenditure is, of course, the crucial test of good management, when accompanied with a due regard to the expanding requirements of the colony, as indicated by a corresponding increase in revenue receipts; and should present conditions prevail, I see no reason why this year, like the previous five years, should not close with a balance on the right side of the ledger.

Coming now to figures, it will be seen that the total expenditure last year amounted to £4,024,170, and that the amount required for this year is £4,364,420, an enlargement to the extent of £340,250.

Chief Secretary.—This department requires more by £35,199 than last year's appropriation. There are increases under the head of defence, chiefly in the land force, amounting to £17,784, whilst there are small increases under the head of federal garrisons, Thursday Island garrisons, and marine force. There is an increase in miscellaneous services of £13,534, chiefly made up of expenses of federal referendum, £8,000; Queensland National Art Gallery, £1,000; grant in aid of proposed Antarctic exploring expedition, £1,000; Police Inquiry Commission, £1,000; and Government Printing Commission, £1,000.

Mr. DAWSON: What about the Transvaal?

The TREASURER:

Home Secretary's Department.—

Appropriation last year ...	£464,540
Required for this ...	493,290

Exceeding last year's requirements by ... £28,750

Provision has been made for the Principal Electoral Registrar and staff, at a cost of £830. Thursday Island requires more than last year by £355, consequent on a readjustment of the salaries and wages of the crew of the "White Star." There are also increases under the headings public health and Registrar-General. There is a decrease in the cost of the police; also under the head of courts of petty sessions. Provision has been made for a biological institute at a cost of £2,326; this item, under another name, was formerly in the Trust Estimates. The Government Printing establishment requires more by £9,440 than last year, chiefly for paper, machines, type, and incidentals. Hospitals for the insane, reception houses, and prisons also require increased expenditure. Under charitable allowances, provision has been made for a further expenditure of £5,000 for hospitals. Miscellaneous services show a decrease of £2,100.

Department of Public Works.—The requirements for buildings and the department exceed those of last year by £50,446, necessitating some additions to the professional staff, for which provision has been made.

Department of Justice.—There is a moderate increase here, one of the items being the salary for the Parliamentary Draftsman.

The Treasury.—An extra £44,997 is required under this head. As compared with last year the endowment to local authorities has been increased by £25,000, which will approximately increase the endowment to municipalities to 10s. 5d. in the pound, and to divisional boards to 11s. 1d.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: The amount paid prior to the increased endowment voted last year was—to municipalities 7s. 2d. in the pound, and to divisional boards at the rate of 6s. 4d.; therefore the increased endowment, together with the proposed reduction of interest on loans to local authorities, should afford considerable aid to these bodies. Owing to the expansion of trade the Customs Department requires an increased expenditure; so also does the Marine Department, under which head several new items appear. A new lightship is required at Channel Rock, the estimated cost of which is £4,000. New lights are to be provided at Gladstone at a cost of £2,000, also a new steamer for the Northern ports at a cost of £2,800, and a pilot vessel for Bowen to cost £600.

Department of Public Lands.—Required for this year, £82,165; appropriation last year, £66,281; exceeding last year by £15,884.

A new item appears this year, an inquiry office having been instituted. It will be the special duty of this office to afford information relating to land open for selection, and generally to give information concerning the method of acquiring land by intending settlers. The Survey Department also requires additional expenditure. Under miscellaneous, £5,000 appears for marsupial netting, and a like amount for the destruction of prickly-pear.

Department of Agriculture.—As the ramifications and work of this department expand, so does the expenditure, but I am of opinion that the additional outlay will return good results to those engaged in this great industry, and so benefit the colony as a whole. It is early yet to expect what may be called "tangible results" from the labours of the various experts connected with the department; still there are

indications that their efforts to stimulate improved methods in their special domains are bearing fruit. The additional expenditure required amounts to £13,806, of which £4,000 is for the necessary work of inspection of slaughtering houses, and £3,000 for the establishment of State farms. The item £4,000—aid to local wool sales—is still continued.

Public Instruction demands a further sum of £18,423, of which amount State schools—consequent on a largely increased teaching staff, and increased pay to assistant teachers—requires £16,250. Grants in aid to schools of arts and grants in aid of technical education require £2,600 more. These grants depend on the subscriptions raised in the localities where these institutions are situated—in the case of schools of arts 10s in the pound for every pound subscribed, and for technical education £1 for every pound raised. To schools of arts the limit of the grant is £100, and to technical institutions the amount voted for each.

Mines Department.—Here £11,453 more is demanded, the chief item being roads and bridges to gold and mineral fields; also £5,000 of an increase for the London Mining Exhibition.

Railways.—Naturally a largely increased requirement will be looked for in railways. There is an alteration in the form in which the Estimates for this department are presented this year, to simplify bookkeeping arrangements. In the general establishment there is an increase over last year's appropriation of £4,757; in the traffic branch of £23,215; maintenance, of £120,345; and in the locomotive branch of £76,065, the last item being necessitated by increased traffic and the desire to have all our rolling stock locomotive workshops up to the highest standard of efficiency. The unusually large sum set down for maintenance is rendered necessary by restoring the wages of lengthsmen and others to the rate they were paid prior to 1893.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: And also by the relaying of 129 miles of line. I must add, however, that the appropriation of last year had to be supplemented to the extent of about £41,300, particulars of which will be forthcoming when the Supplementary Estimates for 1898-99 are submitted to the House.

Postmaster-General's Department.—This branch also requires increased appropriation amounting to £50,455. This, of course, does not include the interest on loan expenditure, but the cost of maintenance and repairs of telegraph and telephone lines is included; so also is an amount of £50,000 paid to the Railway Department for the conveyance of mails, which comes back to the Treasury in the shape of railway revenue.

In view of the fact that the commercial prosperity and activity of the colony can be pretty accurately gauged by the volume of business transacted through this department, it is a source of congratulation that the revenue derived from it has been so well maintained during the past financial year. The estimated revenue for that period was—post office, £175,000; telegraph, including telephones, £75,000; total, £250,000. The actual revenue was—post office, £192,330; telegraphs, including telephones, £91,849; total, £284,179—an excess of £34,179 over the estimate, and £25,240 over the receipts of 1897-8. Still it has not yet reached the self-supporting stage—that is, the revenue derived from postage, telegraph, telephone, and other services is still considerably short of the cost of management.

When it is considered that the revenue thus derived is earned by actual services rendered as contrasted with taxation proper, and that it is collected in such small sums as are now payable for postage on each article of correspondence, or for the transmission of telegraphic messages, it

will be readily understood that so large an increase of revenue, obtained so laboriously, must of necessity entail the operations of an increased staff of employees and, therefore, increased expenditure.

There has been a very marked expansion of the telephone system during the year. The increased number of offices opened, nineteen, at all of which telegraph business is satisfactorily conducted, shows conclusively the utility of a system which has enabled the department to afford the advantages of telegraphic communication to a number of places which otherwise could not have been provided for without an unwarrantable strain on the revenue. The regulations providing for the construction and use of private telephone lines in country districts have been made much more liberal, and, as the result, several of the larger stations have been connected by telephone with the telegraph lines of the colony, to the mutual advantage of both the persons interested and the telegraphic service. The telephone has also been largely availed of for flood warning lines, which cannot fail to be of very great advantage to the pastoral and agricultural interests on the watersheds of the colony. The several trunk lines established have also afforded additional facilities for the transaction of business.

The rates for messages of ten words between this colony and New South Wales were reduced on the 1st of July, 1898, from 2s. to 1s., the additional word rate remaining as before—viz., twopence per word. The rate between Queensland and Victoria was reduced on the 1st of January last from 3s. to 2s. for messages of ten words, additional words being charged as before—threepence per word. Although it has not been possible to reduce the charges for messages transmitted within the colony, it is worthy of remark that, taking the distance over which such messages are transmitted, the Queensland rate for telegraphic transmission is the cheapest in the world. The reduction of the rate to New South Wales has resulted in an immediate loss of revenue. The number of messages exchanged with the former colony was 187,328 in 1897-8, and 278,274 in 1898-9, and the amount was £24,252 for the former and £22,647 during the latter year. Those with Victoria numbered 45,694 in 1897-8, and 61,430 during 1898-9, and the amount was £9,470 for 1897-8 and £10,484 for 1898-9. The figures for New South Wales do not, however, represent the total loss, because to them must be added the increased expenditure for operating the greater number of messages, calculated at £1,500 per annum. It is, however, anticipated that the additional facility that will be afforded by the new copper wire already provided for, and the increase of business accruing from the reduced rates, will lead to a gradual reduction of this loss.

The improvement in the service carrying our mails on the Northern coast, to which reference was made in the Financial Statement of last year, has been effected, and although it was not possible to obtain the high rate of speed desired, the gain in time and regularity have been great. Mails and passengers now leave for the North, *via* Gladstone, at 9 p.m. on Friday, and reach Townsville before daylight on Monday—instead of on Tuesday afternoon as formerly—and as they are despatched thence by the morning train of Monday there is a clear gain of forty-eight hours so far as the inland districts are concerned. The mails for Cairns and the intermediate ports have also been accelerated by about thirty-six hours, and coaches running twice a week—instead of once as previously—from Mareeba to Georgetown and Croydon, and from both Hughenden and Winton to Cloncurry, have afforded increased postal facilities to almost the

whole of the North. A travelling post office has been established on the Northern Railway between Townsville and Winton in order to afford the same advantages in this district as have been long enjoyed on both the Central and Southern lines of railway. The advantages of these improvements have been appreciated, and representations have been received by the Postmaster-General from the chambers of commerce and other representative bodies in the North urging the continuance of the accelerated services. A subsidy is also being paid for a service to Vancouver, Canada, from which satisfactory results are anticipated.

Strenuous efforts have been made to provide a more satisfactory steamer service with the Gulf ports, but hitherto no acceptable tender has been received. Negotiations are, however, still proceeding, and it is hoped that some satisfactory solution of the difficulty may be arrived at. It is, of course, recognised that this service is not so necessary in connection with mails—which are provided for by a coach service twice a week from Mareeba, and a temporary service between Thursday Island and the Gulf—as in connection with the safe and regular carriage of passengers and of cargo.

The Pacific cable project, which it has been the traditional policy of this colony to see accomplished, appears to be now within a practicable distance of success, the Imperial Government having decided to join with the Governments of Canada and the Australasian colonies in laying this cable on the principles of joint ownership and responsibility, the management to be vested in a committee on which all the contributories will be represented.

Auditor-General.—There is a slight increase in the cost of this department.

SUMMARY.

Estimated Revenue ...	£4,388,445
„ Expenditure ...	4,364,420
„ Surplus ...	£24,025

LOAN FUND.

On the 1st July, 1898, the funded debt of the colony was—

Debentures ...	£11,534,880
Inscribed Stock ...	22,064,034

£33,598,414

of which on that date £2,660,628 was cash in hand for the various works and services authorised by Parliament. At the close of the year the funded debt remained the same, and the cash balance was reduced to £1,682,974. The balances of the votes authorised by the various Loan Acts, amounting to £1,645,837, are shown in Table C, which also shows that the amount expended from loan funds on works and services authorised by parliamentary votes, but not covered by any Loan Act, now exceeds £720,000, which I am of opinion it would be well to cover in our next Loan Act.

A statement of the loan expenditure under its various headings will be found in Table O, whilst the full details relating to the central sugar mill oans will be found in Table Z7.

The unfunded debt consists of—			
Government Savings Bank	Inscribed		
Stock ...	...	£1,009,150	
Treasury Bills (redeemable 1st Janu-			
ary, 1903) ...	...	1,000	
			£1,010,150

LOAN EXPENDITURE, 1899-1900.

The amount proposed to be spent exceeds the appropriation last year by £160,843, a considerable portion of the whole requirements being revotes. I may here explain that the system of

revoting loan appropriations has the advantage of presenting to Parliament year by year the amount it is proposed to spend on works and services, the cost of which is defrayed from the loan fund. Bringing forward balances of unexpended loan appropriations is a system I do not favour, for I consider it far better to allow balances to lapse and revote them when required, thus avoiding a possible accumulating liability, besides which bookkeeping is simplified, and Parliament is enabled to get a far better grip of what is actually going on in connection with this expenditure than it would if unexpended balances were made available by bringing them forward.

Mr. GLASSBY: Hear, hear!

The TREASURER: Under the head of land defence a further sum of £10,400 is asked for, the chief items of increase being for Lytton defences; small arms and ammunition; stores and armoury buildings, Victoria Barracks; and Thursday Island defences. Immigration requires an increased expenditure amounting to £27,500. The vote proposed for passage money exceeds that of last year by £20,000, and advertising, commission, etc., by £5,000. I think it will be allowed that under the present improved and improving conditions of the colony a stimulus to immigration will prove beneficial. The chief item of increase under the heading marine department is the provision on account of £130,000 for the purchase of new dredges and plant. Liberal provision has been made for buildings in various parts of the colony, the amount proposed to be spent exceeding that of last year by £102,000. Amongst the new buildings provided for are a public library, museum, and art gallery, new lands and survey offices, new post and telegraph offices, Brisbane, new Customs-houses at Bundaberg and Townsville, new post and telegraph office at Ipswich, besides several others, amongst which are public abattoirs.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: Artesian boring and water supply also require increased expenditure, provision having been made for new bores at Adavale, Dalby, Kynuna, and Wooroorooka, besides which provision has been made for artesian wells to encourage settlement. The usual provision has been made for loans to local bodies, of which special mention may be made of the Johnstone River Tramway, the Ayr Tramway, and Bundaberg Water Supply. Railways, under the head of general establishment, require a small increase. The engineering branch, which includes construction, requires, on account of the Southern division, an additional vote of £105,450, a portion of which consists of revotes. Some of the works proposed are for the duplication and relaying on the Sandgate line, and a deviation and reduction of grades Albion to Woolloowin, at a cost of £31,000. Extension of wharf at Pinkenba to meet the increased demands of shipping, £15,000. For the new Central station buildings (on account), alterations Romastreet yard, new gas plant, etc., £45,500; new workshops, Ipswich (on account), £20,000; besides which there are various deviations, alterations in grades and curves, relayings, and works connected with bridges, and alterations and additions to buildings. The Central division requires less than the previous year by £72,400, whilst it is proposed to build a high-level bridge over the Dawson River, for which £10,000 only will be required this year. To complete the Broadmount wharf £4,700 is required. £89,580 less is required in the Northern division than last year, due to the Winton extension approaching completion. Under the head of general expenditure an additional amount of £25,000 is required for rolling-stock (all railways).

PASTORAL.

Although the drought in the south-western portion of the colony continued with unabated severity during 1898-9, the losses in stock have not been so great as reported of the adjoining colony. By travelling the stock from the drought-stricken to the eastern districts severe losses have been averted.

The season as a whole has not been a favourable one, except on the coast watershed; but it has in a large measure been compensated for by the very decided rise in the price of wool, and the buoyant state of the frozen meat market. The meat export trade has now, to a very large extent, settled down to cash purchase in the colony, so that stockowners do not run the risk, as formerly, of losses through their meat arriving to an overstocked and weak market. Many of the sales are now c.i.f., and the prices in many instances have averaged at £5 per head of cattle. The frozen meat market has throughout the year maintained a minimum considerably in advance of the previous year.

During the year important fresh outlets for our meats have been opened up at Manila, and the Malta market is now supplied by this colony.

The assistance given by Parliament to develop the dead meat trade with the other colonies has borne fruit. Shipments to Victoria have not resulted in satisfactory returns, but the trade with New South Wales is now assuming considerable proportions. One firm has sent, besides mutton, 3,876 quarters of beef, weighing 668,946 lb.; so that the trade in Sydney may be said to be fairly established, and Brisbane killed meat is being sold in the markets there every morning. The present want of the meat trade is a boat fitted with refrigeration to run regularly on the coast. If any of the shipping companies were to put on such a boat it would secure not only regular cargoes of meat throughout the whole year, but all the butter for England during the five months of the season.

The by-products, such as hides, skins, tallow, etc., are now most important items in the export trade, a hide alone being about equal to 20 per cent. of the value of a live beast. Brisbane is now the principal hide market of the Australian colonies.

The rise in the price of wool during the year has been about 20 per cent. in advance of the previous year, and as the fashion has again turned in favour of merinos, the whole of the Queensland clip participates in the advance, the quantity of crossbred wool grown in the colony being very insignificant.

The decrease in live stock during 1898 was not great, not exceeding $1\frac{1}{2}$ per cent. in sheep and 9 per cent. in cattle, the latter being largely accounted for by a decreased drop in calves in coastal districts that had been affected by the tick disease, and also in a great measure due to the number of cattle put through the meat establishments. The number slaughtered for exportation during the year was 345,711; sent out of the colony by the border, 194,648; total, 540,359. Since the establishment of so many meat-curing and extract works, a much larger area of pasture than formerly has been devoted to fattening cattle. The result has been an enlarged market for store cattle within our own colony, and during the past year large numbers of store cattle from the West have been purchased for fattening paddocks on the coast country. This has had the effect of gradually diminishing export of store cattle by the border and a corresponding rise in prices.

The export of mutton, irrespective of live sheep across the border, was 1·6 per cent. on the 17,500,000 sheep in the colony at the commencement of the year.

In Northern Queensland the tick trouble may be said to have passed over, and the cattle-owners in the Southern coastal districts—resorting to inoculation to protect their herds from the ravages of the pest—have profited by the dearly bought experience of the Northern men.

The local wool sales have been firmly established, and Brisbane is now recognised as one of the wool markets of Australia. During the past year the number of bales offered was 18,420, most of which were disposed of and shipped direct to the European manufacturers. The establishment of monthly sales is now under consideration, and it is hoped that not less than 50,000 bales will be disposed of by auction this year. The benefit to the trade of the port is very considerable. More ships are loaded here direct for European countries, and an expenditure is distributed over labourers, carters, lumpers, and others of not less than 10s. a bale. The clip of this season, although in some districts light, is sound and clean. The value of wool exported during 1898 was—clean, £1,438,578; greasy, £1,579,520; total, £3,018,098.

The total value of pastoral products exported during the same period was £5,787,704.

The increase in prickly-pear and the failure of private individuals to deal with this pest has induced me to ask you for a considerable sum of money with the view, on the one hand, of checking its spread and, on the other hand, of offering a reward to the discoverer of some means, either chemical or mechanical, of exterminating it which will be more economical than those at present known to us.

The Slaughtering Act which was passed last year is being gradually put into operation, and, judging from the results so far, will work satisfactorily. It is proposed, however, to ask for a sum of money on account of building abattoirs in the metropolitan area. You will be asked to make provision for the working of the Act, but most of this will be returned to the Treasury in the form of fees.

LAND SETTLEMENT.

Settlement of a *bona fide* and legitimate character on the public estate has continued to progress in a very satisfactory manner, as the following summary of selections of all classes made during the financial years ending 30th June, 1898, and 30th June, 1899, respectively, will show:—

1897-8.		
Total number of farms selected	...	2,103
Total number of acres selected	...	2,863,959
Total annual rental	...	£39,355 6s. 5d.
1898-9.		
Total number of farms selected	...	2,138
Total number of acres selected	...	3,358,215
Total annual rental	...	£24,925 9s. 1d.

From the above it will be seen that there was an increase in the total number of farms selected of 35, the aggregate increase being 494,256 acres. The total receipts, however, exhibit a decrease of £14,429; but this is easily accounted for, both by the circumstance that there was a much larger area selected under the provisions of the Agricultural Lands Purchase Acts, 1894 and 1897, during 1897-8 than during 1898-9, and that the average price of lands under those Acts is much higher than for lands opened to ordinary agricultural selection—the average purchase price in the former case being about £2 14s. 0½d. per acre, while in the latter it was only about 17s. 2d. per acre under the Crown Lands Acts, 1884 to 1895, and 13s. 1d. under the Land Act, 1897.

The general particulars of each class of selection made during 1897-98 and 1898-99, respectively, are shown underneath:—

Agricultural Farms.—Total numbers, 738 and 628; total areas, 161,777 and 176,442 acres; the

decrease in number and increase in area being principally accounted for by the circumstance that whereas formerly the minimum price per acre for agricultural farms was 15s. under the Crown Lands Act of 1884, the minimum price has been reduced to 10s. per acre by the Land Act, 1897, and consequently the same money will purchase a larger farm than previously.

Grazing Farms.—Total numbers, 281 and 317; total areas, 2,185,394 and 2,432,800 acres.

Grazing Homesteads.—Total numbers, 57 and 44; total areas, 309,918 and 384,712 acres. Although the total number of this class of farm selected is slightly less, the gross area is more. This is owing generally to the maximum area for grazing homesteads having been increased from 2,560 acres, as formerly, to 20,000 acres under the Land Act, 1897.

Unconditional Selections.—Total numbers, 143 and 184; total areas, 23,655 and 51,183 acres.

Agricultural Homesteads.—Total numbers, 253 and 911; total areas, 53,211 and 214,892 acres. It will be observed that there is a very large increase in both the total number and gross area of this class of selection, which, owing to the very liberal terms offered, appears to be very popular.

Scrub Selections.—Total numbers, 10 and 25; total areas, 54,506 and 94,187 acres. Although there is an increase here, it is not as much as was anticipated.

Agricultural Lands Purchase Act Selections.—Total numbers, 621 and 29; total areas, 75,498 and 3,999 acres. The falling off here is not owing to any decreased demand for this mode of selection, but solely to only a small area being ready for opening. Five estates had been purchased during 1898-99, but were not ready for opening to selection during that financial year, but most of them have been proclaimed open to selection since.

The demand for grazing farms still continues, as will be seen by preceding figures, the total increase for the year being thirty-six in number and in area 247,406 acres.

Grazing homesteads, as was but natural to expect, owing to the increase in the maximum area, have decreased in the total number for the year by thirteen, but increased in the gross area by 74,794 acres.

The demand for agricultural selections of all classes continues good, and an increase is shown all round in the areas selected from lands opened to selection.

The Agricultural Lands Purchase Acts, 1894 and 1897.—During the year ending 30th June, 1899, the operations under the provisions of these Acts were as follows:—

Five estates were purchased, comprising a gross area of 26,310 acres, for a total sum of £64,293 17s. 4d.

The particulars of each of these estates, and their present position as regards opening to selection, are as follows:—

Pinelands Estate (Darling Downs District): 3,603 acres; purchase price, £7,206; proclaimed to be open to selection on 26th September, 1899.

Clifton Nos. 2 and 3 Estates (Darling Downs District): 8,389 acres; purchase price, £21,472 6s.; action being taken to proclaim open to selection immediately. I may state that notice was given to-day of the opening of this estate.

Scaforth Estate (Mackay District): 6,198 acres; purchase price, £22,622 14s.; awaiting survey.

Beauvaraba Estate (Darling Downs District): 8,120 acres; purchase price, £12,992 17s. 4d.; survey completed; action being taken to proclaim open to selection.

There was very little land opened to selection during 1898-1899 under the provisions of these Acts, owing principally to the time necessarily occupied in preliminary work of surveying and

completing the legal and other work connected with the surrenders to the Crown of the lands that had been purchased.

Taking it altogether, the payments of rents by this class of selectors has been very good, there only being a few in arrear on the Darling Downs, owing to the difficulties they experienced from unfavourable seasons in some parts of that district, but it is expected that even these arrears will shortly be paid.

The nature of the selection is certainly *bond fide*, and the selectors are very desirable settlers, and all are possessed of more or less means, as is evidenced by the considerable improvements effected upon the lands already selected. Up to the 30th June last, on the seven estates already opened, there had been a total sum of £70,709 4s. 5d. spent by the selectors in effecting valuable improvements on the lands; the total number of selectors was 587; the total area under cultivation, or ready for cultivation, was 22,089 acres; and 743 miles of fencing had been erected, all of which are very satisfactory indications of the rapid progress of genuine settlement on these lands.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER:

Auction Sales.—During the last three financial years sales of Crown lands by auction were as follows:—

	1896-97.	1897-98.	1898-9.
Acres.	Acres.	Acres.	Acres.
Total area sold	127,058	114,362	83,957
Total amount realised	£ 72,857 15 3	£ 66,033 3 6	£ 53,076 2

The total area of country lands sold by auction has not been large, but this is not owing to any decrease in the demand for lands of that class, there being several applications for sale of large areas of country lands which have been refused.

From the 1st January, 1868, up to the 30th June, 1899, there was sold by auction a gross area of 2,496,611 acres, realising £2,809,878 10s. 8d.

The Land Act, 1897.—Since it came into operation on 1st March, 1898, up to the present, the working of this Act appears to have given satisfaction to those interested, especially in regard to agricultural homesteads and grazing homesteads, the liberal provisions of the Act in regard to these being largely availed of. The change of the law granting priority to homestead selectors gives general satisfaction, and the new system of tender regarding simultaneous applications for grazing and unconditional selections works well.

Lands Opened to Selection.—The gross area opened to selection in all modes during 1898-1899 was 7,555,612 acres, and the total area opened to selection from the 1st March, 1898, when the Land Act, 1897, came into operation, until 30th June, 1899, was 17,898,184 acres.

The following summary gives particulars of the gross area in each class, open to selection from 1st March, 1898, until 30th June, 1899:—

Agricultural farm ...	} 4,502,035 acres
Agricultural homestead ...	
Unconditional selection ...	
Agricultural farm ...	} 540,008 "
Unconditional selection ...	
Agricultural farm only ...	1,154 "
Grazing selection ...	12,533,352 "
Scrub selection ...	314,216 "
Under the Agricultural Lands Purchase Acts, 1894 and 1897—	
Agricultural farm ...	7,419 "

Total ... 17,898,184 acres

Of course a large proportion of the above was land that had been open previously under the

Crown Lands Acts, 1884 to 1895, but considerable areas were also lands that had been opened to selection for the first time, and which had been specially selected for opening under the new Act.

On 31st December, 1898, the total area alienated and in process of alienation was 15,453,487 acres, thus leaving a gross area of 412,384,593 acres of Crown lands neither alienated nor in process of alienation.

MINING.

The mining industry still continues to make steady progression. The output of gold for 1898 exceeded that of 1897—which at the close of that year was the record one in the history of the colony—by 112,248 oz., with an increased value of £107,208. The noticeable small increase in the value of the gold won compared with the increased yield is attributable to the additional quantity of gold obtained from tailings left on the various fields in the earlier days as worthless, but which with the more modern machinery can now be re-treated, with, in most cases, a large profit to the owners of the cyanide works, notwithstanding that the value in a few instances is as low as 16s. 8½d. per oz.

The average earnings of quartz-miners on the principal reefing districts of the colony again show an increase, being £405 4s. 11d. during 1898, against £386 18s. 5d. for 1897.

Charters Towers during 1898 again proved itself the premier goldfield of the colony by producing 457,850 oz. of a value of £1,156,944; and from returns for the eight months of the current year that field bids fair to equal, if not surpass, the year under review.

Gympie has also shown that her wealth is by no means exhausted, winning 106,302 oz. of gold during 1898, being 10,051 oz. in excess of that won during the preceding year, and it is to be hoped that the efforts to find gold in the eastern ground may prove successful, in which case new life will be given to the field.

Croydon, owing to the drought, again fell back in production, but the new discoveries on the Golden Gate during the last few months give hopes that the output of the current year will eclipse all previous ones, and bring this remote field into a more prominent place in the list of gold-producers.

Mount Morgan shows a small increase over 1897 of 1,183 oz., and an increased yield may confidently be looked forward to at the close of 1899.

Clermont during 1898 was well to the fore with a yield of 31,575 oz., mostly alluvial gold, and the late discovery of new reefs is likely to increase operations on the field.

The following figures show that our coal industry is expanding satisfactorily:—

	Output in Tons.
1897 ...	358,407
1898 ...	407,934

Increase ... 49,527

During the year 1898 all minerals other than gold, with the exception of coal and wolfram, showed a falling off, but it is expected that as the Mareeba to Chillagoe railway is nearing completion the thousands of acres of land taken up in the Herberton district will be energetically worked; the increased value of the metals will also be the means of the tin and copper areas in other parts of the colony being developed, so that the output in the near future will, it may be confidently expected, prove Queensland the richest of all the Australian colonies.

The Mining Act passed last session, giving power to grant increased areas for mining and reducing the labour conditions, has been the means of bringing fresh outside capital to develop our mines; and it is anticipated that lands

which previously—owing to stringent labour conditions—could not be worked will now be taken up and thoroughly tested.

Very valuable collections of metals and minerals, illustrating the vast mineral wealth of Queensland, have been displayed at the Greater Britain Exhibition in London, which was opened early in May. A portion of this collection was exhibited at the Queensland International Exhibition in 1897, but in the interim it had been very greatly added to, more especially by bulk parcels of ores from all the principal mining centres, and it now forms, perhaps, the finest mining display ever got together by a single country.

Mr. DAWSON: Hear, hear!

The TREASURER: The Queensland Court, with Mr. Jack at its head, has brought this colony very prominently before the British investor, and, from all accounts received, the practical results that will accrue in inducing investment of capital in our mineral properties will be far beyond anticipations, and will fully justify the expenditure incurred in exhibiting at Earl's Court. Owing to the smallness of space allotted, the collections cannot be transferred to the Universal Exposition to be held in Paris next year, but it is proposed to make another show of our minerals at Glasgow in 1901.

AGRICULTURE.

General.—The good account that the favourable season of 1897 permitted, so far as agriculture is concerned, was not continued during 1878, for the dry weather—almost amounting to drought—had an injurious effect on crops generally. But notwithstanding these drawbacks, the returns compare favourably with those of the southern colonies; and as prices were fairly high—in some cases highly remunerative—Queensland still continues to attract farmers of experience and capital from those colonies. A growing tendency on the part of the younger generation of southern farmers to make Queensland their home has also been noticed during the year; and as one successful immigrant attracts another, so the volume increases. The current year promises a good yield, which may be expected to increase our export trade in some branches of the industry. The Spanish-American war has introduced commodities of Queensland manufacture to markets in which they were not known before, and, a footing having been obtained, it is not anticipated that our merchants will lose the chances of a profitable trade that the fortune of war has thus opened up.

Our educational establishments in connection with agriculture—the college at Gatton and the State farms in different parts of the colony—are so much appreciated that applications have been made from more than one quarter for an extension of the system. During the year a farm has been established at Biggenden which promises to do much towards the advancement of agriculture in that district, and a sugar experiment station, under a qualified chemist, is in course of establishment at Mackay.

The Agricultural Conference held at Rockhampton in 1898 was followed in June last by one at Mackay, which attracted a larger number of delegates than have yet attended any of these conferences. It may therefore be inferred that the value of these gatherings is increasing—that the farmer of the present day has a keener desire to learn later and newer methods of following his calling than his forefathers had; and the results are very encouraging.

The Greater Britain Exhibition, now being held in London, has presented an opportunity of placing the possibilities of our agriculture before the inhabitants of the United Kingdom in a manner that has not before occurred, and the

result has been very gratifying, especially as the Queensland Court has attracted much attention from those who desired to gain knowledge of the country, as distinguished from the mere casual observer. A regular supply of perishable products, such as butter and cheese, has been kept up. A notable feature has been the interest displayed in the meat shown, and inquiries have been made by prominent London firms which may result in profitable trade in directions that have not yet been touched.

With new industries starting, with diversified production on established lines, the work of the Agricultural Department grows greater year by year; and the liberal provision which Parliament has made for its expansion has been no more than sufficient to meet increasing needs.

Wheat.—The wheat crop experienced a harder time last year than any of the staple crops grown here, for though the area sown was an increase of 8,144 acres over that of 1897, the dry weather at the time of sowing had such an effect that, according to the statistics compiled by the Registrar-General, some 23,914 acres failed to germinate. To assist farmers who suffered in this way, the Government ordered a considerable quantity of seed to be distributed among them, the cost to be paid for from the proceeds of the coming harvest. Those districts that were blessed with rain at the right time fully maintained the reputation of Queensland as a wheat-growing country. Of the area sown some 2,664 acres were reaped for hay and green feed; and 46,219 acres yielded 607,012 bushels, an average of over 13 bushels per acre. Seeing that we have not yet advanced upon producing about 26 per cent. of our annual consumption, there is great room for expansion, and as our population is always on the increase, it behoves our farmers to enlarge their areas under this cereal until the demand shall exceed the supply, so that we shall be in the position to export a product that has a marketable value throughout the world, and is an asset equal in worth to a gold currency. The repurchased estates upon the Darling Downs that have been selected are mostly fit for the cultivation of wheat, and the owners have lost no time in preparing their land for this cereal. Reducing the breadstuffs imported (that is, including flour, etc.) to the level of wheat in bushels, it will be found that in 1898 we imported 1,734,245 bushels, which, added to our local production, gives a total consumption of 2,341,257 bushels upon a population of 498,523. With the present favourable prospects and the increased area of wheat land now in the occupation of farmers, it can be confidently anticipated that the increase in our area, from which a return will be obtained, will be fully 25 per cent. over that of 1898. Wheat growing in the Central districts can be said to be speedily passing the experimental stage, and as apparently the farmers there are satisfied with their prospects, an increase in the area and yield that will attain respectable proportions may be looked for this year. A feature worthy to be noted in connection with the Greater Britain Exhibition is that astonishment has been expressed by farmers and others who are in a position to judge, at the quality of the grain and straw presented for their inspection from the Darling Downs. It is to be hoped that great results will accrue from these object lessons; that farmers of means and experience will be attracted to make their homes among us.

Mr. DAWSON: Hear, hear!

The TREASURER:

Butter.—Our butter has already secured a good name in the London market, and efforts are being made to maintain and improve its position. It was anticipated that the export

trade of 1898 would show a large increase over 1897, and shipping arrangements were made accordingly; but before the shipping season properly began, the dry weather had such an effect upon the milk supply that the export trade fell far short of expectations. This year, however, the season has been so favourable, and the stocks in hand are so large, that the volume of export trade will probably far exceed that of 1898. The manufacture of this article is now one of the staple industries of Queensland, and the ramifications of the trade are spreading far and wide. Our climate and other conditions are especially suitable, and our farmers are, by paying more attention to the breeding and housing of their cattle, doing much to give Queensland butter a good reputation in the European markets. Their efforts in this direction have been seconded by the regular shipments each fortnight to the Greater Britain Exhibition, and by shipments to the Annual Exhibition of the Grocers of the United Kingdom that is held in London during the autumn. The export of butter in

1895 was 17 tons, valued at	£1,407
1896 " nil	
1897 " 188½ " "	£16,805
1898 " 391 " "	£37,586

And I may say that we expect the export this year to reach 1,000 tons.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: At the same time the export from Victoria is expected to reach 12,000 tons.

Tobacco.—The appointment of an instructor in the art of cultivating tobacco has been well justified by the renewed attention that has been paid to this crop during the year; and it is intended—should this harvest be a favourable one—to test the London market upon a scale that will command the attention of the European merchants. Hitherto the consignments sent have been lost in the quantity placed for sale, and have met with no interest. This action was proposed for last year, but as tobacco suffered in a like manner to other crops the project was abandoned. But notwithstanding the unfavourable season 617 acres yielded an average of 5·31 cwt. per acre. There is no doubt whatever as to the capabilities of the soil and climate for the production of plug tobacco and cigar leaf of the best qualities—a statement that is further exemplified by the establishment of factories here by firms of long standing in the American trade as well as by purely Queensland firms. The recent tour of the instructor in the North in connection with the experiments in the direction of the cultivation of cigar tobaccos has been very successful. Men of substance who have before kept aloof have now entered upon this industry, and as the cultivation is better understood by our farmers and planters the tobacco industry will be permanently established here.

Malt Barley.—The verdict of the maltsters—that our climate and soil, in various localities, are suitable for malting purposes—has borne fruit; the farmers on the Downs are taking kindly to the crop, and an appreciable extension of the area under it has eventuated. There were in 1898 1,953 acres sown, the produce being an average of 13·78 bushels to the acre. The quantity of malt made in Queensland during the calendar year was 32,629 bushels, of which 20,371 were from Queensland-grown malting barley. The total product from this was 26,917 bushels, from which it can be taken that the farmer finds a ready market. The Registrar-General states that £46,601 was sent out of Queensland during 1898 for the purchase of malt and malting barley, all of which could have been retained here if the local supply was equal

to the demand. There are at present three malting houses at work, two at Toowoomba and one at Warwick; and as the Queensland article is rising in favour and compares favourably with that imported, it is anticipated that the floors will increase instead of decrease, and that the import of beer and other liquids that are dependent upon malt will also decrease.

Barley.—Return of barley grown during last three years:—

	Area.	Barley produced.	Average production per acre.
	Acres.	Bushels.	Bushels.
1896 ...	1,122 ...	19,340 ...	17·2
1897 ...	2,077 ...	49,840 ...	24·0
1898 ...	2,944 ...	34,865 ...	11·8

The small yield in 1898 was due to the dryness of the season.

The attention of our farmers is drawn to the large importation of this grain, 54,149 bushels having been entered for home consumption during 1898-9 which might have been produced in the colony.

Coffee.—The laying down of plantations is gradually increasing, with a tendency to develop rather within the tropics than in the semi-tropical regions. The products that have been sent home, though from first crops and dressed with, in many cases, makeshift appliances, have met with encouraging encomiums from merchants in London. An instructor in coffee culture has been appointed, and with his advice and assistance it is thought that before long Queensland-grown coffee will have a place in the London markets alongside our butter, our meat, and our sugar. According to the Registrar-General's statistics there were under coffee in—

1896 ...	138 acres
1897 ...	311 acres
1898 ...	432 acres

The actual area planted has been ascertained to be considerably larger, but of the area under crop 199 acres only were in full bearing, the production from which was 56,552 lb. Our imports of raw and roasted coffee totalled 179,681 lb., of the value of £7,304, so that there is yet a considerable margin for local wants to be supplied before the export trade can be commercially reached.

Bacon.—This industry is fast increasing, and is now on a firm footing. As an evidence of this the increase of 16,226 pigs for the year 1898, among the live stock of the colony, may be quoted. There were in 1897 110,855 pigs in Queensland and 127,081 in 1898. The supply has passed the demand, and we are now exporting instead of importing, as was the case a few years ago. Our merchants have taken the advantage opened up by the troubles in the Philippines, and have obtained a hold over that market which it is hoped will be maintained. Of the pigs above stated, 85,510 produced 6,973,007 lb. of bacon, excluding the fresh and salt pork made, and in most instances used by the farmers for home consumption. In addition to this 216,194 lb. of lard were made. The export trade is steadily increasing, and a table showing the trade done with other places during the past few years may be interesting:—

1896—Live pigs ...	£4,982
1897— " " " ...	10,047
1898— " " " ...	2,730
1896—Bacon and hams ...	7,904
1897— " " " ...	25,254
1898— " " " ...	32,033

Rice.—Though this crop is yet in its infancy, there are indications that the area under cultivation will, in a few years, be an important factor in the agricultural system of Queensland, especially in the North. It is a crop that, like wheat,

is always in demand, and the supply apparently is never equal to that demand. The area under rice in 1898 was 863 acres, or 415 acres in excess of 1897, an increase of about 100 per cent.; and the produce of 1898 totalled the respectable figure of 38,133 bushels of paddy, which equalled 44·18 bushels to the acre. The season for rice, unlike that for other grains, was good. Notwithstanding this increased production, the imports showed large additions, 8,507,041 lb. of the value of £50,979 being imported, as against 7,866,627 lb. of the value of £44,535 in 1897. The margin, therefore, for increase by our farmers is still very large.

Sugar.—Referring to this important industry, which is rapidly attaining such dimensions that its growth and progress constitutes a considerable factor in the prosperity of Queensland, I may bring under notice that in the previous Financial Statement it was considered that the sugar crop of 1898 would reach 140,000 tons, the expected produce from an area of 99,000 acres. The total crop harvested, however, exceeded this estimate by 23,734 tons, or a total production for the season of 163,734 tons of sugar from 82,391 acres of cane.

Area of Cane Crushed.	Sugar Manufactured.
1897, 65,432 acres	... 97,916 tons
1898, 82,391 "	... 163,734 "

The comparative values of the two seasons' crops at £10 10s. per ton may be estimated also as follows:—

1897	... ..	£1,028,118
1898	... ..	£1,719,207

It will be noted by the above figures that the increase over the yield of sugar in 1897 amounted to 63,818 tons, which may be referred to as a noteworthy instance of the latent possibilities of production contained in the tropical lands of Queensland.

The unexampled sugar yield of 1898 is the more remarkable on taking into account that, at the commencement of the season, the cane in several districts revealed a low density of sugar, causing mill owners to suspend crushing until the density rose. Subsequent dry weather, while causing the cane to mature, was also responsible for severe losses to planters from the numerous and extensive fires occurring in the canefields.

Statistical returns compiled by the Registrar-General show the average weight of cane produced per acre throughout the colony in 1898 to have been 18 tons 14 cwt., as against 12 tons 6 cwt. per acre grown in 1897; and figures derived from the same source show the comparative production of sugar per acre for the two years 1897 and 1898 was 1 ton 10 cwt., and 1 ton 19 cwt. 3 qrs., respectively.

I may bring under your notice that Queensland nearly doubled her export of sugar during last season, having shipped 130,943 tons in 1898-9, as against 66,557 tons in 1897-8, thus leaving for home consumption a margin of 32,791 tons, a quantity which may be presumed to represent about 7,000 tons in excess of requirements.

As showing the distribution of this export, it may be of interest to note that according to Customs statistics New South Wales took 49,780 tons of our sugar; Victoria, 51,972 tons; South Australia, 16,247 tons; West Australia, 4,054 tons; Tasmania, 338 tons; New Zealand, 6,150 tons; and South Sea Islands, 6 tons; while Hong Kong and Japan absorbed 2,017 and 359 tons respectively. The total quantity of sugar exported was valued at £1,414,203.

The subject of countervailing duties to protect production of cane sugar against the competition of bounty-fed beet sugars has occupied the serious attention of sugar producers in the British Dominions, and the Agent-General for Queensland, Sir Horace Tozer, has given unre-

mitting attention and valuable assistance to the league formed for promoting the abolition of these bounties. It is satisfactory to note that the steps already taken by the Indian Government to protect her sugar manufacturers have received very general approval.

With regard to the prospects of the coming season, the weather throughout the colony has been generally favourable to the growth of the cane; the grub pest has been well kept in hand, and although frosts have been experienced as far North as the Herbert River, a fair average crop may be expected.

As returns from planters show that 111,000 acres in the colony are now planted with cane, of which quantity at least 100,000 acres will be cut during the coming season, the production of sugar for 1899 may be expected to reach 150,000 tons.

The plantings for the coming year have been heavy, and have made an excellent start. Weather in the sugar districts is all that could be desired, and from present prospects it is not too sanguine an estimate to place the crop of 1900 at 175,000 tons.

The large increase in the output of sugar last year was due to the operations of the Sugar Works Guarantee Act, under which eleven mills are now working. It cannot, however, be expected that the increase will continue in the same ratio, as, although all the mills are not as yet fully supplied with cane, most of them are working at more than half their full capacity. The moneys advanced to the various companies amount to £478,362. Of this, £362,935 has been spent in mill machinery, buildings, tramways and rolling stock, and £115,427 in wages in the erection of mill buildings and in rations. Looking at it in another way, of the total sum £385,899 was distributed in the colony, and £142,463 outside.

The prospects of the companies started under this Act have considerably improved since last year. The mills turned out 32,132 tons of sugar, at an average cost of £7 5s. 4½d. per ton, exclusive of Government interest. But they have a capacity of 50,000 tons of sugar per annum. Assuming that they will all work to their full capacity, it may reasonably be expected, with better average results, that the cost of production could be reduced to £6 15s. per ton, in which case—after allowing for depreciation—the mills would earn an amount sufficient to pay interest and reasonable redemption. These mills in 1897 earned a profit of £20,555, of which £5,169 was paid to the Government in interest, and £13,069 put back as additions to the mills. In 1898 the profit earned was £42,869, of which £11,032 was paid as interest, and £26,750 expended as additions to the mills.

HARBOURS AND RIVERS.

Since my last Financial Statement was presented to the Committee, all the available dredge plant at Brisbane has been employed in deepening and widening the cuttings in the Brisbane River, and there is now a depth of 20 feet at low water through a channel varying in width from 100 to 200 feet. It is expected that the latter width will be established throughout the whole of the dredged cuttings by the end of the year. The rock-boring plant has been continuously employed. At Lytton there is now a channel through the rocks, 300 feet wide and 20 feet deep at low water. At Queensport, and at the railway wharf, South Brisbane, the whole of the area of rock has been bored, and at the latter place cleaned out. The plant is now at work at the Hawthorn rocks, which will be completed this month. The deepening of the Lytton rocks cuttings to 26 feet at low water will then be commenced. This work is of great importance, as the depth of water at this spot practically

controls all the dredged cuttings of the river. It is estimated that it will take two years to cut a passage 300 feet wide to the depth named, and it is anticipated that by that time good progress will have been made in deepening the other river and bay cuttings to a similar depth and width. The larger vessels now coming to the colonies require that our ports should equal the depth of water obtainable in the chief ports of Australia.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: Fully 5,000 feet of the Hamilton training wall have been finished, leaving about 3,500 feet to be done. The greater portion of that completed is substantially supported by the dredgings which have been pumped behind it by the suction-dredge "Cleveland." It is anticipated that this wall will be finished about the beginning of next year.

The prominent points in the river proposed to remove, in order to facilitate navigation and to relieve the river at flood time, have been bored to a depth of 22 to 28 feet below low water, and in no instance has any substance harder than gravel and stiff clay been met with. It is intended to deal with this matter at an early date, commencing with Kangaroo Point.

Test borings are also being taken on the bottom of the river throughout the navigable channels, and the only obstruction so far met with was in the No. 1 Cutting, Hamilton Reach, where sandstone rock was encountered at a depth varying from 20 to 25 feet below low water.

A new survey of the river is now in progress, commencing at the point immediately above the Victoria Bridge on the south side, and is complete as far as the Hamilton. As soon as the whole of the river has been surveyed, a new chart will be prepared.

Following upon the visit of Mr. Lindon Bates to the colony, a contract was entered into with him in June last for the supply of two of his new hydraulic dredges, to be delivered by the 31st October, 1900. The larger one of these is to be capable of dealing with 5,000 and the smaller one with 2,500 cubic yards per hour, while both are to be capable of depositing the dredgings at a distance of 800 feet from the side of the dredge. Mr. Bates inspected all the chief ports of the colony, and reported fully on what he considered the best method of improving them for the accommodation of large vessels.

The officers of this department hold in high estimation the value of Mr. Bates's visit.

The improvements in the Mary River have been continued throughout the year by the Harbour Board of Assistance and Advice. The dredged channels have been very much improved, the minimum depth obtaining in them at the present time being 10 feet. The board's intentions are to increase this depth, in cuttings 200 feet in width, to 12 feet at low-water spring tides.

The Harbour Board at Bundaberg have done good work with their new dredge the "Ceratodus," the minimum depth in the cuttings on the bar being at present 7 feet at low water. A project for establishing permanency in the depth of water on the bar, which consists of the construction of a mole from North Head, and for the protection of the river bank near Kirby's, has been approved by the board. The protection wall is now being proceeded with.

The Auckland Point jetty has been repaired, and is now in a satisfactory condition.

The wharf at Broadmount is now being completed. There is a depth of 20 feet alongside the wharf, and when railway communication to Rockhampton is accomplished, Broadmount will be the terminus of the Central Railway. The dredging of the Middle Channel to a depth of 15 feet at low water is now finished, and as soon as the necessary beacons and leading lights are

in position, the channel will be open to vessels of large tonnage. It is contemplated to deepen this channel to 17 feet at low water throughout a cutting 300 feet wide. The Harbour Board at Rockhampton have been actively employed throughout the year on the construction of training walls and the deepening and improving of the channels of the Fitzroy, the minimum depth being now 10 feet at low-water spring tides.

As the wharf at Waverley Creek, St. Lawrence, had been rendered practically [5.30 p.m.] useless, owing to the silting up of the creek, the "Tridacna" was sent there to deepen the berth to 8 feet at low water. The work was completed by the end of July.

The Harbour Board of Mackay has been employed during the year in deepening the bar opposite the pilot station, and on the construction of training walls for the protection of the East Point and the new "Eline" Channel. They have also opened up a quarry at Mount Bassett, and connected it with rails to the training wall near the signal station.

Extensive repairs have been made to the Bowen jetty during the past year, and the berth thereat has been cleaned out by the "Platypus" to a depth of 23 feet at low-water springs.

The Harbour Board at Townsville have shown great activity in the improvement of the port. Repairs to the Eastern Breakwater have been carried on continuously, as well as the deepening of the approaches to the harbour and swinging basin. New wharves are also in course of construction, which, when completed, will considerably add to the facilities of the port.

The dredging at the cutting in the Cairns harbour was completed by the "Platypus" in September of last year, a channel of 200 feet wide and having a depth of 13 feet at low water being provided. The deepening of the cutting has greatly facilitated trade to this port.

The cutting into Dickson's Inlet at Port Douglas was completed by the "Tridacna" in November of last year, a channel 80 feet wide by 4 feet deep at low-water springs being provided. The cutting of this channel has been of great assistance to small vessels and lighters trading to this port, as these can now enter and leave in safety.

The "Platypus" was sent to Cooktown in May last to further deepen the approaches to the port, and also to clear out the swinging basin to a depth of 15 feet at low water. She has made very good progress with the work. Substantial mooring buoys have been laid down at this port for the accommodation of shipping.

SHIPPING.

Under this heading the figures for the last five years show that there has been a considerable increase in the number of vessels trading to and from the various ports of the colony. In 1894 the tonnage inwards for all ports was 459,647 tons, and in 1898 it reached 602,006 tons, an increase of 142,359 tons. During this period the tonnage entered at the port of Brisbane increased by 120,840 tons.

It has been asserted that owing to what are called "the disabilities of the port," we are losing our oversea trade, but this assertion, like others that those who decry the port are so fond of putting forth to the world, fails in truthfulness when judged in the light of facts. The fact I have already stated proves that the shipping trade is steadily increasing.

WATER SUPPLY.

Water supply requirements in various parts of the colony have received attention; new schemes have been formulated; contracts, involving large expenditure, have been entered into, and good progress has been made with the works.

An extensive preliminary survey has been completed for a regulating reservoir which it is in contemplation to form on the Upper Brisbane for the purpose of minimising the disastrous effects of floods in the river. The survey plans, together with the data to accompany them, have been transmitted to Colonel Pennycuik, the expert the Government have consulted in the matter, and he will leave England on the 6th instant for Queensland.

The flood warning system inaugurated in 1894 has been extended. Several flood warning telephone lines in connection therewith have been completed, and tenders for a similar line between Nambour and Kenilworth, within the River Mary drainage area, have been invited. Similar lines will be recommended for other rivers, and additional flood warning gauges, etc., will be established as found necessary.

Mr. DAWSON : A telephone to Rockhampton ?

The TREASURER : Yes, that is contemplated too. As the volume of sub-artesian water it may reasonably be expected can be pumped from the Hughenden bore has been found to be 45,000 gallons per diem, it is expected that the municipal council will carry out the scheme formulated by the Water Supply Department for reticulating the town and furnishing the bore water to ratepayers and the townspeople generally.

Artesian supplies, their nature, volume, quality, potentialities, and possibilities have been diligently studied during the year, and as far as practicable their statistics have been collected and tabulated. Droughts and other unavoidable conditions have grievously delayed the statistical inspector's work. Government expenditure in connection with artesian supplies has been restricted to deepening the Muckadilla and Roma bores, sinking a test bore at Adavale, a new bore at Roma, and for substituting a deep bore at Wallumbilla in lieu of three shallow bores originally contracted for in that district.

The Muckadilla bore was deepened from 3,262 feet to 3,762 feet at which depth the difficulties of sinking deeper became very great, and as there were then reasons for believing that the bore had entered Palaeozoic rocks the work was stopped, and the plant was removed to Roma. The result is that the flow of water from the Muckadilla bore is neither more nor less than it was before deepening operations were commenced.

At the Roma bore as it was found impossible to withdraw the perforated 5-inch "liner" it was decided to sink another bore. Good progress has been made with the new work.

The total number of bores known to the department is 689 west of, and 22—of an aggregate depth of 13,269 feet—east of the Coast Range; total 711, an increase of 67 over the number returned last year, and representing 835,858 feet, equal to 158.31 miles, or 22.46 miles over last year's return. The average depth is 1,175.6 feet.

The total number of flowing bores is 439, an increase of sixty over the number returned last year.

The aggregate daily flow of the measured and unmeasured bores is set down at 268,000,000 gallons, being an increase of 54,444,310 gallons over the previous year.

Assuming the aggregate daily flow as stated above to be correct, it would be represented by 42,948,718 cubic feet, or 985.96 acre feet daily, and at the same rate per diem the total annual flow of the 439 flowing bores would cover 359,875 acres, or 562.3 square miles of country 1 foot deep.

The average daily flow per bore, on the above basis, is 610,478 gallons, an increase on last year

of 41,453 gallons. The value of the 711 bores, including casings, is estimated at 25s. per foot bored, equal to £1,044,822 10s.

The Bothwell bore on Bimberah Run is the deepest in Queensland—namely, 4,860 feet deep. The shallowest is near Manfred Downs, where improvements to a natural mud-spring obtained a "permanent" flow at a depth of 10 feet.

Although the amount of boring carried on in Western Queensland has rapidly increased, especially in the neighbourhoods of Richmond in the North and Cunnamulla in the South, yet the area proved to be artesian has not been proportionately extended. But there are still large areas of virgin country to the west of Charleville, north-west of Thargomindah, and south-east of Roma awaiting exploration by the drill. If the successes that are anticipated from trial bores were realised the results would no doubt be highly beneficial to pastoralists and to the State.

FINANCIAL TABLES.

Turning now to the tables accompanying this Statement, I wish to occupy the attention of the Committee for a short time while I pass in review the position of the colony disclosed therein, so far as they indicate the progress in the past of what may be styled our chief works and industries. Taking these in their respective orders, those under the head of works and railways claim first notice. It will be observed on referring to Table S that the total expenditure on railways up to and including the 30th June last amounts to £20,617,399, and that the receipts for the year ended the same period amount to £1,322,606, from which has to be deducted, for expenses, the sum of £784,810, leaving a net return of £537,796. This net return is short of the amount required to pay interest on the money borrowed by £244,016, but it gives a return of the capital invested of £2 12s. 2d. per cent. It is satisfactory to note that during the last five years the return on capital invested has steadily increased from £2 2s. 7d. per cent. to £2 12s. 2d.; the most noticeable increase being that between 1897-98 and 1898-99, the amount for that year being 4s. 11d. per cent. Should this rate of progress be continued it is only a matter of a few years when our railways, in addition to the great facilities they afford for the development of the colony, should reach the self-supporting stage, a consummation devoutly to be wished for.

HONOURABLE MEMBERS : Hear, hear !

The TREASURER : Dealing now with the different systems, the chief of which are those known as the Southern division, the Central, and the Northern (Townsville), it will be seen that the net revenue from those comprised within the Southern division is £273,242, yielding £2 3s. 11d. per cent. on the capital invested, or 8s. 3d. below the return on the capital investment for all railways.

Next comes the Central system with a net revenue of £138,907, and a return on capital invested of £3 17s. 5d., an increase on the net return of £1 5s. 3d. per cent. This may be pronounced very satisfactory. But more than satisfactory is the splendid return yielded by the Northern Railway (Townsville), with its net revenue of £159,731, and a return on capital outlay of £8 18s. 5d. per cent.

HONOURABLE MEMBERS : Hear, hear !

The TREASURER : I am aware that the returns published by the Railway Commissioner are somewhat different from those published in the Financial Tables, and I may explain that the difference arises from the fact that the Commissioner finds his return on the interest paid on the actual cash cost of the construction of the various railways, whilst the Treasury

calculates the returns on the basis of the actual cash cost, together with proportionate flotation charges on loans and with depreciation.

I would now invite your attention to Table T, which shows the annual payment of interest for, and the net amount derived from, loan public works and services, together with the actual charge on revenue to make up deficiencies in earnings. This table shows the transactions for a period of ten years, and bears eloquent testimony to the progressive value of public works and services in which loan money is employed.

Taking the year 1889-90, it will be seen that after allowing for the net return from railways, the interest received from local bodies, and the interest on the public balances which totalled £270,837, a contribution was required from revenue amounting to £828,565 to meet the interest charge; in other words, the actual charge on revenue to make up this deficiency was 25 per cent. This charge on revenue has been gradually reducing during the past ten years and now stands at 15 per cent., the total receipts from loan works having during that period increased from £270,837 to £687,937, and the charge on revenue decreased from £828,565 to £639,026—progress which I think can fairly be called substantial, besides affording good reason for hopefulness in the future.

Referring now to our industries, it will be seen from Table U that our export returns are in a satisfactory condition. Increased export values of pastoral, mineral, and agricultural products indicate a vigorous and progressive movement, the chief details of which I have referred to under the head of trade and commerce.

Turning to Table Z3, it will be observed that there is a decided advance in the production of food and other products, which at one time were imported in large quantities. The products to which I refer are bacon and hams, butter, leather, grain, and such like. This is due to improved methods in manufacture and marketing, and I am of opinion that as the purchasers of the lands under the Agricultural Lands Purchase Act develop their holdings, the production of these articles will be largely augmented to the benefit of the producer and the community generally. I may here mention that of the lands repurchased under the Act referred to, sales to the amount of £221,664 have been effected, and as this land has been sold on terms and in moderate farming areas, strenuous efforts will be put forth by the purchasers to acquire the freehold in the time allowed for the payment of the purchase money.

CONCLUSION.

I have now placed before the Committee a plain, straightforward statement of the financial condition of the colony, and I think I may fairly claim that the encouraging view which I took of affairs last year has been fully realised.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: The year has been one of great progress in all directions. Our exports have considerably increased. The rise in the price of wool and frozen meat has given new heart to our pastoralists; and while the output of our mines has been most satisfactory, the exhibition at Earl's Court has brought Queensland's mineral resources more prominently before Great Britain than any previous efforts in our history, and will no doubt be instrumental in attracting capital and desirable colonists to our shores.

Mr. DAWSON: Hear, hear!

The TREASURER: The increased yield of gold, sugar, and other products only shows what we are capable of doing with energy, capital, and greater population. The prosperity of our own people, after all, is the greatest inducement we

can offer to the surplus population of the old world to come here and participate in our advantages.

HONOURABLE MEMBERS: Hear, hear!

Mr. DAWSON: That's our policy.

The TREASURER: The anxiety and depression which so widely prevailed a few years ago have almost entirely disappeared, and business in general has assumed a brightness of aspect and cheerfulness of tone which are the sure indications of growing prosperity. The amicable relations between employers and employed referred to last year have been maintained and, I believe, strengthened. The disposal of the unemployed has ceased to be a difficulty, and on all sides we see evidence of increased spending power on the part of the people. As illustrating this, it is only necessary to point to the vast numbers of people who attend public gatherings, sports, and amusements of all kinds throughout the colony.

During the past five years our aggregate surpluses, amounting to nearly £360,000, have been devoted towards paying off our debt. Our finances are now, however, in so sound a condition as to justify us in considerably extending our efforts to further the development of this great colony, and in asking you to enable us to effect this object by authorising the expansion of our railway systems in various parts of the colony, due care being taken to build only such lines as are likely to pay working expenses and interest on the cost of construction. To carry out this policy it will be necessary to ask you to authorise the issue of a loan, the amount of which can only be determined by the number of public works you will see fit to sanction.

Mr. DAWSON: You will have to bring in another statement first.

The TREASURER: In conclusion, I must congratulate the Committee on the improved condition of the colony during the past year, especially as this improvement cannot be regarded as of a fortuitous nature, the progressive aspect of affairs at this stage of the year upon which we have now entered showing every indication that we are only at the beginning of a new era of unexampled prosperity.

HONOURABLE MEMBERS: Hear, hear!

The TREASURER: I now beg to move—

That there be granted to Her Majesty, for the service of the year 1899-1900, a sum not exceeding £290, to defray the salary of the aide-de-camp to His Excellency the Governor.

Mr. DAWSON (*Charters Towers*): I would suggest that before proceeding any further with this matter the debate should be adjourned till Tuesday next.

The TREASURER: I have no objection to the adjournment of the debate till Tuesday if that will satisfy the leader of the Labour party.

Mr. DAWSON: That will do.

The TREASURER: But we had better pass this vote and then report progress.

MEMBERS of the Opposition: No, no!

Mr. DAWSON: No; it is not usual to pass a vote.

On the motion of the TREASURER, the Chairman left the Chair, reported progress, and the Committee obtained leave to sit again on Tuesday next.

CRIMINAL CODE BILL.

RESUMPTION OF COMMITTEE.

Clauses 22 to 36 of the 1st schedule put and passed.

On clause 37, as follows:—

Any person who—

- (1) Kills the Sovereign, or does Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or

- (2) Kills the eldest son and heir-apparent for the time being of the Sovereign, or the Queen Consort of the reigning king; or
- (3) Forms an intention to do any such act as aforesaid, and manifests such intention by any overt act; or
- (4) Conspires with any other person to kill the Sovereign or to do Her any bodily harm tending to Her death, or maim or wounding, or imprisonment or restraint; or
- (5) Levies war against the Sovereign—
 - (a) With intent to depose the Sovereign from the style, honour, and royal name of the Imperial Crown of the United Kingdom of Great Britain and Ireland, or of any other of Her Majesty's dominions; or
 - (b) In order by force or constraint to compel the Sovereign to change her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe, any House of Parliament of any of Her Majesty's dominions; or
- (6) Conspires with any other person to levy war against the Sovereign with any such intent or purpose as last aforesaid; or
- (7) Instigates any foreigner to make an armed invasion of any part of Her Majesty's dominions; or
- (8) Assists by any means whatever any public enemy at war with the Sovereign; or
- (9) Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir-apparent for the time being of the Sovereign;

is guilty of a crime, which is called treason, and is liable to the punishment of death.

Mr. DUNSFORD (*Charters Towers*): The clause provided, amongst other things, that any person who assisted by any means whatever any public enemy at war with the Sovereign was guilty of treason. So, that being so, anyone who sold arms or ammunition to the enemy would be guilty of treason and liable to the punishment of death. If the death penalty was to be inflicted at all it should only be for wilful murder; he did not think that in all cases of treason there should be the death penalty. As he had no wish to delay the passing of the Code, which was one that should be passed as soon as possible, he would simply move the omission of the word "death" at the end of the clause, with the view of inserting the words "imprisonment for life."

The HOME SECRETARY (Hon. J. F. G. Foxton, *Carnarvon*): The correct form in which to move the amendment was to propose the omission of the words, "the punishment of death," with the view of inserting the words, "imprisonment with hard labour for life."

Mr. DUNSFORD (*Charters Towers*) accepted the suggestion, and moved in that form.

The HOME SECRETARY thought that if there was one crime at all other than wilful murder which ought to be punished with death it was that of treason, the results of which might lead not only to death, but to the whole upheaval of the rights and privileges of every citizen in the community. He thought no crime could be more despicable than that of treason to a man's own country. They knew how it was dealt with in other countries, and he thought it was not desirable to abate the death penalty here for treason.

* Mr. McDONNELL (*Fortitude Valley*) was in favour of the amendment, particularly in view of subsections 3 and 4, under which any person was guilty of treason if he "forms an intention to do any such act as aforesaid, and manifests such intention by any overt act, or conspires with any other person to kill the Sovereign or to do her any bodily harm tending to her death, or maim or wounding." In March, 1868, a lunatic in the southern colony fired a pistol or a revolver at the Duke of Edinburgh, and in a panic this unfortunate man was hanged. It was generally considered at the time by a very great number of people in Australia that the sentence should never have been carried out, because the man, in the

opinion of a great many persons, had not all his proper senses; and if the punishment of imprisonment for life had been inflicted, the man would probably have been released by this time.

The death penalty for these offences was a form of penalty altogether obsolete, and

[7 p.m.] the case he had mentioned was one of the most atrocious miscarriages of justice that had taken place in Australia. Such a thing might occur under the law in this Code. He was totally opposed to capital punishment, and contended that treason was not such an offence that this form of punishment should be meted out for. He would point out that the people of this colony might determine to establish here an independent republic—they might be forced by circumstances to adopt that course; for instance, in the event of invasion, they might consider that England was not prepared to take the action they desired—so they might determine to form an independent republic, which might conflict with certain treaty rights; and in that case those people would be denounced as rebels, and the punishment for that crime under this Code would be execution. In the past he had seen too much blood running for this crime of treason felony, and he was glad to have this opportunity of trying to do his part to prevent this form of punishment being placed in the Code. He knew the bitterness that had been brought about in the old country by executions for this form of crime, in many cases under very little pretext, and in this new country with its own self-government this form of punishment was altogether foreign to the whole surroundings, and so he was going to vote for the amendment. He did not know whether he was in order in referring to subsection 9 under this amendment.

The CHAIRMAN: The hon. member is not in order in discussing that subsection on this amendment.

Mr. McDONNELL: The amendment proposed the abolition of the punishment of death for any of the crimes mentioned in this clause, and he presumed he was in order in discussing the crimes referred to. It seemed most extraordinary to him to have such a subsection in this clause. The words, "with her consent" altogether puzzled him, because they had legislation which provided for separate punishment for separate offences against females, and coming down to such an offence against so high a person, "with her consent" seemed extraordinary words to use, and he thought that any man who "with her consent" committed such a crime, was not deserving of death. It was absurd to insert such a paragraph in the Code. The case of the man who shot the Duke of Edinburgh would not be dealt with by this clause; but it was just possible that a man of weak mind might come to Australia to-morrow, and commit some similar act, and if public feeling and party feeling ran as high as they did on that occasion, they might have a repetition in Queensland of the same judicial murder as he had mentioned. Taking all things into consideration, he thought ample punishment would be meted out for any of the crimes mentioned in the clause by imprisonment for life without hard labour.

* The HOME SECRETARY: They were making a law for Queensland, and although it was not likely that anybody would ever have the opportunity of committing any offence under subsection 9, he saw no reason why it should be objected to, because it was desirable to maintain their criminal law with regard to treasonable offences on similar lines to those which existed in the mother country. Those were offences against the Sovereign, who was the monarch of the whole empire. With regard to the trial and hanging of O'Farrell for shooting the Duke of

Edinburgh, it was not under that law that he was convicted, and it would not have made the slightest difference whether that had been in force or not. There was nothing in the Code about attempting to murder the second son of the reigning Sovereign. O'Farrell was hanged for shooting the Duke of Edinburgh in exactly the same way as he would have been for shooting the humblest of Her Majesty's subjects under similar circumstances. Another reason why their law on the subject should run on the same lines as the English law was that, as treason was an Imperial offence, it would not prevent the Imperial courts from taking cognisance of it wherever the offence might be committed. If they were so to reduce the penalty for treason as to make it very much less than that which obtained in the mother country it would be possible that the court here would be superseded, and the Imperial courts would step in and try the individual.

MR. DUNSFORD: Then, according to that it is not possible for us to abolish the death penalty.

THE HOME SECRETARY: Practically he doubted it very much. This was not an offence against one person, but against the whole community. To say that a person who killed the Sovereign was to be liable only to suffer imprisonment for life was incongruous, to say the least, when they retained the death penalty for the wilful murder of an ordinary individual. No one would argue that the killing of a Sovereign or making war against a Sovereign was not a very much more serious thing in the eyes of the community than the killing of a private individual or making war against a private individual.

MR. GIVENS (*Cairns*) thought the Home Secretary might very well consent to omit the death penalty for all the offences mentioned after subsection 2. That would be a fair compromise which the Committee might very well agree to. It was certainly as serious an offence to kill the Sovereign as to kill anybody else, and if the death penalty was to be retained at all it should be retained for that just the same as for killing a private individual. But if they retained it for all the other offences mentioned in the other subsections, they were very likely, in the future, to commit as serious mistakes as had been committed in the past. If they looked back at the constitutional history of England they would find that often the men who had won them the liberties they prized so much to-day were looked upon in their time as rank rebels, and in many instances were punished as such with the extreme penalty of the law. Those patriots who struggled for liberty were, in his estimation, the very best and most loyal citizens which Great Britain had ever produced. Although their conduct might seem disloyal at the time, yet the very fact that they were struggling for the welfare of the whole nation showed that they were more loyal than those who condemned them. In fact, when they looked back, they regarded those people as martyrs, and recognised the work they did. If that had been possible in the past, it would be possible in the future. He could imagine many kinds of cases which would come under this heading—offences which could be looked upon with reprobation—in which the death penalty was too severe, and it would be very disagreeable to find, after they had murdered a man, that he had been animated by the best and noblest motives; that he had been working simply for the improvement of the constitution under which he lived. If they legally executed a man for what was called a crime, but which was not a crime at all, it was equivalent almost to murder. He did not hold the offence of treason lightly. Anyone who upset the existing order of things, unless he had very good reason for doing so—unless he was animated by

good and single-hearted motives—should be punished, and punished severely; but he thought the subsections of this clause, with the exception of the first two, should be abolished. He commended this to the consideration of the Home Secretary. He believed the Committee as a whole would agree to a compromise of that sort, and that it would meet the wants of the case to the fullest extent.

* MR. RYLAND (*Gympie*) was going to support the amendment. A person who killed a sovereign should be dealt with under the common law, which made the penalty death for wilfully killing anybody. There was very little difference between traitors and patriots. A man whom one section of the community would regard as a traitor and deserving of nothing but death would be looked on by another section as a patriot. A man might be a traitor to his sovereign and yet not a traitor to his country. He might deserve well of his country, although by some he might be called a traitor deserving of death. The men who had made history and brought about all the reforms they now enjoyed were called traitors by a certain class. Then, as the hon. member for Fortitude Valley had pointed out, there might come a time when it might be considered advisable to remove from under the Crown, or in other words, establish an Australian republic. Would they bring up every man who advocated that and hang him? He might be one of the best citizens of the colonies. But according to this clause, he would only deserve to be hanged. Look at the men in connection with the history of my own country who had been called traitors—Wolf Tone, Robert Emmett, Gavan Duffy, and others. If they took men of that class and hanged them, they could never be compensated or released; but if they were imprisoned for life, it might not be long—it might not be five or ten years—when they would be looked upon as the best men of the nation—the men to put in high places, the men to fill the most important positions, the men to put in the positions of premier or president of a nation.

MR. GLASSEY: That is a case—Gavan Duffy—in point.

MR. RYLAND: Yes; men had been called traitors in the old country who, when they had come out here, had proved themselves some of the best citizens and best statesmen Australia could produce.

MEMBERS of the Opposition: Hear, hear!

MR. RYLAND: The definition of traitor and treason was very vague. What did they see in Brisbane the other day? The Union Jack was torn down and the Australian flag put over it. Would they hang the men who did that as traitors? No. These men loved the Union Jack; but they loved the Australian flag better and wanted to see it higher. But why should they have an Act of Parliament which would hang them? The men who did that were as good citizens of Queensland as any member of that House. He hoped the hon. member would accept the amendment.

THE HOME SECRETARY thought there were one or two considerations that the House should bear in mind in connection with this particular clause. In the first place, it should be remembered that sovereigns, whether they were the most absolute monarchs or despots, or whether they were sovereigns such as their own Queen was—

AN HONOURABLE MEMBER: Or King Billy with the collar.

THE HOME SECRETARY: Were evidently singled out for assassination.

THE SECRETARY FOR PUBLIC LANDS: There is no close season.

THE HOME SECRETARY: There was no close season for monarchs. He would give a few

names of victims or intended victims to whom the provisions of this or a similar law would apply if this Bill were in force in the countries where the crimes were committed. There was the Empress of Austria, who was recently assassinated. She was an inoffensive lady; but the man who assassinated her—

Mr. RYLAND: A madman.

The HOME SECRETARY: Had no possible grudge against her; and possibly he had none against her husband.

Mr. RYLAND: He would be dealt with under the ordinary law.

The HOME SECRETARY: Having regard to the national mourning which succeeded, he thought that, in such a case, the penalty of death should be inflicted, even though it might be abolished with regard to an ordinary victim of such an act. He could mention the names of Lincoln and Garfield, the presidents of a republic; President Carnot was another, and five Czars, within the last century. The Queen herself had been shot at five times during her lifetime.

Mr. LESINA: Three times.

The HOME SECRETARY: Five times. Then it was generally supposed that an attempt was made to assassinate the Queen of Holland, an innocent young girl. There might be some sentimental reasons why the amendment should be accepted, but there was one excellent reason why it should not, and that was that the Governor would feel bound to reserve the Code for the Royal assent, which would not be given. They might be quite sure that the Secretary of State, regarding it as a matter of honour for the colony itself, would advise that the assent should not be given, and they would lose the Bill with all its advantages. When they considered the extreme unlikelihood of the clause ever being put into force or the death penalty being imposed for any of those offences, he certainly thought, rather than run the risk of losing the Bill, it would be wise not to press the amendment to a division.

Mr. KIDSTON (*Rockhampton*) agreed with the Home Secretary that it was extremely doubtful whether Parliament had power to alter the penalty for treason, and if the Governor reserved the Bill for the Royal assent it was fairly certain that Her Majesty would be advised not to assent to such an alteration of the law. Those rebellious members, who seemed to have a desire to emulate the great rebellions of olden times, might console themselves with the fact that they were at liberty to shoot at the only representative of royalty which the colony had without running the risk of the death penalty. He would be very glad to see the definition of treason amended, because he did not consider the first four sections and the last had anything to do with treason. They referred to personal acts. The other subsections defined what he considered as treason—that was to say offences against the community as a whole. Much as he was averse to the death penalty, he thought the severest penalty in the Code ought to be the penalty for treason, as defined in subsections 5, 6, 7, and 8.

The HOME SECRETARY: Do you not regard killing a sovereign as treason?

Mr. KIDSTON: That was a personal offence. It was quite true that monarchs were shot at and murdered because of their individual position, but the offence which should be most severely punished was an offence against a man's own country. If a man was disloyal to the community in which he lived, and took up arms or encouraged others to take up arms against it, then he should suffer the most severe penalty, but he did not think a personal offence against the Sovereign warranted the punishment of death. At the same time he was doubtful

whether the discussion of the clause would affect the matter one iota, because, if they carried the amendment, the Bill would probably not become law.

Mr. DAWSON (*Charters Towers*) was inclined to agree with the Home Secretary and the hon. member for Rockhampton when they said that if there was any alteration of the clause the Criminal Code would not be passed at all. An amendment of the clause would be taken as an unjustifiable interference with the safeguards which surrounded the sacred person of the Sovereign. At the same time he had a great deal of sympathy with the object in view. It did appear to be rather a ridiculous provision in many respects. It was a provision which entailed a great amount of danger. The hon. member for Rockhampton had pointed out that it very often happened that a monarch was shot at. He might be missed, but the mere fact of firing at him would entail the death penalty, though no injury was done.

The HOME SECRETARY: It is not inflicted in practice.

Mr. DAWSON: He understood that the offender was only liable to the death penalty, but its infliction all depended upon whether there was a jingoistic feeling about at the time, as there was at present in connection with the Boers. In a few months' time if someone proposed that £50,000 should be spent in sending troops to South Africa to fight the Boers the proposal would be laughed to scorn. No member of the Government would have courage to propose it, but in the heat of jingoistic feeling the proposal would now be received with cheers, and members would probably rise in their places and sing "Rule Britannia." It depended upon the time—whether it was the psychological moment—for making such a proposition. He would point out that it was not unknown in modern times, and within the last few years, that people with a grievance had found it necessary to get a revolver and blank cartridge and fire at the monarch or president, not with the intention of injuring him, but for the purpose of getting arrested and having a chance of getting their grievances investigated in the law courts of the country. That had been done on several occasions since 1893, and under this Code anyone who fired a blank cartridge at the sacred person of the monarch would be liable to be hanged or taken out and shot.

The HOME SECRETARY: I don't think so under this clause.

Mr. DAWSON: Oh, yes; the mere attempt rendered a person liable. It was not even necessary that the person attacked should be fired at. If the hon. gentleman fired a blank cartridge at the Sovereign, and he (Mr. Dawson) agreed with him that that would be a good way to bring their common trouble prominently before the people of the country, they would both be liable to the death penalty. But, as a matter of fact, a man need not fire a blank cartridge, because the mere flourishing of a revolver would be sufficient to make him liable. The Home Secretary had stated that that provision should be retained because a monarch was entirely different from an ordinary individual; and he would like to know if the hon. gentleman meant all monarchs in the British dominions when he said that the monarch could do no wrong.

The HOME SECRETARY: I never said that the monarch could do no wrong.

Mr. DAWSON: When the hon. gentleman said that he (Mr. Dawson) wanted to know about King Billy and Queen Mary, he was under the impression that if they called Mr. Meston to the bar of the House they would hear that a number of members on the other side of the House had

committed many things with respect to King Billy and Queen Mary that would bring them under this clause.

The SECRETARY FOR LANDS: This clause refers to "the" Sovereign, and King Billy is not the sovereign.

Mr. DAWSON: If the Secretary for Lands attempted the life of, say, the sovereign king of Bulloo, or Thargomindah, would he be liable to the penalty imposed by the clause? It certainly was class legislation. With regard to subsection 9, he held that they had arrived at that stage of civilisation in Queensland when they could do without such a provision, even if they could not do without it in the other colonies or in England. The subsection said: "Violates, whether with her consent or not, a Queen Consort, or the wife of the eldest son and heir apparent, for the time being, of the Sovereign." It was absurd to re-enact a provision of that description in this nineteenth century, and he was very much puzzled to understand how it had ever found a place on the statute-book here or anywhere else. Punishment for offences of that kind was always based on the principle that the offender should be punished if the other party did not consent, and they had already determined in that Code that that particular offence against an ordinary person, even if committed against the consent of the person concerned, should no longer be punishable with death. Why then, in the name of goodness, should they retain the death penalty in this particular case, even if the offence was committed with the consent of the other party? As a matter of fact, he was inclined to think that the offender ought to be punishable with very severe penalties if he did not obey orders, and he certainly objected to the retention of that provision.

The SECRETARY FOR PUBLIC LANDS (Hon. D. H. Dalrymple, *Mackay*): The leader of the Opposition appeared in rather a sportive mood, and had argued that under certain circumstances a man might fire a blank cartridge, not because he wanted to do any execution, but because he wanted to call attention to grievances. He ventured to say that the whole of that debate might very fairly be called a blank cartridge debate. The hon. member said that subsection 9 was not by any stretch of possibility ever likely to apply to anybody in Queensland. Why then should they raise this debate, which was likely to take up a very long time? It was quite evident if they dealt with the Code in that spirit, and considered themselves responsible for every law which had been on the statute-book, instead of practically accepting the law as it stood, and leaving themselves perfect liberty to amend it at a future time, they might practically rank themselves among those who did not want a codification of the law. They could not expect that every law would commend itself to the approval of every hon. member. With some other hon. members, who had spoken, he agreed that it was a more serious offence to make war on the Sovereign than it was to make war on an ordinary person, because the Sovereign was the representative or embodiment of all; and, as pointed out by the Home Secretary, a person who occupied a distinguished public position ran a great deal more risk than a private individual. They might call such persons a sovereign if they liked, but they could have an elective sovereign and call him a president; and he thought that where the risk was so great the penalty should remain as it was. It certainly had not deterred some people from slaughtering men of great value to society, such as Carnot and Lincoln had been, but it might deter others who, if they did not run any risk of incurring the death

penalty, would attempt to take valuable lives. It was said that because in times past some good men had been rebels no rebel should be punished by death; but if that argument was sound it could be carried to this: that because some people had shot others in bygone times, and had perhaps been justified in doing it, therefore no one who shot anyone at the present time should be punished for it. If it was true that because somebody justly committed treason long ago, and was successful in it—

Mr. DAWSON: It is not treason then.

The SECRETARY FOR PUBLIC LANDS: No, it was not treason then, and because of that hon. members were contending that the penalty for treason should not be inflicted where it did not succeed. Practically what was asked was that every man should be allowed to take the law into his own hands—because some people in the past had rightly rebelled everyone in a constitutionally governed country, such as this, where they had all kinds of means for the redress of grievances that were considered legitimate, had the right to levy his own law upon the Governor or anybody else, and such an offence was to be accounted a very light matter.

Mr. DAWSON: I do not want to punish anyone who makes war upon me.

The SECRETARY FOR PUBLIC LANDS was no more likely to talk anyone to death than the hon. member who interrupted him. Hon. members were very anxious to raise a debate upon a clause which they confessed had not the slightest practical application in this colony, and they therefore wanted to talk merely for talk's sake.

* Mr. LESINA (*Clermont*): If it was true that the clause would have no practical application in this colony, why should they be asked to pile up statutes which would be inoperative? The argument used in favour of hanging a person for treason was the same old argument used in all times for torturing people in all kinds of ways. Romilly, in his book on the death penalty or punishment by hanging, dealt specially with that aspect of the argument in favour of the capital punishment. He said that if capital punishment could be justified by anything under the sun, it would be by the crime of treason, or the killing of the Sovereign by any means whatsoever. He then went on to analyse the argument, and he showed clearly that the man who killed a sovereign, a king, a queen, a shah, a president, a sultan, or a czar was not at all deterred by the fact that he was going to be hanged. He had made up his mind from the jump that he was going to die, and that the offence was punishable by death, but he weighed against the penalty the fact that he killed a king.

The HOME SECRETARY: How many more would chance it if there was not that penalty?

Mr. LESINA: I will tell you how many more.

The HOME SECRETARY: You cannot; nobody can.

Mr. LESINA: So far as sovereigns were concerned, whether kings, queens, sultans, presidents, shahs, or czars, this had been the bloodiest century in all their career, for up to the present time about twenty-five rulers had been assassinated in the present century. In every country in the world, bar Switzerland, the law was that the killing of a sovereign was punishable by death in various forms, and yet they were killed. The Queen herself had been shot at three or four times, and he submitted that the death penalty for treason was not a deterrent against the killing of a king or a queen or any other ruler, for they were killed. He had no desire to kill a king or a queen, but if he had the death penalty would not

deter him, because he would be perfectly satisfied if he could achieve his aim. The men who became regicides were lunatics and political fanatics, and there was no possible way of restraining them. They would do what they did in spite of a thousand deaths. He had shown already that Lombroso had pointed out that Luoceni's birth, breeding, education, and environment had all been criminal, and the death penalty had no effect in such cases at all.

[8 p.m.] It was like putting up the bogey of "Socialism in our time" in order to frighten people from voting for the Labour party. He saw no necessity for the clause, and, while he would not break his heart if it was carried, if there was a division he would vote against it. Whether the penalty was maintained or not the Queen's life would be in no way endangered.

Mr. J. HAMILTON (*Cook*): The argument of the hon. member for Clermont was that the penalty of death was undesirable because it would not deter anyone who wished to kill a king from killing him. According to that argument they should abolish capital punishment, because, if a man wanted to commit murder, he would commit murder. If a man wanted to rob a bank, he would do so, and therefore they should not imprison for robbery. If a man wished to get drunk, he would get drunk, and therefore they should not fine a man for getting drunk. The Bill was simply a codification of the existing criminal law, and except in a few particulars, it did not amend the present law. It simply expressed, in plain language which could be understood by everyone, the existing law. This Bill was a condensation of 78 Acts, which would thereby be totally repealed, and of a number of other Acts which would be partly repealed. If in addition to the codification of all those Acts by this Bill they were in the same measure to also amend them the work would simply be interminable. Their proper course was to first codify the law into a condensed form and then if it was desired to amend it in any way to do so by introducing a Bill containing the amendments.

Mr. LEAHY (*Bulloo*) understood the Home Secretary, before dinner, to offer to accept the amendment.

The HOME SECRETARY: Certainly not. I merely put the hon. member right as to the form of his amendment.

Mr. LEAHY: At all events there seemed to be little difference between the 7th subsection and subsection (c) of clause 39, especially the latter portion of it which said, "and manifests such intention by any overt act." Yet the penalty in the one case was death, and in the other imprisonment with hard labour for life. He saw no reason why the Home Secretary should object to the amendment, and at the same time there was no reason why the other side should be particularly anxious about it. It was very unlikely ever to come into force in Queensland, because neither the Sovereign nor the Prince of Wales was likely to come here, and it did not apply to anyone else. At present there was no hanging for treason in the old country, and had not been for half-a-century. Offences always came now under the head of treason felony, which was punished with transportation or something else, but not death.

Mr. McDONNELL: What about 1867?

Mr. LEAHY: That was nearly half-a-century ago, and that was not for treason. It was a charge of murder. The Manchester case was treason felony, where they fired through a carriage window and killed a policeman.

Mr. McDONNELL: I do not mean that case. I mean the Fenian riots in 1867.

Mr. LEAHY: There was no one hung for Fenian riots in 1867.

Mr. McDONNELL: They were sentenced to death.

Mr. LEAHY: No, they were tried under the treason felony clauses, and not for treason at all. He had risen to ask the Home Secretary to give a little more explanation of the information he had given when he had risen in the first instance after dinner, when he had said that if they amended that section in the direction indicated the home courts would probably step in.

The HOME SECRETARY: No. The hon. member again misunderstood me.

Mr. LEAHY: The hon. gentleman said that the home authorities would come in, and not allow the clause to pass. Either they had the power to repeal those English statutes or they had not. If they had the power, they could do it, and the English Government could not step in over their heads. If they had not the power to repeal those statutes, what was the use of going on with the matter, and repealing all the provisions mentioned in the 2nd schedule? He would ask the hon. gentleman what authority they had for repealing those statutes so far as they related to Queensland?

The HOME SECRETARY called the attention of hon. members to the fact that there were 708 clauses in the Code, and if they were going to make any attempt to generally amend the criminal law of the colony, it would take not one short session but ten sessions, and long ones at that. The Code—with a few exceptions in which the law was practically obsolete and a dead letter—was a codification of the existing law. It was gathered from Imperial statutes passed long before Australians had a right to make their own laws, from statutes passed in New South Wales prior to the separation of Queensland, and from laws passed by the legislature of Queensland. If they were going to discuss every case in which an hon. member thought the criminal law should be amended, they would be merely wasting their time. In the same way, it would be a waste of time to go any further with the Bill if they carried that amendment, because, having regard to its peculiar nature, the Governor would feel himself constrained to reserve it for the Royal assent. Hon. members would see that it was extremely probable that the Royal assent would be refused by the Secretary of State. In that case the Criminal Code would not be adopted at all; we should be left exactly where we were now, and death would be the penalty for all these offences. No progress would have been made, and a great deal of time would have been wasted. Whatever views hon. members might hold with regard to the infliction of this penalty for treason, he thought it was not desirable that they should press those views at this juncture.

Mr. LESINA: Can the crime ever be committed in Australia?

The HOME SECRETARY: Certainly some of the offences mentioned in the clause could be committed in Australia, but, as the hon. member for Bulloo had said, it was a great many years since anybody suffered the death penalty for treason in Great Britain. Things were written and said which in almost any other country in the world were regarded as treasonable, but which in Great Britain and the colonies were treated with the contempt they deserved.

Mr. LEAHY: Suppose we passed this, what condition would we be in with regard to the English law?

The HOME SECRETARY: Assuming for the sake of argument that they enacted that instead of the death penalty for treason there should be imprisonment for a period not exceeding six months, in that case he could quite

understand that in the event of anybody committing an act which would bring him under the provisions of any of these subsections—instigating an invasion or assisting a foreign enemy, for instance—the Imperial authorities might consider it desirable to step in and prosecute under the Imperial law in order that something more than a penalty of six months might be inflicted.

Mr. LEAHY: That is, the Imperial law is still in force in this colony.

The HOME SECRETARY: Undoubtedly; and unless we had some such section as this in our Code we could not prosecute for treason. It was the English law that was practically in force here at this moment. The first few subsections of the clause dated back to a statute of Edward III. We could repeal an Imperial statute so far as it affected the interests of the colony, if it did not affect Imperial interests; but this did affect Imperial interests, and therefore he believed the Royal assent would be refused. If we were to alter it—

Mr. LEAHY: Where is the authority?

The HOME SECRETARY: The right to legislate carried with it the right to repeal the laws in force for the time being, and they had authority to do that so long as it did not affect Imperial interests. He had been led by interjections into a somewhat academic discussion of the question, but he would remind hon. members again, irrespective of the great objection there was to interfere with this particular clause as affecting the Sovereign and her rights, that if they were going to make any attempt in this Code to discuss the principles of criminal law and endeavour to import amendments which involved debatable matter, it was certain that it was futile to attempt to pass the Code, and it had better be dropped. He might point out that by passing this hon. members would not be prevented from bringing forward next session any amendment of the criminal law they thought desirable.

Mr. DUNSFORD had no desire to open up a discussion when he moved the amendment.

The HOME SECRETARY: Quite so.

Mr. DUNSFORD: He had already said, when discussing the punishments coming under clause 18, that it would not be right or wise to go over the ground again; but he would like to say, with regard to the hon. gentleman's statement, that if the amendment were carried the Bill might be reserved for the Royal assent, that he did not think that ought to influence hon. members at all in coming to a decision upon this matter. He thought they should not allow any of those outside influences or possibilities to interfere with their right or duty in that Committee. If hon. members thought it wise to remove the death penalty, they should do so, no matter what the consequences were, because if the stand was taken that all portions of the British Empire were continuing to inflict the death penalty, there would be no opportunity of removing it until Great Britain abolished it. He affirmed that they were justified in moving in the direction he had indicated, but the wisdom of so doing of course remained with the Committee. He did not look upon treason as a light crime, and he had not referred to that portion of the clause which dealt with the killing of the Sovereign, still any person who killed anybody might be proceeded against under other clauses in the Code, and could receive the death penalty, if that were the penalty for killing. As it had already been decided that the death penalty was to remain, and as many hon. members thought that death should be the penalty for treason, he would not call for a division on his proposed amendment.

Mr. LESINA said the Home Secretary said the Code was only a codification of the old law,

but it was more than that. The Attorney-General admitted that it was also an alteration of the old law.

The HOME SECRETARY: I said so, too.

Mr. LESINA: I never heard you say that.

Amendment (*Mr. Dunsford's*) to omit the words "the punishment of death" put and negatived.

Clauses 37 and 38 put and passed.

On clause 39—"Treasonable crimes"—

Mr. LESINA asked: If a man left Queensland to-day, intimating his intention of going to South Africa, and he joined the Boers' forces and fought against Her Majesty's forces, would he be guilty of a treasonable crime?

The HOME SECRETARY: He might be guilty of that in South Africa, but not here.

Clause put and passed.

Clause 40 put and passed.

On clause 41—"Inciting to mutiny"—

Mr. LESINA asked: If a strike took place in Brisbane and rapidly extended to 10,000 or 15,000 men, and the military were called out, and any person attempted to influence any member or members of that force to throw down their rifles and refuse to fire on the people, would he be guilty of inciting to mutiny? He had in mind the strike in 1891 in New South Wales, when the Naval Brigade threw down their arms and refused to fire on the people.

The HOME SECRETARY: He could scarcely conceive the case instanced by the hon. member possible. It was altogether too absurd. He would like to know if there was any prosecution in the case cited?

Mr. LESINA: Probably it was very hard to get the person who incited.

Clause put and passed.

Clauses 42 and 43 put and passed.

On clause 44—"Definition of seditious intention"—

Mr. STEWART (*Rockhampton North*): This was a very comprehensive clause, and one under which subjects who were perfectly loyal to the country might find themselves in difficulties. Subsection (a) said—

To bring the Sovereign into hatred or contempt.

Then subsection (b) said—

To excite disaffection against the Sovereign or the Government or Constitution of the United Kingdom or of Queensland as by law established, or against either House of Parliament of the United Kingdom or of Queensland, or against the administration of justice.

What did that mean? There were a large number of people in the colony who were disaffected with regard to the present Government. Would they, under this subsection, be held to be seditious subjects? Then subsections (d) and (e) went on—

To raise discontent or disaffection amongst Her Majesty's subjects;

To promote feelings of ill-will and enmity between different classes of Her Majesty's subjects.

The HOME SECRETARY: There is no penalty for a seditious intention.

Mr. STEWART thought hon. members ought to have a clear definition of what all this meant. He noticed that seditious intention was defined in clause 45; and he therefore suggested the transposition of clauses 44 and 45, in order to give members an opportunity of ascertaining what was meant by sedition.

The HOME SECRETARY: No doubt the suggestion of the hon. member was a very valuable one, but he preferred to be guided by the ideas of the eminent legal gentlemen who had drafted the Code. He would be more likely to be in error if he followed the suggestion of the hon. member than if he adhered to the clause. Clause 44 merely defined what was a seditious intention, and clause 45 gave every protection in this respect, by defining the circumstances under which the law

would not apply. If the hon. member endeavoured in good faith to show that the Government were mistaken in the policy of the country, that would not be seditious intention. Clause 46 showed what must be done with a seditious intention in order to bring the matter under the provisions of the criminal law.

Mr. LESINA: The section was directed to a large extent against newspapers that preached what was popularly called sedition; that preached against the Throne and the occupant of the throne; that preached radicalism and republicanism. He did not think such a provision was required, but if required it should be modified in one or two respects. He did not think that what was called sedition, in the popular acceptance of the term, was such a great crime as it was once considered to be, and yet under that musty, antiquated law the person writing it was liable to seven years' imprisonment. What was seditious writing? If he were to rake up the genealogy of the present reigning family and wrote several columns about them in a public newspaper, discussing their public and private character, and so on, it would be called seditious writing, for which he might get seven years. As the clause was deliberately framed against radicalism and republicanism, he entered his protest against it, if he could do no more.

Mr. STEWART would point out that it would be much more convenient if all the clauses dealing with sedition were together. Clauses 44, 45, and 46 dealt with sedition, but it was not until they came to clause 52 that they had a definition of it.

Clause put and passed.

Clauses 45 to 52, inclusive, put and passed.

On clause 53, as follows:—

Any person who, without such justification or excuse as would be sufficient in the case of the defamation of a private person, publishes anything intended to be read, or any sign or visible representation, tending to expose to hatred or contempt in the estimation of the people of any foreign State any prince or person exercising sovereign authority over that State, is guilty of a misdemeanour, and is liable to imprisonment for two years.

Mr. LESINA said the clause was a remarkable one, but he doubted whether it was absolutely necessary. What was understood by "any prince or person exercising sovereign authority" over a foreign State? Would it include "Oom Paul," who was being blackguarded by the capitalistic Press of Queensland, and held up to ridicule and contempt because of his attempt to defend his little republic? Or would it include Kaiser Wilhelm, of Germany, who had been abused up hill and down dale, particularly by the extreme wing of the radical Press, and held up to public contempt? Could any person lay a charge against the editor of a radical paper for referring to that young man as "Ratty Billy," as he had been referred to in some of those papers? Or would he be liable to punishment if he spoke of the black monarch of Abyssinia as a person who wallowed in bloodshed? Those were points on which he wished to be enlightened.

The HOME SECRETARY: Strictly speaking, he did not think there was the slightest chance of the hon. member being prosecuted in Queensland for any such offence. There was a great deal in the Bill that was practically obsolete, for it merely put in a simple form what was already on the statute-book, with some improvements.

Mr. LESINA: The Home Secretary must know that so long as the law was on the statute-book it could be put in force if a judge or magistrate could be found who would apply it. The combination laws were said to be obsolete, but the moment industrial complications occurred the authorities raked up the Act of George IV.

and sent men, by virtue of its provisions, to St. Helena. So he was frightened of these obsolete enactments that were so harmless. These things were loaded and might go off before long. They might go off when they were not thinking.

The HOME SECRETARY: Bring in a repealing Bill next session.

Mr. STEWART thought the hon. member for Clermont would have moved the omission of the clause; but, as he had not thought fit to do so, he would move that it be struck out.

The CHAIRMAN: The clause can be negatived.

Clause put and passed.

On clause 54—"Interference with Governor or Ministers"—

Mr. LESINA asked if this provided for the protection of Sir S. W. Griffith, who was acting as Governor in the absence of Lord Lamington, and who would probably be acting as Governor for six or twelve months, during which time any of these offences might be committed. Was he not protected as Lord Lamington or any other Governor would be under this section?

The HOME SECRETARY: If the hon. member would refer to the Acts Shortening Act he would find that the Governor was protected.

Mr. LESINA: As long as he was protected it was all right. He would not like to see him unprotected.

Clause put and passed.

Clauses 55 to 60, inclusive, put and passed.

On clause 61, as follows:—

UNLAWFUL ASSEMBLIES—BREACHES OF THE PEACE.

Definitions.

When three or more persons, with intent to carry out some common purpose, assemble in such a manner, or, being assembled, conduct themselves in such a manner, as to cause persons in the neighbourhood to fear on reasonable grounds that the persons so assembled will tumultuously disturb the peace, or will by such assembly needlessly and without any reasonable occasion provoke other persons tumultuously to disturb the peace, they are an unlawful assembly.

It is immaterial that the original assembling was lawful if, being assembled, they conduct themselves with a common purpose in such a manner as aforesaid.

An assembly of three or more persons who assemble for the purpose of protecting the house of any one of them against persons threatening to break and enter the house in order to commit an indictable offence therein is not an unlawful assembly.

When an unlawful assembly has begun to act in so tumultuous a manner as to disturb the peace, the assembly is called a riot, and the persons assembled are said to be riotously assembled.

Mr. GIVENS (*Cairns*) contended that clause 63 and the clauses following relating to riots and rioting gave a Government of the day ample power to prevent unlawful assemblies—assemblies which would be a danger or a menace to the public peace. This clause took away the right which had been won at great self-sacrifice by those who had gone before, and which involved the preservation of the liberties of the people to constitutionally govern themselves—the right of free assembly in public meeting to give free expression to their opinions. Who were to be the judges of the unlawful intent?

The HOME SECRETARY: The jury.

Mr. GIVENS: A meeting was liable to be broken up and its object defeated before it came to a jury. By this clause, the Government of the day could stop their political opponents from holding any meeting at all, if they chose to do so. It was a dangerous power to put into the hands of any party. He had seen meetings broken up, or attempted to be broken up, which he had not the slightest hesitation in saying had been conducted in a perfectly lawful manner; but the very fact that they had been attempted to be broken up incited the people to commit a breach of the peace. The right of public meeting and the right of free speech had been recognised

as the great safety valve of the British people in all countries under the British flag, and prevented them from engaging in armed rebellion, such as, unfortunately, had been the case in other countries. All their wrongs had been redressed mainly by that means; and why should they retain this clause, and make it penal for people to assemble to ventilate their grievances and rectify their wrongs? He hoped the clause would be omitted.

The HOME SECRETARY did not quite follow the hon. member when he talked about breaking up an unlawful assembly. There was nothing in the clause about that. It was merely declaratory of what was an unlawful assembly.

Mr. GIVENS: Has such a thing never been done in Queensland?

The HOME SECRETARY: There was breaking up a riot by reading the Riot Act. That was provided for in the section to which the hon. member had referred. Surely the hon. member knew that to break up a riot the Riot Act had to be read?

An HONOURABLE MEMBER: Before you can fire on the mob.

Mr. GIVENS: Has not a policeman the right, on the ground that you are creating a disturbance, to order you to disperse?

The HOME SECRETARY: How could a man disperse himself? This clause had nothing to do with creating a disturbance in the street. It dealt with a totally different thing—an unlawful assembly.

Mr. GIVENS: They do it.

The HOME SECRETARY: Tell people to "move on." They can do that under the municipal laws.

Mr. GIVENS: What about the following clauses?

The HOME SECRETARY: They would deal with them when they came to them. This clause was the law as it stood. They were not revising the criminal law. If the hon. member had any feeling about any particular clause let him bring in a Bill next session to repeal it. He might then get some support, but this was not the time to deal with the matter.

Mr. GIVENS: Why not accept this? It is a reasonable thing.

The HOME SECRETARY: But was it desirable that they should commence revising the criminal law, while they were codifying it? It would take several sessions to do that, and if they once began it clearly they could not get through the Code this session. He had a good many ideas himself on the subject of amendments, but he did not propose to air them, because that was not the proper time.

Mr. GIVENS: What amendments are here already?

The HOME SECRETARY: Very few.

Mr. GIVENS: The judges have the right to amend the law, but we have not.

The HOME SECRETARY: The judges had made a few amendments for the purpose of assisting Parliament to pass a criminal code. That was their function. Let them now incorporate the law as it stood. It was competent for any hon. member to introduce amending Bills at any time, if so desired, and no doubt there were many members who would support such amendments as were proposed.

Mr. GLASSEY (*Bundaberg*): He had no desire to obstruct the passage of the Bill, but he wished to ask: Supposing the clause was deleted, would it injure the Bill? The fact merely that the clause was an embodiment of the present law did not justify them in retaining it.

The HOME SECRETARY: You will have to put something in its place.

Mr. GLASSEY thought the two or three provisions which followed were ample for all

requirements. This clause was a very injurious one to retain in the Bill, and if they could remove it without injuring the Bill, and at the same time confer a benefit on the community, it would be a wise thing to do.

The HOME SECRETARY really thought hon. members who were criticising the clause did not realise what it meant. Those who had studied the Code would see that its scheme was to make a definition which simplified the later enactments in the chapter. For instance, there was a definition of rioting. Take that out and surely the hon. member would see that there must be something inserted in its place! Would he strike out everything in connection with rioting and allow it to become lawful?

Mr. GLASSEY: I rose to ask if the removal of the clause would be injurious to the Bill?

The HOME SECRETARY: And I say, yes.

Mr. GLASSEY: He had no desire to injure the Bill, but at the same time he would ask was it right to retain a provision for no other reason than that it was the present law?

Mr. GIVENS pointed out that clause 64 defined what rioting was, and it also defined a breach of the peace. Clause 61 provided punishment, not for committing the offence at all, but said "conduct themselves in such a manner as to cause persons in the neighbourhood to fear on reasonable grounds that the persons so assembled will tumultuously disturb the peace." He contended that before the law had any right to punish him he must have committed an offence, and that he should not be punished simply because persons might fear, reasonably or otherwise, that he was going to commit an offence. The very fact that he was at a meeting of citizens for the discussion of a public grievance might excite his political opponents very conveniently to fear, and because of their fear of what he might do he was to be punished by twelve months imprisonment.

The HOME SECRETARY: Not unless the fear is grounded on reason.

Mr. GIVENS: Who was to decide that?

The HOME SECRETARY: The jury.

Mr. GIVENS: There had been such a thing as political bias among juries.

The HOME SECRETARY: Then let us abolish juries.

Mr. GIVENS: No. He believed in the jury system, but he did not believe in this clause. The crux of the matter was this, and every reasonable-minded man would see it at once: before the law had any right to punish a man for doing wrong the wrong must be done. The law should not punish a man because another man was afraid he was going to do a wrong thing. It would come with a very good grace if the hon. gentleman would consent to the deletion of the clause.

The HOME SECRETARY: Then you must take out the punishment for threatening language.

Mr. GIVENS: That was an actual offence in itself.

The HOME SECRETARY: It is a threat of violence. It is only an offence created by law, just as this is.

Mr. GIVENS was surprised at the laxity of the hon. gentleman's definitions. Threatening language was an offence, in so much as it was an actual expression of intention to do an unlawful act. If he threatened to shoot a man he was expressing an intention to do an unlawful act, and the law had a perfect right to step in and prevent him, but the clause before them provided for punishment where a person had not committed an offence at all.

Mr. DAWSON (*Charters Towers*) was against his colleagues in this matter. He thought the

provision ought to be retained, because it was a protection against riot. The first paragraph of the clause said that "when three or

[9 p.m.] more persons" assembled "with intent to carry out some common purpose," they were "an unlawful assembly." That Committee was an unlawful assembly at the present time, because there were just three persons on the other side, and they were there with intent to carry out a common purpose, to incite members on his side to riot—and he thought it was the bounden duty of the Chairman to read the Riot Act. He would like to know whether if that clause were excised it would really make any difference in the law, because as he understood it the Code was merely an instruction to the judges, and not an alteration of the law at all.

* The HOME SECRETARY: The hon. member was correct. It was immaterial whether that provision were retained or not, because it was a part of the common law. It was not the subject matter of any statute; it was common law, but the Code in effect repealed the common law.

Mr. LESINA (*Clermont*) wished to know if any amendments made in the Code had no effect? They had struck out a provision with regard to imprisonment in irons, and he should like to know if that would still be the law, notwithstanding the amendment which had been agreed to by the Committee.

* The HOME SECRETARY: The hon. member surely clearly understood the difference between statute law and common law. The common law was the unwritten law, and this provision was merely putting into words what was known as the common law of the land. There were certain statutes mentioned in the schedule at the end of the Code which would be repealed. In order to effect what the hon. member desired, it would be necessary to bring in a Bill specifically negating the law to which he objected, as was done here.

Mr. GIVENS (*Cairns*) moved that the clause be amended by the omission of all words after the word "to," in the 3rd line, down to the word "tumultuously." The clause would then read—

When three or more persons, with intent to carry out some common purpose, assemble in such a manner, or, being assembled, conduct themselves in such a manner, as to tumultuously disturb the peace, etc.

That amendment would simply alter the definition, and make a person liable to punishment for an actual offence, and not liable, as it at present stood, to punishment because some fear existed in another person's mind. He hoped the hon. gentleman in charge of the Bill would accept the amendment.

The HOME SECRETARY really did not understand what the hon. member was driving at. With the amendment now proposed the clause would be ungrammatical, because it would read, "When three or more persons," etc., "tumultuously disturb the peace, or will by such assembly needlessly and without any reasonable occasion provoke other persons tumultuously to disturb the peace," etc. That was not sense, and he would like to know if the hon. member proposed to move any further amendment.

Mr. GIVENS: I intend to propose a further amendment.

The HOME SECRETARY: Perhaps the hon. member would explain what that further amendment was likely to be, because a great deal hinged upon it. He did not say he was going to accept it by any means.

Mr. GIVENS: After dealing with the first amendment he intended to propose a further amendment to the effect that it should apply to

persons whose conduct was such as to induce persons to tumultuously disturb the peace. If the hon. gentleman preferred it, he was prepared to move the omission of all the words down to the word "tumultuously" in the 31st line.

The HOME SECRETARY: I cannot accept any amendment in the shape of a mutilation.

Mr. GIVENS contended that it was not a mutilation, but making provision that a man should not be punished for some fear existing in some other person's mind.

The SECRETARY FOR PUBLIC LANDS: "On reasonable grounds." The jury will have to determine that.

Mr. GIVENS: There was ample proof in this colony, and in the history of the law courts of Great Britain, that in excitable times, when political or other feeling ran high, juries were unconsciously biased, and gross injustice might in that way be committed.

The HOME SECRETARY: The hon. member's proposed amendments would render the 1st paragraph of the clause downright nonsense, because what he proposed would make such an assemblage of persons a riot at once.

Mr. GIVENS: Is an "unlawful assembly" and a "riot" the same thing?

The HOME SECRETARY: No, but the hon. member proposed to make it a riot, and he might just as well cut out the words he proposed altogether and say that a riot should be the only offence dealt with. If hon. members were going to bring up their views upon criminal law amendment upon every clause, they could not hope to get the measure through. He thought it had been admitted during the all-night sitting that the questions then dealt with were the only contentious matters in the Bill.

Mr. DAWSON: You were not told that. You were told they were the most contentious clauses in the Bill. So far as I am concerned, I would sooner have the Bill as it is without the amendment than lose it.

The HOME SECRETARY: Quite so. That was his own opinion. Probably he had as strong views upon criminal law amendment as any member of the Committee, but he was not on that account going to block a Code which embodied the law as it stood, when, if anyone felt strongly upon a particular amendment, he could introduce a Bill to give effect to his views. He could not accept the amendment.

Amendment put and negatived; and clause put and passed.

On clause 62—"Punishment of unlawful assembly"—

Mr. LESINA moved the omission of the words, "one year," the term of imprisonment provided for, with a view of inserting the words, "six months."

Mr. JENKINSON (*Wide Bay*) suggested that the hon. member might agree to the amendment of the clause so as to provide that the term of imprisonment should be "for a period not exceeding one year."

Amendment put and negatived; and clause put and passed.

Clause 63—"Punishment of riot"—put and passed.

On clause 64—"Rioters remaining after proclamation ordering them to disperse"—

Mr. STEWART (*Rockhampton North*) thought that imprisonment for life with hard labour, with or without solitary confinement, was too severe a punishment for the crime of riot. The limit should be seven years, and he accordingly moved the omission of the word "life" with a view to inserting the words "seven years."

The HOME SECRETARY could not accept the amendment. The offence of refusing to disperse when called upon to do so by the proper

authority was a very different offence from mere rioting. It meant that the time had come for the military to be called into requisition and ordered to fire. Having in view the fact that the lives of scores of people might depend upon the action taken by persons who remained in defiance of the authority which required them to disperse, imprisonment for life was not too great a maximum penalty to impose. The punishment for riot was imprisonment for three years, under clause 63, but this clause dealt with a much more serious matter. There was only one instance in the history of Queensland when the Riot Act had had to be read.

Mr. STEWART still held that the punishment was too extreme. That had been very clearly shown in most of the instances which had occurred of recent years. In the United States of America a number of foreigners had been called on to disperse, although they did not understand what the magistrate was saying. The military had been ordered to fire, and over twenty of them had been shot dead.

The HOME SECRETARY: We are not in America. They have lynching there, and all sorts of things.

Mr. STEWART: They came very near being in the same position. They knew how a certain Government official had issued instructions to the police as to how they were to act in particular circumstances, and that the very greatest care had to be exercised in the matter. There had been a case in Great Britain where, through the stupidity of the magistrate who read the Riot Act, an innocent man had been shot dead. The people did not disperse, and the military were ordered to fire. A magistrate might get up and read a document in the face of a noisy multitude; no person would know exactly what he read, and if the people did not disperse on the instant, they would be liable to penal servitude for life, and to be fired upon by the military and executed without trial. The whole clause required revision.

The HOME SECRETARY: The hon. member had himself furnished the strongest argument why an extreme penalty should be inflicted when he told them how an innocent person had suffered death through the refusal of certain persons to disperse when called upon by the lawful authority.

Mr. STEWART: No; through the stupidity of the magistrate.

The HOME SECRETARY: It was all very well for the hon. member to say that, but he might as well say that every person who was sentenced to death was sentenced through the stupidity of the judge or jury. A certain constituted authority must control people who were assembled tumultuously, and if those persons refused to obey that constituted authority, they were endangering the lives, not of themselves, but of innocent persons who mixed with them.

Amendment put and negatived.

Mr. STEWART: A prosecution for any of the crimes defined in that section must be begun within a year after the crime was committed. In matters of that kind three months would be quite long enough. Indeed, it should be reduced to one month, but as the Home Secretary was not likely to accept such a short period, he moved the omission of the words "a year" with the view of inserting the words "three months."

* The HOME SECRETARY: That was a great concession to the accused, as there was ordinarily no statutory limitation with regard to the institution of criminal proceedings. In a case of murder a person could be prosecuted and convicted at any time, and so for almost every criminal offence. It was certainly not likely that a prosecution under the clause would be instituted after the lapse of many months except under very special circumstances, but it

might be impossible to identify a man for some months. As long as he kept out of the way for that period he would go scot-free, [9.30 p.m.] and it was not desirable to narrow down the period of limitation.

Mr. STEWART: If the contention of the hon. gentleman was correct there should be no limitation at all.

The HOME SECRETARY: This is what the law is now.

Mr. STEWART: With regard to identification, if it was not possible to get evidence on the spot with regard to rioting, when the matter was warm, it would not be so easy to get it afterwards; and the temptation to trump up evidence afterwards would be so great that the chance of an innocent person being convicted would be much greater than if proceedings were taken within three months. They knew how easy it was for some people to identify a man. Did they not remember how many witnesses identified Burgess as the man at the sliprails on the night of the Gatton murders? And they knew that if a reward were offered for the discovery or arrest of any criminal, numbers of people were prepared to come forward and swear anything, in order to get the reward, if it was big enough. He thought the amendment was so necessary, that he believed it would be desirable to divide the Committee on it.

Mr. LESINA (*Clermont*) thought so too. Suppose in a mining town there was a meeting held in connection with a political contest between two candidates. If three persons were gathered together and this assembly of persons led to any disturbance which would induce some timid shopkeepers to go to a panic-stricken mayor and say they were afraid their premises would be wrecked, the mayor might read the Riot Act at such a distance that the people could not hear him, and the police or the military might charge the crowd, and some persons might be bayoneted or shot dead. At a time like that it was not likely that every man would notice his neighbour's features, and identification would be much more difficult twelve months afterwards. Of course if a big reward was offered some person might, as in the Ayrshire Downs case and other cases, take the blood money and swear to any person as the offender, and that person might be sent to gaol for life with hard labour, and perhaps be punished with solitary confinement. He thought it would be a fair thing to reduce the time to three months, and he would support the amendment.

Amendment put and negatived.

Clause put and passed.

On clause 65 of the schedule—"Rioters demolishing buildings, etc."—

Mr. McDONNELL (*Fortitude Valley*): Under this clause any persons who, being riotously assembled together, unlawfully pulled down or destroyed, or began to pull down or destroy, any building or machinery, or any structure used in farming land, or in carrying on any trade or manufacture, or in conducting the business of a mine, would each be liable to imprisonment with hard labour for life, with or without solitary confinement. Take, for instance, a strike in connection with a factory. If there was a riot, and some of the rioters got into the factory, and in the heat of excitement some machinery was damaged, the men who committed that crime would be subject to the penalty he had mentioned. At the time of a strike, when there was great excitement, people would do things which in their cooler moments they would not do, and he thought the penalty was far too great in this case. He therefore moved the omission of all the words after "imprisonment" with the view of inserting the words "for one year." This clause was simply aimed at strikes and lock-outs, and the power of

inflicting such an unreasonable punishment for such an offence should not be placed in the hands of any judge.

The HOME SECRETARY said he could not agree to the amendment. The hon. member said it was aimed at strikes. It might have reference to strikes, and it might have reference to a great many other things. Did the hon. member go so far as to say that there would be no riots unless in connection with strikes?

Mr. HIGGS: We might have political riots.

The SECRETARY FOR AGRICULTURE: In Paris and Milan they wrecked churches the other day.

The HOME SECRETARY: If politicians went into the streets and pulled down buildings or damaged machinery, they ought to get very serious punishment. As his hon. colleague had said, in Paris the other day there were political riots, when they pulled down churches and other buildings and destroyed images. For people who did these things, one year's imprisonment was absurd. The hon. gentleman's excuse for these men was that in these cases they were excited, and they ought not to be punished; but what about the persons injured and the property destroyed? It was not so much the property destroyed, but the liability to bloodshed in these cases that had to be taken into account, because every man was entitled to defend his property, and in doing so lives might be sacrificed. That was the reason why the crime was deemed so serious, and very properly so.

Mr. McDONNELL thought the clause was meant to apply to strikes more than anything else. They had had only one or two riots in this colony, and they were in connection with strikes, and on those occasions men, led away by excitement, did things in the heat of the moment that they would not do in their cooler moments.

The SECRETARY FOR PUBLIC LANDS: What about murder in the heat of excitement? Tumultuous rioting again.

Mr. McDONNELL: Of course, they had to deal with things largely on assumptions, but he had facts to bear out his contention, and it would be very unfair to give a man imprisonment for life when buildings or machinery were destroyed in a time of excitement. He hoped hon. members on his side would fight against anything of that sort, and twelve months' imprisonment was quite sufficient to meet any cases that might occur under this clause.

Mr. GIVENS (*Cairns*) said the hon. member in charge of the measure had interjected something about tumultuous rioting, but he should not go back to that unless he wanted to provoke retaliation. Hon. members on his side desired the passage of the Bill as much as hon. members on the other side.

The HOME SECRETARY: It does not look like it.

Mr. GIVENS: But they objected to be told that they must do so-and-so. The hon. member in charge of the Bill said that if amendment after amendment was to be moved, it would wreck the Bill.

The HOME SECRETARY: I never used the expression "wreck the Bill." I said we would never get through it.

Mr. GIVENS: The hon. gentleman said they might as well drop the Bill. He considered that the hon. member desired to provoke retaliation, but he (Mr. Givens) was not going to be provoked. But he might remind the hon. member that if he wanted fight he would get tons of it. One thing that might strike anybody was the disproportion between the penalties for offences against property and offences against the person, and he considered that offences against life or health were of vastly greater importance than those against property. That was an offence against property, yet the maximum penalty was as severe as the maximum

penalty for the most atrocious crime against the person. That was altogether disproportionate, and he should assist the mover of the amendment in his attempt to modify it. He was not bound to one year, or five years, or ten years, but there should be some distinction made between crimes against the person and crimes against property. It was only another illustration of the enormous regard hon. members opposite, particularly those on the Treasury bench, had for the rights of property as against the sacred rights of the person and the security of the well-being of the individual. The only conclusion he could come to was that they regarded property as of more consequence than human life and human well-being. Was it not reasonable that they, on that side, who regarded human life as sacred and more important than property, should object to offences against either being put on the same footing; that they should object to an offence against property being punished as severely as an outrage on a respectable young lady. If the punishments prescribed in the Code for offences against the person were severe enough—and there was no doubt they were—then the punishment prescribed for offences against property were far too severe, and it was their duty to try to bring about a reduction in the penalty. He intended to support the amendment, and if nobody else called for a division he should certainly do so. One of the offences mentioned in the clause was the destruction of any wagon or truck used in conveying material from a mine. From his own knowledge he could say that some of those vehicles were not of the value of £5. Another was the destruction of structures used in farming land, some of which were not worth the half of £5. Yet for each the same penalty was prescribed as for the most atrocious of crimes short of wilful murder—namely, imprisonment for life with hard labour, and with or without solitary confinement. Was that reasonable? Let them follow the old maxim of making the punishment fit the crime. If the Home Secretary, who had said he could not accept the amendment, would suggest any other reasonable amendment of his own they on that side would be prepared to accept it, and get on with the Bill.

The HOME SECRETARY: The hon. member had twitted him with having [10 p.m.] repeatedly told hon. members that if they moved amendments they would wreck the Bill. He had not used such an expression at all. The hon. member had put those words into his mouth without any justification. The only thing in connection with which he had indicated that the whole object of the Bill might be defeated was with regard to the clause affecting the crime of treason in special reference to the Sovereign. In that case he had pointed out that if the amendment proposed were carried, the Bill would probably be reserved for the Royal assent, which might be refused. If the hon. member had been ingenuous, as he ought to have been, he would have put it to the Chamber in that way. The hon. member also made a great point of the difference which, he said, existed between offences of this sort and offences against the person. It must be remembered that this was not mere punishment for a person pulling down a building.

Mr. KINSTON: If three persons do it.

The HOME SECRETARY: That would not be sufficient. They must be riotously assembled together. He did not think any jury would find that three persons were riotously assembled together. There must not be less than three persons.

Mr. GIVENS: Why give them the power, is not desirable they should use it?

The HOME SECRETARY : The point was this—It was not an ordinary offence against the person such as pocket-picking, embezzlement, or ordinary larceny, or even burglary. It was the deliberate destruction of a building that the inmate might look upon as property which he was entitled to defend with his life, speaking in the sense that every man's house was his castle. Then it became an offence—if it was riotously done—which practically jeopardised the lives of those who were charged with the care and defence of that property. He said distinctly it might end in bloodshed, and it was with a view of preventing that that the extreme penalty was imposed. Therefore he should oppose the amendment. He would point out to hon. members again that if every member was to introduce amendments in every clause, as it appeared to be the policy of hon. members opposite to do—

MEMBERS of the Opposition : No, no !

The HOME SECRETARY : Yes, for the last five or six clauses everyone had been objected to. If he were to concede this, every hon. member would want to bring in his particular baby, and there would be no end to it.

Mr. FISHER : He was entirely with the hon. member for Fortitude Valley that the penalty of imprisonment for life was too severe. He was of opinion that the penalty provided in the subsequent clause should be the maximum for offences of this kind. But while he should support the omission of the words proposed to be omitted ; he thought twelve months was too little. He should be quite prepared to make the maximum penalty seven years. That would be an ample protection to prevent people from running into riotous conduct for the purpose of injuring property. If a more serious offence arose, there would be some other way of getting at the person who committed it.

Mr. HIGGS (*Fortitude Valley*) would like the hon. gentleman in charge of the Bill to accept the suggestion of the hon. member for Gympie for the substitution of seven years, which was an ample penalty for the offences mentioned in the section. What was the difference between the offences mentioned in clause 65 and those mentioned in clause 66 ? In one it was said that any person who began to pull down a bridge or building was liable to imprisonment for life, and in the next any person who damaged any of the things mentioned in the last preceding section should be liable to imprisonment for seven years. The man who did the actual damage was favoured. The hon. gentleman had recognised that one man was not likely to pull down a building. In the case of industrial disputes, which were the cases which hon. members on his side had in mind, twenty-five or fifty men might start to pull down a building, and the punishment of seven years each would have a sufficiently deterrent effect upon others. The hon. member might very well accept the amendment without in any way encouraging crime.

Mr. McDONNELL (*Fortitude Valley*) : If it would make the amendment more acceptable he would propose, if the blank were created, to insert the words "seven years."

Mr. KIDSTON : Would the Home Secretary indicate whether he was prepared to accept the amendment ?

The HOME SECRETARY : The hon. member for Fortitude Valley, Mr. Higgs, had suggested that he should accept seven years as the term of imprisonment. He would like to know hon. members' ideas in reference to the following section. He supposed they would propose to reduce the penalty mentioned there to one year.

Mr. KIDSTON : I do not see any difference in the offence.

The HOME SECRETARY would show what the difference was. A crime of a very serious character might lead to the loss of life ; but not at

the immediate instance of the persons concerned in the crime, and in such a case seven years might not be a sufficient penalty. The offence might be of such a serious character as to involve the necessity for a much higher penalty, but it would be quite competent for the jury to find the culprits guilty of the offence set out in section 66, and no doubt they would, unless the case was a very serious one indeed. Juries were inclined to lean towards the less serious offence if they could, and would usually bring in a verdict of manslaughter rather than of murder, if there was the slightest justification for it. That was the difference between the two clauses. Of course there would be two counts to the indictment, and the Crown prosecutor would not be doing his duty unless he specified two counts. Otherwise he would be running the risk of acquittal on the more serious charge.

Mr. FITZGERALD : What is there in this Bill to say you shall put two charges in the same indictment ?

The HOME SECRETARY : Did the hon. gentleman contend that it could not be done ?

Mr. FITZGERALD : I doubt very much whether it can. They have to make special arrangements with reference to larceny and other cases.

The HOME SECRETARY thought they had better come to a division.

Mr. KIDSTON : The hon. gentleman has not told us whether he will accept the amendment.

The HOME SECRETARY : I said that I could not.

Mr. KIDSTON : The section dealt with the destruction of any bridge, wagon way, or truck. Suppose there was a bit of a riot and one wheel of a wagon was destroyed, a person would be liable to seven years' imprisonment. It seemed to him that the offences named hardly justified such a severe sentence as hard labour for life. He did not think the hon. gentleman should refuse to accept such a reasonable amendment.

Mr. HIGGS : The hon. gentleman must feel that some modification of the penalty was necessary, otherwise he would not have stated that if he made the concession hon. members would ask too much. The hon. gentleman mentioned the case of someone being killed in consequence of a riot. Clause 293 provided that "except as hereinafter set forth, any person who causes the death of another, directly or indirectly, by any means whatever, is deemed to have killed that other person." That would meet the case of killing mentioned by the hon. gentleman.

Mr. FISHER thought the offence of smuggling under arms in disguise was as serious an offence as that of rioters demolishing buildings, and yet under clause 68 the former offence was punishable with only seven years' imprisonment.

Question—That the words proposed to be omitted, "with hard labour for life, with or without solitary confinement" stand part of the clause (*Mr. McDonnell's amendment*)—put ; and the Committee divided—

AYES, 25.

Messrs. Dickson, Philp, Foxton, Dalrymple, Murray, Chataway, Armstrong, Cowley, Macdonald-Paterson, Moore, Finney, Forsyth, Hood, Mackintosh, Bell, Stodart, Bartholomew, Story, Newell, Hanran, J. Hamilton, Kent, Leahy, Petrie, and O'Connell.

NOES, 18.

Messrs. Higgs, McDonnell, Kidston, Dunsford, Fisher, Jackson, Givens, Dawson, Jenkinson, Maxwell, Turley, Fitzgerald, Browne, Hardacre, Lesina, W. Hamilton, Ryland, and Stewart.

PAIRS.

Ayes—Messrs. T. B. Cribb, Stephenson, Campbell, and Smith.

Noes—Messrs. McDonald, Kerr, Dibley, and Fogarty.

Resolved in the affirmative.

Mr. GIVENS (*Cairns*) : As the Committee were not disposed to eliminate the words "with hard labour for life," he thought they should not make the imprisonment for life too severe ; and he, therefore, moved the omission of the words, "with or without solitary confinement."

The CHAIRMAN: The Committee have just decided that those words shall stand part of the clause, and the amendment of the hon. member is, therefore, not in order.

Clause put and passed.

Clause 66 put and passed.

On clause 67—"Smuggling or rescuing goods under arms"—

Mr. FISHER (*Gympie*): If the offence mentioned in clause 66 required a heavy penalty he should like to know if the hon. gentleman was satisfied with the penalty of seven years provided in the clause before the Committee.

The HOME SECRETARY: This was a different matter altogether. The offence mentioned in clause 65 was one which meant an invasion of the property of private individuals, and that might lead to bloodshed; but the offence of smuggling, being against the community only, was not likely to lead to bloodshed, or private war, if he might use that expression, and that was the reason the penalty was not so severe.

Clause put and passed.

Clause 68 put and passed.

On clause 69—"Going armed so as to cause fear"—

Mr. FISHER asked whether the hon. gentleman would enlighten the Committee [10.30 p.m.] as to what was meant by a person going armed in public without lawful occasion?

The HOME SECRETARY: If the hon. member were to walk down Queen street with a six-chambered revolver, presenting it at everyone, he would probably come under that clause, and he might get a couple of years for it, or he might get a week, if it was thought he was weak in his intellect.

Clause put and passed.

Clauses 70 to 74, inclusive, put and passed.

On clause 75—"Threatening violence"—

Mr. STEWART (*Rockhampton North*) thought the penalty in this case was too small. The clause provided that any person who with intent to alarm any person in a dwelling-house discharged loaded firearms or committed any other breach of the peace was guilty of a misdemeanour and liable to imprisonment with hard labour for one year, and if the offence was committed at night, to two years' hard labour, while under clause 69 a person who only carried firearms in such a manner as to alarm the public, without discharging them, was liable to two years' imprisonment. He was not in favour of long sentences, as a rule, but this was a case in which a long sentence might be imposed. The Home Secretary looked with perfect equanimity upon a penalty of imprisonment for life for the pulling down of a fowlhouse, and yet he proposed that a person who discharged firearms at a dwelling-house in such a way as to alarm persons should get only two years, or one year.

The HOME SECRETARY: This was not a very serious offence, it did not deal with the intent to shoot anybody, but merely with the intent to scare a person.

Mr. KIDSTON: For the very same offence a man may get two years under clause 69 for which he gets one year under clause 75.

The HOME SECRETARY: No; because one was in a public place, and the other was for scaring someone in a dwelling.

Mr. LESINA (*Clermont*) considered the punishment under that clause underneath the requirements of the case. If a man approached your dwelling, and intimidated you, annoyed you, or threatened you with violence—

The HOME SECRETARY: No; you are not stating it fairly.

Mr. LESINA: The clause was headed "Threatening violence," and under it a person who, with intent to intimidate or annoy, threatened to break or injure a dwelling-house,

or with intent to alarm persons in a dwelling-house discharged loaded firearms, was to be liable to one or two years' imprisonment. There might be tender females in the dwelling-house liable to hysterical seizures, and the firing off of firearms in the vicinity of a dwelling-house might be attended with very serious results. The punishment in that case did not fit the crime, but the real reason was—and the same thread was to be traced throughout the Code—that wherever the offence was against property it was regarded as a sacrilegious offence, and a heavy penalty was provided; while, wherever the offence was against the person, the penalty provided was small. That was why a man might get life for pulling down a fowlhouse, or destroying £5 worth of machinery, while he would not get that penalty for outrage or rape.

The HOME SECRETARY: How do you make out that there is not a life penalty for rape?

Mr. LESINA: There was, but it was not with solitary confinement as was the case where an offence against property was concerned. It was just what Tennyson said in "The Northern Farmer"—

Proputty, proputty sticks, and proputty, proputty graws.

And he noticed the same thing right through offences against property were heinous offences, and offences against the person were a mere nothing.

The SECRETARY FOR PUBLIC LANDS: The object of the Bill was to prevent general violence, such as was met with occasionally in the United States and in Italy. The general tendency of British people was to be tolerably law-abiding and settle their complaints by an appeal to the law. They did not want great crowds which would lynch, and they did not want great crimes which would lead to lynching. They should punish such crimes as were likely to bring about wholesale outrages and violence. That was the real distinction.

Mr. STEWART (*Rockhampton North*): The crime mentioned in that clause came well within the category referred to by the Secretary for Lands. If any offence was likely to promote violence it was the offence of firing point-blank at one's dwelling or at one's self. He hoped the Home Secretary would increase the penalty to three years at least.

Clause put and passed.

Clauses 76 to 78, inclusive, put and passed.

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

ADJOURNMENT.

The PREMIER (Hon. J. R. Dickson, *Bulimba*): I move that this House do now adjourn. The first business to-morrow will be the consideration of the Address to Her Majesty on federation; after that the Criminal Code Bill.

Mr. DAWSON (*Charters Towers*): Before the motion is carried, I would like to ask the hon. gentleman when he intends to ask the House to sit four days a week. I ask this principally in the interests of private members, who have a great deal of business on the paper, and other business is coming forward, and the sooner we get an additional sitting day the better, giving private members one day out of the four.

The PREMIER: After the Address to Her Majesty has been disposed of, we will consider the advisableness of another sitting day—possibly commencing next week.

Mr. DAWSON: You could give notice, and postpone it even if the Address to the Queen has not been passed.

Question put and passed. The House adjourned at thirteen minutes to 11 o'clock.