

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 21 DECEMBER 1899

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LEGISLATIVE COUNCIL.

THURSDAY, 21 DECEMBER, 1899.

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

PAPERS.

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

Despatch respecting adherence of Japan to the International Convention for protection of industrial property.

Further correspondence respecting future administration of British New Guinea.

JOINT COMMITTEES DURING THE RECESS.

The POSTMASTER-GENERAL (Hon. J. G. Drake), in moving—

1. That, in the opinion of the Council, it is desirable that the gentlemen constituting respectively the Building Committee, the Refreshment-rooms Committee, and the Library Committee should continue to control during the recess the several matters committed to their charge as such committee during the session.

2. That the above resolution be forwarded to the Legislative Assembly by message inviting their concurrence therein—

said: This is the motion which is usually made and accepted by the Council at this stage of the session, and I think it requires no comment from me.

Question put and passed.

ADDITIONAL SITTING DAY.

The POSTMASTER-GENERAL, in moving—

That, unless otherwise ordered, the Council will meet for the despatch of business at 3 o'clock p.m. on Thursday and Friday in each week, in addition to the days already provided for by Sessional Order—

said: The Sessional Order at the present time provides for the sitting of the Council on Tuesday and Wednesday. We are now nearly at the end of the session, and it is hoped that the business may be finished in time for the closing of the session on Friday. At all events, it will then be very near. I therefore ask hon. gentlemen to agree to this alteration in the Sessional Order providing for sitting on this day and tomorrow. I do not think it is at all likely the Council will be asked to meet after this week. That may, of course, happen. It is impossible to say what the exact state of business is, but from what I can hear I think it is unlikely that this amendment to the Sessional Order will have any operation after this week.

Question put and passed.

SUSPENSION OF STANDING RULES AND ORDERS.

The POSTMASTER-GENERAL, in moving—

That for the remainder of this session so much of the Standing Rules and Orders be suspended as will admit of Bills being passed through all their stages in one day—

said: I am in a better position now than I was on Tuesday last to inform hon. gentlemen of the business that is likely to come before the Council. There is one Bill now on the notice-paper—the

Public Service Act Amendment Bill—to be considered in committee this afternoon. Another Bill coming forward is a Bill of the same nature—the Railway Acts Amendment Bill—providing for the extension of the term of service of the present Railway Commissioner. There is also a private Bill—the Mount Morgan Gas and Lighting Company Bill—coming forward. Besides these there will be no other measures excepting the Financial Bills—the Treasury Bills Bill, the Loan Bill, and the Appropriation Bill. I would ask hon. gentlemen to agree to this suspension of the Standing Orders for the remainder of the session, as no other legislation is at all likely to come forward. And if it should happen in connection with any of the Bills I have mentioned that hon. gentlemen desire not to proceed any further with them I shall throw no obstacle in the way whatever. Hon. gentlemen will remember that on Tuesday last, as soon as a point was stated with regard to the Bill then under discussion, I at once moved the committee stage for to-day. In the same way if, during this afternoon, any hon. gentleman thinks it desirable that we should not proceed more than one stage with any of those Bills I shall throw no obstacle whatever in the way of adjourning the discussion until to-morrow.

Question put and passed.

ADDITIONAL TROOPS FOR SOUTH AFRICA.

The POSTMASTER-GENERAL, in moving—

That this Council renews the assurance of its loyalty and devotion to the Throne and Person of Her Most Gracious Majesty the Queen, and, while recognising with pride the splendid gallantry and valour displayed by the officers and men of Her Majesty's army in the course of the present war in South Africa, is of opinion that, in view of the unexpected difficulties which have presented themselves since the opening of the campaign, united action should be promptly taken to augment the number of Australasian troops which have already volunteered for service and have been despatched to the seat of war, and accordingly approves of the proposal of the Government to equip, despatch, and maintain an additional military force, volunteering for service with Her Majesty's said army in South Africa, of trained mounted men, consisting of 160 officers, non-commissioned officers, and men, to serve in conjunction with like military forces to be raised in and despatched from other Australasian colonies—

said: In moving this resolution I should have preferred that it had been in the hands of some one more gifted than myself with the graces of speech; but I feel that the subject is one of so serious a nature that without any rhetorical embellishment it will commend itself to this Council. The "unexpected difficulties" referred to in the notice have created a situation of great gravity. It is beyond doubt now that the strength and the resources of the enemy have been under-rated, and the consequence is that the British arms in South Africa have sustained serious reverses. Such a situation as that cannot possibly continue without loss of prestige to Great Britain, and if the prestige of Great Britain suffers the position of the British people in every part of the world must be endangered. It is very gratifying that the news that has been received has occasioned no panic. From the heart of Great Britain and from all parts of the globe where British people inhabit there has been a general outburst of patriotic fervour, and in the midst of that outburst of enthusiasm may be observed a quiet determination that we must and will conquer. The occasion has given an opportunity now for the people of Australia to show their patriotism and their devotion to the throne and person of the Sovereign. It is not very much, perhaps, that we can do in Australia. We have here been devoting ourselves to the arts of peace, and leaving the work of defence to rest to a very

great extent—perhaps to too great an extent—on the mother country. But I feel sure that whatever we can do will be done heartily. The troops that left Australia about a month ago for the seat of war were, as hon. gentlemen are aware, separate contingents, each of them equipped and despatched by the separate colonies. It is proposed now that the help that is to be offered to the British army in South Africa shall take the form of one Australian contingent, which will be contributed to by the whole of the colonies—without Tasmania, perhaps, though I believe there is still some hope that Tasmania will join, and that the contingent will be truly representative of Australasia. It is pleasant to us to think that in that contingent Queensland will be represented, and I have no doubt that the contingent of troops that will go from Queensland will, at all events, distinguish themselves as well as those from any of the other colonies. As an addition to the might of Great Britain such a contingent must be inconsiderable, but it is, I think, a tangible and visible reply to the call that is made upon our patriotism—

We are ready for the call,

And the sword we draw for justice shall not see its sheath again,

Nor our cannon cease to thunder,

Till we break their strength asunder,

And the lion's whelps are round him, and the old flag over all.

HONOURABLE GENTLEMEN: Hear, hear!

HON. B. D. MOREHEAD: I certainly have no intention of opposing this resolution. I entirely concur with the expression of loyalty and devotion to Her Majesty. On a previous occasion I doubted—and I still may continue to doubt—the justice of the quarrel in which England is engaged; but that, hon. gentlemen, seems to me to be now absolutely beside the question.

HONOURABLE GENTLEMEN: Hear, hear!

HON. B. D. MOREHEAD: England is struck—the mother of the colonies is struck—and it is our duty, I consider—putting on one side any special opinions we may have with regard to this particular subject—it is our duty to help and to stand by that country which has stood by us in years gone by. The injustice or justice of the cause, to my mind, now goes for nothing. That is past; the time for that has gone by. We are asked to give assistance, and, as I say, let the cause be just or unjust, we should fail in our duty, we should fail in our loyalty, we should fail in our manhood, if we did not help that great country from which we have sprung.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. C. GREGORY: When we come to take a calm consideration of the subject at issue we shall see that it is our absolute duty to support the mother State of which we are an integral part. Hitherto we have borne no share in the minor wars in which England has been engaged; but now that there is an important question arising it is our duty, to the utmost of our power, to assist in carrying out the obligations of the Imperial Government. As has already been observed, it is not now a question of rights or wrongs.

Hon. B. D. MOREHEAD: Hear, hear!

HON. A. C. GREGORY: My opinion is that it was right from the beginning.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. C. GREGORY: That is shown by the fact that intentional steps were taken in order to provoke a war, and when England did not rush in—as most other States would have done—to make the first attack, the opposing party attacked, and overran British territory. Under those circumstances—quite apart from the question of policy—it was important that Great

Britain should distinctly put the enemy down. So far, we have been, unfortunately, not very successful in our movements, but that is easily explained. Whenever the British troops have met the troops of the Transvaal in a fair field the British troops have overcome. Our difficulties are simply because we were so loth to commence active warlike operations that the enemy have had abundant time to fortify the country, and we have been fighting the fortifications and not the Boers. By-and-by it is possible that our generals and officers will become accustomed to the peculiar style of warfare that occurs in a country of that nature. It is not fair for us to pronounce definite opinions upon whether they were right or wrong in their movements, when we hardly know anything of the actual conditions of the country, except that it is one that favours the residents much more than any force that lands on it. Now with regard to our Australasian troops, we had an instance in New Zealand showing how the local troops have sometimes a better view of the situation than the Imperial troops. The general in command of the forces in New Zealand attempted to take one of the native pahs. He did not succeed, and he reported to the Governor that it was impossible to take the place—that it was impregnable. The Governor, Sir George Grey, who was simply a lieutenant in the army, said, "Well, if you cannot take that place, I think my colonial experience will enable me to do something"; and he built a pah upon a hill a little higher and a little on one side, and in two days the Maoris were compelled to evacuate the position without the loss of a single British soldier.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. C. GREGORY: Again, we have another instance in which persons who were not always soldiers were able to succeed. In the case of the Prusso-Austrian war the Prussian troops were marched up to cross a river and attack Austria. The general said, "20,000 men must be lost before we can take the fortress opposite." Bismarck—who was only a sub-lieutenant—said, "Don't you think we had better go a few miles down the river, and cross where there is no opposition?" After a great deal of blundering, they did so, put themselves between the principal city and the great fortress on the frontier, and succeeded in their whole campaign. Now, I have not the least doubt that, after the experience which our generals will gain in the earlier stages of the war in South Africa, they will very shortly master the conditions in that particular part of the country. As is well known, in every case of battle, the god of battles, when invoked by the commanders of two great armies, favours that army which is best supplied with men, with sausages, and with ammunition. I think we are in that position, and, although we may meet with difficulties in the first instance, owing to our having to attack a fortified country, as soon as ever we get the chance of dealing with the people of the country in the open field, we shall carry all before us. I regret extremely that there must be some loss of life, and heavy loss of life. We are fighting with a brave and earnest set of people, who, perhaps, scarcely understand their real political position on the earth. We have seen instances ourselves of small communities fancying themselves so superior to the whole of the races of the world that little places, with perhaps 10,000 inhabitants, have said, "Why shall we not proclaim our independence, and set ourselves up against any other Government, and declare ourselves a nation?" It simply shows that they have not had sufficient experience of the history of the world or of the condition of the world at the present time. I am satisfied that it is our duty now to do our best to support the mother

country in carrying out her operations; and if we are not in a position to say that they should do this, that, and the other, let us expect them to do their best, and there is not the slightest doubt that they will do it, and that, if they have not overcome the difficulties in the first instance of having to fight fortifications, when they come hand to hand British prowess will triumph, and establish that supremacy which is absolutely needed. I need not go into the question of policy, but every hon. gentleman must know that it is of the greatest importance that British supremacy shall be maintained in South Africa, otherwise our general policy must be viewed as one which is at fault. No doubt politicians of some fifteen or twenty years ago thought that it was not necessary to enforce this, that, or the other view, but the peace-at-any-price men of ten and twenty years ago have caused the bloodshed which is now going on in the endeavour to remedy their mistakes.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. J. THYNNE: I am very glad indeed to hear the remarks—especially those of my hon. friend, the Hon. Mr. Morehead—expressing as they did so clearly the attitude of all the people, I think, of this colony, who were at first disposed to doubt the wisdom of sending a contingent, but who have now come to realise that as the mother country has a quarrel they should stand by her while that quarrel is on, and afterwards—if there is any fault to be found with the initiation of it—we may have something to say in our private family discussions with the mother country on the subject. As between Great Britain and foreign countries, it is not for us, as separate colonies, to stand apart from her, when she is having a grave and severe struggle with a foreign enemy. This war that is on now may appear—and did appear undoubtedly to British officers and to British statesmen—to be a very small undertaking, and they seem to have been uninformed, or to have forgotten information that has become public as to the extent to which the people of the Transvaal had organised their forces and prepared for a long and bitter encounter. My own impression is that, even with the men who are now ordered out and on their way to the Transvaal, Great Britain will have considerable difficulty in carrying out within a reasonable time the undertaking she now has in hand, and that we shall not only be called upon to contribute larger numbers, both from the old country and from the Australian colonies, but that it will take some little time before the subjugation of the country can be completed. While we are, I believe, un-

animously prepared to pass the resolution that has been moved by the leader of the Council, we may pause for a moment and ask, "What of the future?" It is well, perhaps, that I should say a word or two upon the preparations that have been made in this colony during past years and the result of that now. I venture to say that since the Defence Act of 1884 was passed this colony has succeeded in putting one out of every five of its adult male population through some course of training in the Defence Force or Volunteer Force. I venture to say that if a complete census was taken of all the men who have gone through such a course of training, the number would run from 20,000 to 25,000 men.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. J. THYNNE: I draw that conclusion from the fact that some years ago, when I was in command of the Volunteer Force, Colonel Aytoun had a return prepared of the number of men who had gone through the volunteer branch of the force alone. I think that was done in the year 1891. The return was 5,570 men, and the average period of training

was one year and nine months. So that, in so quiet a way that people scarcely noticed its operations, the Government of this colony succeeded in giving the preliminary training to between 5,000 and 6,000 men, at a very small cost indeed. And if during that period that number of men were trained, even for one year and nine months, what has been the number of those who have gone through the ranks in all the other branches of the force? I believe that we have put through their preliminary training from 20,000 to 25,000 men. It is not very much for us to say that we are prepared to send another contingent out of that large number. We may be called upon to put even larger numbers in the field, and I might, perhaps—if I am not trespassing beyond the limits of this debate—ask the members of this Council, and the country generally, to consider whether it is not well to start again at an early stage and make preparations by which the whole of the men of this colony in time would be trained and capable of defending their country, just the same as our opponents of to-day are doing against the strongest power of modern days.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. J. THYNNE: I would fain hope to see in this colony the boys taken at the age of ten, and kept in hand and trained until they are at least forty years of age—just as is done in Switzerland, without withdrawing a single man from the industrial pursuits of the country. I hope that on an occasion such as this, when we are brought face to face with an important crisis in the history of our country, the duty that is cast upon us of making provision to protect this country in the future will not be overlooked. I sincerely and heartily support the motion which has been moved by the Postmaster-General.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. H. BARLOW: I need hardly say that this motion has my entire support. I do not think it is so much a question of assisting the old country as of demonstrating the unity of the Empire—showing that wherever we are we are one people. I feel a certain sadness that at this festive season we should be dealing with this question of war and warfare. But that is not our fault; it is the fault of circumstances. I sincerely trust that Great Britain may come out of this trouble with flying colours, because I am certain that if she suffered any serious reverses those who are jealous of her prosperity would be the first to take advantage of it.

HON. A. J. THYNNE: Hear, hear!

HON. A. H. BARLOW: My hon. friend, the Postmaster-General, has quoted poetry, and I may be allowed to say a verse from one of the most beautiful poems that has been written on this subject—

But now from snow-swept Canada, from India's torrid plains,

From lone Australian outposts, hither led,
Obeying the commando, for they heard the bugle's strains.

The men in brown have joined the men in red.

HONOURABLE GENTLEMEN: Hear, hear!

Question put and passed.

The members of the Council then rose and gave three cheers.

LEGITIMATION BILL.

MESSAGE FROM ASSEMBLY.

The PRESIDENT announced the receipt of a message from the Assembly, returning this Bill without amendment.

RAILWAYS ACTS AMENDMENT BILL.

FIRST READING.

This Bill, received from the Assembly, was read a first time, and its second reading made an Order of the Day for a later hour of the sitting.

MOUNT MORGAN GAS, ETC., BILL.

FIRST READING.

This Bill, received from the Assembly, was read a first time, and its second reading made an Order of the Day for a later hour of the sitting.

PUBLIC SERVICE ACT AMENDMENT BILL.

COMMITTEE.

Clause 1 put and passed.

The POSTMASTER-GENERAL said it was pointed out during the second reading that the Bill would not be sufficient to cover the difficulty that had arisen in consequence of the term of service of the Public Service Board having actually expired. Their term of service expired on the 16th December. He had since consulted with the Attorney-General on the subject, and the Parliamentary Draftsman had drafted a short clause which would meet the difficulty by giving the Act a retrospective operation to the extent that it will be deemed to have commenced and taken effect on and from the 16th December; so that when the Bill was passed and assented to it would be, for that purpose, as though the Bill had been passed and assented to on the 16th December. The difficulty that had arisen was easily accounted for. The Bill came up in another place in plenty of time for it to have been passed before the term of service of the board expired; but some delay arose in the passing of the Bill, and consequently it did not come before the Council until that term of service had actually expired. He moved that the following new clause follow clause 1 of the Bill:—

This Act shall be deemed to have commenced and taken effect on and from the sixteenth day of December, one thousand eight hundred and ninety-nine, and to that extent shall have retrospective operation.

HON. A. NORTON said he presumed the object of the clause was to give legal effect to the acts of the Public Service Board since the 16th December.

The POSTMASTER-GENERAL: It will have that effect.

New clause put and passed.

Clause 2, as printed, was passed, and became clause 3 of the Bill.

The Council resumed; and the CHAIRMAN reported the Bill with an amendment.

The report was adopted.

THIRD READING.

On the motion of the POSTMASTER-GENERAL, the Bill was read a third time, passed, and ordered to be returned to the Assembly with a message intimating that the Council agreed to the Bill with an amendment.

RAILWAYS ACTS AMENDMENT BILL.

SECOND READING.

The POSTMASTER-GENERAL: This Bill is of a very similar character to the one that has just been passed. That Bill provided for continuing the office of the Public Service Board. This provides in the same way for continuing the office of the Commissioner for Railways for a period of ten months. The Bill is brought forward for the same reason as the other, in order to provide for the continuance in office of the Commissioner for Railways until Parliament is called upon to reconsider the questions that may come up in connection with the policy of the Railways Acts generally. The present Commissioner was appointed under the 10th section of the Railways Act of 1896, which provides that—

The present Commissioner shall continue to hold office after the passing of this Act as if he had been appointed hereunder, and not under the Railways Act of 1897, and the date of the passing of this Act shall be deemed to be the date of his appointment.

That Act was assented to on the 21st December, 1896. Mr. Gray's three years' term of service, therefore, terminated on the 20th December; that is to say, yesterday, and it will be necessary for me to submit to the Council an amendment similar to the amendment which the Council has recently put into the Public Service Amendment Bill, to prevent any hiatus between the termination of Mr. Gray's term of office and his new appointment for ten months under the provisions of this Bill. The Bill is a very simple one—exactly on the lines of the one we have just passed; and if there is no objection I propose, after the Bill has been read a second time, to put it into committee. I move that the Bill be now read a second time.

Question put and passed.

COMMITTEE.

Clause 1 put and passed.

The POSTMASTER-GENERAL moved the insertion of the following new clause, to follow clause 1 of the Bill:—

This Act shall be deemed to have commenced and taken effect on and from the twentieth day of December, one thousand eight hundred and ninety-nine, and to that extent shall have retrospective operation.

HON. W. D. BOX pointed out that the Postmaster-General moved the insertion of the new clause before clause 2 had been put from the Chair. The proper course, he contended, was for the Chairman to put clause 2, [4:30 p.m.] and then for the Postmaster General to say that he had an amendment to move in the Bill before clause 2 was put to the Committee.

The POSTMASTER-GENERAL understood the procedure to have been that the Chairman simply called clause 2, but that it was not moved, and, instead of moving clause 2, he (Hon. Mr. Drake) moved the insertion of a new clause after clause 1. He thought that was in accordance with the Standing Orders and the usual practice of the Council.

The CHAIRMAN: There is no doubt about the present procedure being the correct one. My duty was to call clause 2 as it stands in the Bill. Since then it has been proposed, by way of amendment, to insert a new clause, which, if accepted, becomes clause 2 of the Bill.

New clause put and passed.

Clause 2—"Commissioner continues in office for ten months"—put and passed.

The Council resumed; and the CHAIRMAN reported the Bill with an amendment.

THIRD READING.

On the motion of the POSTMASTER-GENERAL, the Bill was then read a third time, passed, and ordered to be returned to the Assembly with a message intimating that the Council agreed to the Bill with an amendment.

MOUNT MORGAN GAS, ETC., BILL.

SECOND READING.

HON. A. H. BARLOW said: In moving that this Bill be now read a second time, I would crave the indulgence of hon. gentlemen to allow it to be passed through all its stages under the suspension of the Standing Orders.

HONOURABLE GENTLEMEN: Hear, hear!

HON. A. H. BARLOW: The report of the select committee of another place has been sent up with the message. The Bill has been brought into line with the latest enactments on the subject, and the town council of Mount Morgan, by their clerk, who was examined before the select committee, have signified their approval of the measure. I need not take up the time of the Council any more. I move that the Bill be now read a second time.

Question put and passed.

COMMITTEE.

Clauses 1 to 16, inclusive, put and passed.
Clause 17—"Duty of company when informed of levels to lay pipes, etc., according to same"—passed with a verbal amendment.

Clauses 18 to 29, inclusive, put and passed.

On clause 30—

HON. W. D. BOX asked whether there was any clause in the Bill limiting the power of the gas company to charge more than a certain price for its gas? It was usual in Gas Bills to insert a limitation of that kind. Those companies were granted a monopoly, and it was only right that their power in that direction should be limited.

HON. A. H. BARLOW: That would be found in clause 13, according to which, when the company had paid a dividend of 10 per cent., they had to reduce the price of the gas.

HON. W. D. BOX was much obliged to the hon. gentleman. He had looked for the information, but could not find it.

Clause put and passed.

Clauses 31 to 43, inclusive, and preamble, put and passed.

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

The report was adopted.

THIRD READING.

On the motion of the POSTMASTER-GENERAL, the Bill was read a third time, passed, and ordered to be returned to the Assembly with a message intimating that the Council had agreed to the Bill with an amendment.

ADJOURNMENT.

The POSTMASTER-GENERAL: I move that the Council do now adjourn.

HON. A. H. BARLOW: I presume it is intended to meet to-morrow. Several hon. gentlemen who have gone away asked me to make the inquiry.

The POSTMASTER-GENERAL: It is a Sessional Order that the Council meet to-morrow at half-past 3. I am not sure whether there will be any business to go on with at that time. If there is not, it will be convenient for the Council to adjourn until a later hour.

Question put and passed.

The Council adjourned at 5 o'clock.