Queensland

Parliamentary Debates

[Hansard]

Legislative Council

WEDNESDAY, 1 NOVEMBER 1905

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LEGISLATIVE COUNCIL.

WEDNESDAY, 1 NOVEMBER, 1905.

The PRESIDING CHAIRMAN (Hon. A. Norton) ook the chair at half-past 3 o'clock.

PAPER.

The following paper, laid on the table, was ordered to be printed:—Report of the Engineer for Harbours and Rivers for the year ended 30th June, 1905.

PETITIONS.

METROPOLITAN HOSPITALS BILL.

HON. F. H. HART presented a petition from the council of the city of Brisbane setting forth reasons why the Council should amend or reject this Bill.

Petition read and received.

Petitions of a similar purport and prayer were presented by the HON. A. J. THYNNE from the council of the city of South Brisbane, the council of the shire of Caboolture, and the council of the shire of Kedron; by the HON. J. T. ANNEAR from the council of the town of Windsor and the council of the shire of Tingalpa; by the HON. F. T. BRENTNALL from the council of the shire of Balmoral, the council of the shire of Belmont, the council of the shire of Coorparoo, and the council of the shire of Stephens; by the HON. G. W. GRAY from the council of the town of Hamilton, from the council of the shire of Toombul, and from the council of the town of Sandgate; by the HON. E. J. STEVENS from the council of the shire of Beenleigh, the council of the shire of Southport, and the council of the shire of Nerang; by the HON. F. CLEWETT from the council of the shire of Redcliffe, the council of the shire of Pine, and the council of the shire of Sherwood; by the HON. P. MACPHERSON from the council of the shire of Indooroopilly, the council of the town of Ithaca, and the council of the shire of Enoggera; by the HON. B. B. MORETON from the council of the shire of Cleveland and the council of the shire of Waterford; and by the HON. A. J. CARTER from the council of the shire of Wynnum and the council of the shire of Yeerongpilly.

Petitions received.

ADJOURNMENT.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. A. H. Barlow): I beg to move, without previous notice, that the Council, at its rising, do adjourn until to-morrow.

The PRESIDING CHAIRMAN: Is it the desire of the Council that the motion be put without notice?

HONOURABLE GENTLEMEN: Hear, hear!

Question put and passed.

ACTING CHAIRMAN OF COMMITTEES.

HON. R. H. SMITH.

The SECRETARY FOR PUBLIC INSTRUCTION: I also beg to move, without previous notice, that, for this day only, the Hon. R. H. Smith do act as Chairman of Committees.

Leave to move without notice having been given,

HON. A. J. THYNNE: I have not much to say in opposition to the proposition of the Minister. I may say that during the late Hon. B. D. Morehead's illness the Hon. Mr. Smith performed the duties of Acting Chairman of Committees with a great deal of satisfaction to members of the Council, but there is a feeling among some hon. gentlemen that some member who has been longer in the House should be selected for the position. I merely mention this fact now so that when the Minister gives notice of a motion for the appointment of an Acting Chairman of Committees he may take it into consideration.

THE LATE HON. B. D. MOREHEAD.

EXPRESSION OF SENSE OF PUBLIC LOSS.

The SECRETARY FOR PUBLIC INSTRUCTION, in moving—

That this Council desires to express and place on record its deep sense of the great public loss sustained through the death of the late Honourable Boyd Dunlop Morehead—

said: I can add nothing to what I said yesterday of the kindly good fellow, if I may use the expression, who has been removed from this world, and from our midst. I therefore content myself now with moving the motion.

HON. A. J. THYNNE: I can only say that I am thoroughly in accord with the proposition made by the Minister. There is very little for me to add to the expression I gave utteranse to yesterday of my deep grief for the loss of one whom I esteemed so highly. I cordially support the motion.

* HON. P. MACPHERSON: I thank the Minister for the opportunity he has afforded me of joining in this expression of sympathy and regret. I hope the House will bear with me if my utterance is somewhat halting. Our departed friend, while still a very young man, occupied a position which gave him a wide and comprehensive knowledge of the leading industry of Queensland, and which led to his taking an active part in politics, and to his ultimately attaining the highest office that any citizen can reach in this community—that of Premier of the State. The lofty standard of honour which he set for himself in the discharge of his public duties he invariably followed throughout his long business career, whether fortune smiled or frowned. Generous in his impulses, warm and sincere in his friendships, bright, kindly, and cheerful in his intercourse, we shall all miss him sadly. [Honourable gentlemen: Hear, hear!] I can only add that he was of the salt of the earth.

HON. F. CLEWETT: I feel a good deal oppressed by the feeling that the hon. gentleman, whose withdrawal from this Chamber we deplore, will never again have the opportunity of taking part in the deliberations of this Council. I cannot allow this occasion to pass without bearing my testimony of appreciation of the character of the late Hon. B. D. Morehead. He has occupied conspicuous and important positions in the public life of this country, and it can be said, and I believe it will be said, that his desire always was to benefit the people, and to advance the business with which he was associated. I cannot express as I should like to do my feelings on this occasion, and I do not think that anything we can say will do more than faintly express our sense of the loss we have sustained in the death of the late hon. gentleman, and of the regret we feel that we shall not again have the gratification and pleasure of seeing him in this Chamber.

The PRESIDING CHAIRMAN: Before putting the motion, I should like, with your permission, to say a very few words in addition to those which have already fallen from hon. gentlemen who have spoken. [Honourable gentlemen: Hear, hear!] The Hon. Mr. Morehead I claimed as a friend from the time we first became acquainted in politics in another place in the end of 1878. During all the years which have elapsed since that time we had to work more or less together in connection with matters which concerned the welfare of this State and the welfare of its people I have always thought of the late Hon. Mr. Morehead with the most kindly feelings, because I believe he always strove to do the duty which he had undertaken to do as a public man. On some occasions we differed, on most occasions we agreed, and the result has been that throughout all those twenty-seven years we have always maintained a very sincere and genuine friendship. To me, it is a matter of great regret that we have lost one with whom so [4 p.m.] many of us have been associated for so many years, and I feel it to be a duty to myself, as well as to his memory and to the friends who mourn his loss, to speak these few words on the present occasion.

Question put and passed.

ADDRESS OF CONDOLENCE TO RELATIVES.

The SECRETARY FOR PUBLIC INSTRUCTION: I move—

That the following address be forwarded to Mrs. Morehead by the Honourable the Presiding Chairman:—

"We, the members of the Legislative Council of Queensland, in Parliament assembled, desire to express our deep sense of the great loss which we and the public of this State have sustained by the lamented death of your late husband, the Honourable Boyd Dunlop Morehead, who at various periods of his lifetime occupied the distinguished positions of Premier of Queensland, member of the Federal Council, delegate to the Federal Convention, representative of the Government in this Council, and Acting Chairman of Committees thereof.

"We desire to convey to you, to the children, and relatives of the deceased gentleman, our profound sympathy in this bereavement."

Question put and passed.

METHODIST UNION BILL.

SECOND READING.

* HON. F. T. BRENTNALL: It is a matter of sincere pleasure to me that I am able to move the second reading of the Methodist Union Bill without the prospect of such serious opposition to it as appeared to exist when I moved the first reading of the Bill. The difficulties have been removed out of the way by a series of friendly negotiations, and the duty of endeavouring to pass this Bill through Parliament has, therefore, become very much more agreeable. The Bill has one primary and simple object. There are

other subsidiary objects involved in the measure, but the main object of it is to give legal status and authority to a religious body composed of two distinct branches of Methodism which united at the end of the year 1896. The union of these two branches was secured by recourse to every method likely to give sanction and validity to a movement of that kind. I am not going to attempt to take up the time of hon. gentlemen this afternoon by talking any kind of sentiment either about the importance, or honour, or beauty of religious unity, and that sort of thing, but I shall deal simply with the business matter placed in my hands. But, in order to show the importance of the Bill, there are some details to which I must refer. It was brought out distinctly in the evidence given before the Select Committee that every precaution that was possible was taken to prove that the sanction given by the respective authorities of the two churches was as complete as it could be. It is, perhaps, needless to go into the details of those transactions—they would probably be tedious to hon. gentlemen, and anybody who wishes to inform himself on the matter can do so by even a cursory perusal of the evidence taken before the Select Committee. It may suffice to say that before any definite steps were taken locally, the sanction of the legislative authorities of each church was obtained. The Wesleyan Methodist branch of Methodism is affiliated with the British Wesleyan Methodist Conference, and the Primitive Methodist Connexion was a mission branch of the Primitive Methodist Connexion in Great Britain. There was no necessity for any appeal to be made to the Wesleyan Methodist Conference in England, because full power had, by special legislation, been conferred some years ago upon the Wesleyan Methodist churches in Australia to legislate for themselves, and to conduct their own affairs. But the supreme authority in what was then the Australasian Wesleyan Methodist Church was the Triennial General Conference. In each State there was the annual conference, but once in three years representatives of these annual conferences, inclusive of New Zealand, met for legislative purposes. The annual conferences of the States are mainly administrative in their functions. Of course, it devolved upon the Wesleyan Methodist Conference of Queensland to take the initiative in this matter of union, and also upon the conference of the Primitive Methodist Connexion in Queensland to accept overtures that were made to them, and both cordially entered into the first discussion of the project. As far back as 1894, the Triennial Conference of Wesleyan Methodism drafted a plan of union, and recommended the union of the churches throughout Australasia. Pursuant to that, steps were taken in Queensland to bring about the union of the two branches here. Unfortunately, in years gone by, the tendency was rather to divide than to unite, and in some parts of Australasia there were no less than four different sections of what is commonly regarded as Methodism. The Bible Christian Church was strong in South Australia, and the Free Methodist Church strong in New Zealand. These have come into the union in those respective States. But the only two to unite here in Queensland were those to whom I have referred—the Wesleyan Methodists and Primitive Methodists. The evidence shows how cautiously, consecutively, and effectively the different stages were reached. There was first the permission given by the Triennial General Conference of the Wesleyan Methodists; then there was the passage of a resolution by the conference of the Primitive Methodists here, which was sent for sanction to Great Britain, and which sanction was obtained; and the evidence given to the Select Committee seems to me to be complete—it interlinks into the strongest possible chain. Evidence was taken from the Rev. Dr. Youngman, who at the first conference after union was president of the United Conference, and the Rev. William Powell, who was president of the Primitive Methodist Conference in the year in which the plan of union was signed. Before that plan was adopted, and officially assented to, and signed, the main question of union or no union was submitted to a referendum, with regard to which I should like to make the following explanation: Direction was given that each annual conference should invite other Methodist bodies to join in creating, within its own bounds, a Federal Council in furtherance of union—which was done in Queensland—and it was further resolved that an affirmative vote on union should be at least a two-thirds majority in the final vote of the annual conference. Pursuant to this resolution, the Federal Council was duly constituted by the Wesleyan Methodist Church in Queensland and the Primitive Methodist Church in Queensland. The Federal Council prepared a plan of union on the said constitutional basis which, on being submitted to the members, communicants, quarterly meetings, and trustees of the Wesleyan Methodist Church, was carried by an overwhelming majority. Upon being submitted to the members and communicants of the Primitive Methodist Church the voting was—For, 1,287; against, 275; neutral and unreturned, 178. Now, I mention that to show that the project of union was not solely an official one, but that it was submitted to the people themselves, who were asked to say "Yes" or "No" as to whether further steps should be taken to bring union into consummation. The official decision was taken in the conferences in 1897. That also is summarised in this way: At the annual conference of the Wesleyan Methodist Church in Queensland, held in 1897, it was resolved that union should be effected between the Wesleyan Methodist and Primitive Methodist Churches on the 1st January, 1898, in accordance with a general plan of union prepared by the Federal Council, and adopted by the various representative assemblies of the uniting churches. At the annual conference that year of the Primitive Methodist Church a resolution was carried in favour of immediate union, and the joint conference of delegates from each church met and agreed on the plan of union, which was duly signed on 29th December, 1897, by the presidents of the uniting churches. That was the Act of Union. The following year a united conference was held, when there were present representatives from the United Church, representing what had been the two branches previously. Since that year, 1898, there has been a conference held each year, and this is one of the points to which I would invite the attention of hon. gentlemen. Each year there has been a conference of ministers and lay delegates, in which some legislation has taken place. Ministers have been appointed to charges—or circuits as they are technically called—and connexional funds have been administered, but up to the present no legal authority has been given to these actions by statute. This Bill is designed to make legal everything that has been done, because it has been done in the interests of that body of Christians at large, and it should receive statutory authority, making every act of the conference legal. I may note that in other States of Australia, the union followed the lead of Queensland. Although Queensland was the first to form a union, it is the last to obtain parliamentary sanction to

a union. Owing to unanimity in the other States, no difficulties or objections have been raised to legislation. In South Australia an Act was obtained in 1900; in Victoria, New South Wales, and Tasmania in 1902; and the question might arise, Why has this delay taken place in Queensland? That is a point on which I wish to speak as delicately as I can, but it is necessary, in explaining the cause of the delay, that I should make some reference to it. Next month eight years will have passed away since the bond of union was signed. There was a point in dispute. What was that point in dispute? It was a discussion on the question of who constituted the Primitive Methodist Corporation. Under the Religious and Charitable Institutions Act of this State, many years ago, the Primitive Methodist body in Queensland was incorporated, and under the letters patent containing that corporation provision was made for trust property, and all, or nearly all, the trust property was vested in the corporation of the Primitive Methodist Connexion. The question arose, after union had been completed, as to who constituted the corporation, and at this point I might remark that it was stated to the Select Committee by the Rev. Mr. Powell—one of the witnesses, and who, as I have said, was president of the Primitive Methodist Conference in the year that union was agreed upon and signed—that about twenty-eight of the ministers of that body joined the United Church, two went to England, and two stood out. The two who stood out were the Rev. Mr. Buckle and the Rev. Mr. Thatcher. After the Primitive Methodist Conference in England had given its formal sanction to the union, and authorised the transfer of the properties held under the Primitive Methodist Corporation here to the union, the Rev. Mr. Buckle dropped all his objections and came into the union, so the only outstanding minister who protested was the Rev. Thomas Thatcher. Now, the sanction to the transfer of property was unquestionably given by the British Conference of the Primitive Methodist Church. There were some matters which strictly affected in a financial sense the ministers of the churches, to which I need not refer here. They relate to one of the connexional funds which provides for the sustenance and maintenance of aged ministers when they are past work, and for widows of ministers who die in the work. Some other financial questions were officially discussed by the British Conference of Primitive Methodism in the year 1903, but these matters were at length satisfactorily disposed of, and in September of that year a formal consent to the transfer of all property of the Primitive Methodist Church in Queensland to the United Church was executed by the direction of the general committee, under the hands of the president and secretary of that conference, and of the chairman and secretary of the general committee, to whom was deputed the management of connexional affairs from one conference to another during the intervening twelve months. The schedule to that consent includes the few properties herein referred to, and contained within what was called the "Brisbane First Circuit." That document was put in evidence, bearing the signatures to which I have referred. Then, unfortunately, that vexed question arose as to who constituted the corporation, and who had the power under the letters patent to transfer the property. The Rev. Thomas Thatcher, and some supporters of his, in what was known as the Brisbane Circuit—the Leichhardt Street Circuit—claimed to be the Primitive Methodist Corporation, and the twenty-eight ministers who had come over into the union had nothing whatever to do with the corporation—it was solely and entirely embodied in the persons to whom I have referred. It was that claim, and the legal proceedings threatened in consequence, that led to this long delay of eight years in any attempt being made to obtain Parliamentary sanction to that union. There never were any differences as to doctrine, so that there is no analogy to the case that occurred more recently in Scotland. Undoubtedly, there were some of the people who disliked union, and were indisposed to come into it. But, collaterally, there was the ownership of property. As I have stated, the day after the petition of the president of the united conference was presented by myself to this honourable House two writs were issued in connection with the ownership of properties. Difficulties, therefore, arose. I requested the appointment of the Select Committee with the object of taking evidence, and being prepared with the report in case negotiations for a friendly settlement should eventuate. That obstruction, I am thankful to say, is ended, and the ownership of the properties is no longer in question. An agreement has been drawn up by which the ownership of the properties is henceforward, under the provisions of the Bill now before this House, to be vested in the United Church, and there is to be no further opposition to complete union. Mr. Thatcher himself retires altogether from the United Church work, and will not enter the union. He has conscientious reasons, he tells us—and we have a right to respect any man's conscientious reasons, it does not matter whether we agree with him or not—he retires in a friendly spirit, and I believe with a friendly disposition being shown to him, and on terms which are quite satisfactory to both parties. A part of the agreement is that no obstruction is to be offered to this Bill, or to the inclusion of the Brisbane Circuit in the United Church. I have made these remarks, hon. gentlemen, because I wish you to understand the position of the business at the present time. All that is stated, and all the enumerations of the different stages taken, as presented in the preamble of the Bill have been fully proved by the evidence taken by the Select Committee, and the committee are quite unanimous in their report. The 1st clause of the Bill is its short title, the 2nd clause is the interpretation clause, and the 3rd is the confirmation of the union. That is the simple point to which I refer, but it is a point of very great importance to the United Church. Then, there is the name of the church, which has been changed from two designations to one—to be known henceforth as the "Methodist Church of Australasia." By the 5th clause, there is the necessary confirmation of the acts of the conferences which have been held in the interval since 1898 to the present time. Anybody could call in question some elections that have been made to official positions, or the appointments to circuit charges, or even the disposition, perhaps, of some of the connexional funds—all these require to be validated, and will be validated by this Bill should it pass both Houses of Parliament. Then, clause 6 deals with the extension of definition of "church lands." There are some lands held on mining fields under peculiar tenures, for example, and it is intended to have provision made by which it should be recognised that, no matter by whom those lands may be held, they shall be the lands of the united church if they are acquired by the united church for church purposes. Then clause 7 deals with the trusts upon which all properties are to be held. The properties of the Wesleyan Methodist Church are held on a trust sanctioned by legislation of this Parliament, known as the "Methodist Church Property Trust Deed." There are two Acts, the 1893 and 1905 Act—there will be, at least, if this should pass—and under these trusts under the special Act, based on the Model

Deed of the Wesleyan Methodist Church, all the properties will be vested. The Primitive Methodist Church properties, which are now held under the seal of the corporation of that body as it used to exist, will come under the same Model Deed, and they will be all held under the same trusts and for the same objects. Clause 8 deals with devises and bequests that may have been made, or may be made hereafter —simply to show that although [4.30 p.m.] some money may have been bequeathed by somebody, unknown to friends or relatives, to the Wesleyan Methodist Church or the Primitive Methodist Church, on the death of that person such bequests are to go into the United Church. The remaining clauses of the Bill are largely technical. The rights of trustees, by clause 11, are preserved, and they are to be indemnified for anything that has been done in regard to the property since union was effected. The next clause provides for the amendment of Schedules II. and III. of the principal Act, and then comes clause 13, as follows—an important clause to which a good deal of exception has been taken:—

From and after the passing of this Act the Corporation of the Primitive Methodist Connexion within Queensland shall be deemed to be dissolved.

So that no further question will hereafter arise on that particular point. The whole of the properties, as well as the whole of the people, will—so far as the people are willing—be merged in the United Church. By clause 14 judicial notice is to be taken of the signatures respectively of the president and secretary for the time being of the General Conference of the Methodist Church of Australasia, and of the president and secretary for the time being of the Queensland Conference. Their signatures are the official signatures to be attached to any documents emanating from either of those bodies. Under clause 15 the president of the conference is to be the party to be sued or to sue in the case of any legal proceedings. Then follow the schedules. The First Schedule contains a nearly complete account of the properties held under the seal of the Primitive Methodist Church which are to be transferred under the Model Deed of the United Church. Then there are a few held under tenures peculiar to goldfields and mineral fields, of which I have already spoken. The Second Schedule is the Methodist Church Register for Queensland. It is somewhat altered from the previous register, which has been found somewhat cumbrous and awkward, recording perhaps more than is necessary to be recorded. The authorities want power to simplify it somewhat. I now present the Bill with such explanation as I have been able to make of its contents to this Council, in the hope that it will find acceptance, and will speedily be passed through its various stages. I beg to move that the Bill be now read a second time.

HON. M. JENSEN: As a member of the Select Committee, I merely wish to say that the evidence adduced appeared to be conclusively in favour of the Bill. When the opposition was withdrawn all reasons against it disappeared.

HON. A. J. THYNNE: I think the House is to be congratulated on the information which the Hon. Mr. Brentnall has given us this afternoon—in being relieved practically of any occasion to go into the items of dispute or the difficulties that had arisen in the matters dealt with by the Bill. The people associated with the hon. gentleman are also to be congratulated on their having the good sense to come to what is regarded by both parties as a satisfactory and honourable arrangement. In these times people belonging to any Christian Church cannot afford to waste their energies or dissipate their strength in

unnecessary wrangling, and I am pleased to hear that this matter has been satisfactorily dealt with.

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

HON. F. T. BRENTNALL: Should there be no objection—and I understand the Secretary for Public Instruction, in his courtesy, has none—I should like to take the Bill through committee. There are not many clauses in it, and if we could expedite its passage by taking it through committee to-day it would have a much better chance, perhaps, in another place of finding its way through. Being a private Bill, it cannot come on any day. [Honourable gentlemen: Hear, hear!]

COMMITTEE.

Preamble postponed.

Clauses 1 to 3, inclusive, put and passed.

Clause 4 passed with a verbal amendment.

Clauses 5 to 15, inclusive, and the schedules put and passed.

Preamble passed with a verbal amendment.

The Council resumed. The ACTING CHAIRMAN reported the Bill with amendments.

The report was adopted, and the third reading of the Bill made an Order of the Day for to-morrow.

LAND ACTS AMENDMENT BILL.

RESUMPTION OF COMMITTEE.

On clause 3—"Amendment of section 85—aliens"—

HON. T. O'SULLIVAN said this clause was rendered necessary by reason of the fact that the Federal Legislature now exercised jurisdiction with regard to naturalisation, and under the Land Act of 1897 it was a disqualification for a selector if he was not naturalised. At that time an alien could be naturalised without any delay, but now, under the federal law, he must reside two years in the Commonwealth before he could be naturalised. As we expected to get selectors from Europe, it was desired to give them an opportunity of taking up land without any unnecessary delay, hence the provision in clause 3. The Japanese Consul had, however, written to the Premier, pointing out that as the clause stood, making the test one in a "European language," it was an unfair discrimination against his countrymen, who were our allies. To meet that objection he moved that the words "any European language" be omitted, with the view of inserting "such language as the Minister may direct."

HON. A. J. THYNNE recognised that it was necessary to make some change in the matter of the naturalisation qualification, because an alien had now to reside within the Commonwealth at least two years before he became qualified for naturalisation. He did not believe that this State had any objection to aliens coming from Europe becoming selectors of land, in the expectation that they would become naturalised when the specified time expired. A language test was first adopted in one of the South African States, and it had since been adopted by the Commonwealth. This Bill proposed that the test should be in some European language. The amendment provided that the test might be in "such language as the Minister may direct." If the amendment were adopted, then it would be in the discretion of the Minister to say that aliens of all kinds should become selectors and owners of property

in Queensland, as he might direct that the test should be in the native language of the alien who was subjected to the test. It would certainly make the clause very elastic, as under it the Minister need only insist that a man coming to this country to take up land should pass the elementary test of writing fifty words in his own language. [5 p.m.] This matter was one that required very careful consideration, as it opened up the whole question of a "White Australia." He was hardly prepared, at such short notice, to debate the question as fully as it ought to be debated. He spoke from the point of view of one who had hoped for many years to see the proportion of coloured aliens in this State decrease gradually. He should not like to see a very large increase in the percentage of people who had not yet become educated in our ideas of constitutional government. Parenthetically, he might say that there was hardly any State, even in the British Empire, that was in advance of Japan as far as a constitution was concerned. One of the most extraordinary developments in human history was that by which in the course of a few short years the feudal system, which had controlled the whole of Japan, had been wiped out of existence, and by which universal suffrage had come into force. The manner in which the principles of constitutional government had been asserted in the Constitution of Japan was worthy of study by the most advanced States in Australia, or any other British possession. While saying this, he did not think the Committee were prepared that evening to discuss the very important question involved in the amendment in the manner in which it should be discussed—to discuss it in a way which would be satisfactory to the country and worthy of the traditions of the Council. A question was opened up which was worthy of a whole night's debate, and he thought it should be raised in such a way as would afford hon. gentlemen an opportunity of expressing their opinions clearly and definitely as to what should be our future attitude towards immigrants coming into this country. He should like to know whether the Minister really desired to press the consideration of the matter that evening.

The SECRETARY FOR PUBLIC INSTRUCTION said he was strongly in favour of a "White Australia," and he would point out that before an alien could select land in Queensland he would have to pass a test under the Commonwealth Immigration Restriction Act of 1901, which provided that he must write "a passage of fifty words in length of a European language," as directed by the appointed officer. He was sorry to hear this plea for delay. The session was running on, and the only way he could see to overcome the difficulties suggested was to introduce a Bill one session and pass it the next session. But was not this the simplest question in the world—whether the test was to be in a European language or in a language selected by the Minister? That surely was a question which they could decide in one moment. [Hon. F. I. POWER: What about the aliens who are in here now? They have not passed the Commonwealth test.] The aliens who were here now had passed the Commonwealth test. The Government were quite prepared to take a division on the amendment. He really did not see how the Bills on the paper could be passed this session if they had the perpetual delays which were asked for by hon. gentlemen opposite.

HON. A. J. THYNNE: He repudiated altogether the suggestion that he had any desire to delay business, and he thought he had touched upon one of the most important points which could be brought up for consideration. The hon. gentleman forgot that even now there were indications of a possible alteration in the present immigration law of the Commonwealth. As the Hon. Mr. Power suggested, there was a number of aliens in the State at the present moment. The question not only applied to people here in the State, but possibly might and would apply to people who would come into the States under an alteration of the law proposed with the very same motive as the hon. gentleman had in his amendment—out of respect to the sensibilities of our Japanese allies. He did not think that there was very much reason to anticipate that a request made to remove the possibility of Japanese entering these Australian States would be met in a contemptuous way by the Commonwealth Government; it would not become them to so receive it. The change might come at any time, and our land law would stand whether the change was made or not. We had in dealing with our legislation to consider not merely the existing circumstances of to-day, but the changes which might take place after the introduction of these people into the Commonwealth, and it was not a matter of putting a proposition and calling for a division upon it. The people of the State were entitled to call upon members of the Houses of Parliament to express their views as to the leading principles which were revealed in these important questions. It might not be known to many people in Queensland—he was sure it was not known to a great many of them—that the Government of Queensland, eight or nine years ago, came to an understanding with the Japanese Imperial Government on the question of Japanese immigration to Australia. He thought it was a great pity that the whole of the Commonwealth, instead of following that wise and practical arrangement, chose to take an entirely different course, and not so worthy as the one which Queensland followed. [Hon. M. JENSEN: What was your arrangement?] He was glad that the hon. gentleman had asked the question, because it indicated that the arrangement was not known as widely as it ought to be, and justified him in alluding to it. [Hon. C. S. MCGHIE: It never was made known.] The hon. gentleman was under a misapprehension in that respect. It was made known, but, like many other things, it was not studied sufficiently by the people who had an interest in it. The Japanese treaty with Great Britain provided for free admission into their respective territories of the people of their respective countries. It reserved the right to the different self-governing States of the British Empire to accept that treaty or not, as they thought proper, so that each of the Australian States was free, either to give its absolute assent to the treaty on the same terms as Great Britain, or to negotiate for modifications of it applicable to the conditions of their different States. The Government of Queensland, recognising that the feeling was strong to keep the State as far as possible for our own people and European races, stipulated for, and through the diplomacy of Sir Hugh Nelson, the present Lieutenant-Governor—whose work in the matter he thought had never been properly appreciated by the people of this country—a treaty was arranged between Queensland and Japan by which it was agreed that no Japanese subjects were to be admitted into Queensland except upon a Japanese Imperial passport. On the other hand, the Japanese Government undertook on their part that they would issue no passports to any persons except those who were either travellers, students, or persons engaged in mercantile pursuits, so that trade between the

two countries might be open and free. They undertook not to issue passports to any persons who came in under the class of labourers or artisans. Queensland by her arrangement with Japan secured the protection which her people desired against any undue influx of the cheaper labour from Japan to enter into competition with our own people, but preserved the right to the industrial student or traveller who wished to seek information, or the merchant who wanted to buy our goods or sell us their products, to come here. This arrangement put Queensland and Japan upon a most friendly relationship, and enabled the Japanese Government to keep their own artisans and labourers at home as they did not wish to lose them, and protected Queensland from an undue influx of labour. [Hon. C. S. McGhie: They came here all the same.] The hon. gentleman was again mistaken. For a few months, until the system got into proper working order, there were some instances in which men produced passports who belonged to the labouring or artisan class, but on a reminder from the Queensland Government the system was made complete, and the issue of passports to people of that class discontinued entirely, and had not been resumed since. To-day, of all the States there were none regarded in so friendly or kindly a light in the Japanese Empire as Queensland, and if there were any question of preference of trade or desire to do business between New South Wales, Victoria, or Queensland, Queensland would get the benefit. How did the matter come in with regard to this? Assuming, as he believed would be the case, as there were indications of it now that the Commonwealth Government would come into line with the policy adopted by Queensland before federation, what would be the attitude of Queensland in regard to her land? This was a serious and important question, and one which could not be dealt with on the spur of the moment. He hoped he had made clear to hon. gentlemen that it was not for purposes of delay that he had spoken, but to get the best work out of the House in considering an important question of future policy he had alluded to.

Hon. M. JENSEN: If there was likely to be a change in the Commonwealth law on this subject, would it not be advisable to pass the clause with the Hon. Mr. O'Sullivan's amendment, because the Minister would no doubt administer the Act in accordance with public opinion, whereas the clause, as at present, could not be in accordance with Commonwealth legislation? Surely the Minister for Lands for the time being might be trusted to administer the clause in accordance with public opinion.

Hon. J. C. HEUSSLER remembered many years ago thousands of Europeans coming to this country, and he, in fact, was appointed official agent on the continent of Europe. The people he brought out were chiefly Germans and Scandinavians. He certainly would not like to see any amendment which would have a tendency to harass the people who came here, and it would not be fair. A case came under his notice where a German in New South Wales was asked to write fifty words in Greek. He did not understand how the Government could take such a ridiculous step as that, but it had been done. European immigrants should be asked to write out words in their own language. We could not expect the class of people we wanted to settle on the land in Queensland to have a high education; they were chiefly from the country, and had a fair elementary education, which was quite enough. He would like to see these people protected under this Bill.

Hon. A. J. CARTER: They were indebted to the Hon. Mr. Thynne for having brought before them the contingencies which might arise if the amendment was accepted. The hon. gentleman had also referred to the statesmanship of our present Lieutenant-Governor, through which Japanese coolies were prohibited from coming here, while the intellectual portion of the community were permitted to enter, not for settlement, but for the purpose of making themselves acquainted with Australia. It was now an accomplished fact that by that arrangement Japan had given us the most favoured nation treatment, and Queensland was the only State where she could buy wool and various other things, which were admitted at a very much lower duty than the products of any other State. Whilst protecting ourselves against the so-called Japanese invasion, we had extended our possibilities of trade and opened up a market which should be of enormous advantage to Queensland. As to the amendment, he would like to suggest the insertion of the following words: "or in the native language of any of the allies or subjects of Great Britain, if the Minister so directs," which would give the opportunity to any allies of Great Britain, such as the Japanese, coming in under their native language if they required; but from his experience they were more proficient in the English language than a good many of our Australian people. It would always then be open to the Minister, if he thought it inadvisable to admit certain people, not to extend that permission. Australia was so isolated, and the external pressure [5.30 p.m.] of other nations was so great, that the time was rapidly coming when we should have to make up our minds to one thing or the other—either to open up the entire country to our fellow-workers in the world, or to isolate ourselves more absolutely than we had hitherto done.

Hon. C. S. McGHIE: A very much more undesirable class than labourers had found their way from Japan to Queensland. He was in Japan himself forty-five years ago, and had watched its career from that day to this, and was well aware that its progress was unprecedented in the history of the world. Notwithstanding that, it was expressly laid down in the Constitution of Japan that no foreigners should hold property in that country. Why should they have all that sensitive consideration for the feelings of the Japanese? He did not like the amendment, except that the Immigration Restriction Act, so long as it remained in force, would be a safeguard. If that was done away with, then, as the Hon. Mr. Thynne had pointed out, there would be no safeguard at all. They had certainly a right to protect themselves, and it was the expressed wish of the people of the Commonwealth that it should remain white. With regard to owning land, he was of opinion that coloured aliens should not be granted all the privileges that people of the white European races were entitled to, and the Commonwealth naturalisation laws were the most liberal of any known in the world.

Hon. T. O'SULLIVAN: It was incorrect to say that foreigners were not allowed to hold land in Japan. They were allowed to have leaseholds, but not freeholds. [Hon. A. J. Thynne: That is the case with us, and with aliens all over the world.] The Hon. Mr. Thynne was under the impression that the amendment raised the very important question whether Asiatic aliens could hold land in Queensland. It did not seem to him to do so, but if it did an adjournment of the question would be justifiable. There was no party question about it. The object of the clause was to put a weapon in the hands of the Minister to prevent

certain undesirable people from acquiring land in this State, and the question was, Did the amendment make that weapon less effective? It certainly got over the difficulty raised by the Japanese Consul, and if they could meet his wishes, without impairing the efficiency of the clause, they ought to do so. The matter was one not vital to the Bill, and he left it entirely to the Committee.

HON. F. I. POWER: The question was one that required a great deal of consideration. According to the statistics, there were 22,909 aliens in Queensland. Deducting Pacific Islanders, amounting to 9,327, the balance could take up land in the State if the Minister chose. He had it on the best authority that Chinese were coming in, by way of the North, in hundreds, and he himself had been offered, for a consideration, 500 Chinese if they were required for sugar planting. That offer was made to him by a Chinese merchant of considerable standing. Therefore the question was one demanding very grave consideration. The Hon. Mr. Carter's suggestion was an excellent one to get out of the difficulty. The amendment had certainly been sprung upon the Committee. He might be wrong, but he did not think the Hon. Mr. O'Sullivan said anything in his speech, when moving the second reading of the Bill, to indicate that such an amendment was even thought of. [Hon. T. O'SULLIVAN: I do not think I did.] He disclaimed all intention of delaying the consideration of the measure.

HON. A. J. THYNNE: There was no international principle more fully recognised than that each State had a right to protect itself in the way of the selection of the people it chose to receive into its own community, and that should be borne in mind in connection with all those questions of giving aliens a right to come in and acquire their land. In Great Britain an alien was entitled to become a lessee of land, although he could not become the owner of any freehold. It was the same here under the common law; but, by special legislation dealing with Crown lands, they gave selectors certain rights to acquire freehold on certain terms and under certain conditions. An alien was entitled to take on lease any lands or premises for his business, the same as a European or a British subject. That was provided by the comity of nations. Allusion had been made to the possibility of a change in the standard required by the Commonwealth Government. It was only two or three weeks ago that he saw a report in the Press of an interview with Mr. Deakin, or of a speech delivered by that gentleman, in which he conveyed the impression that he had at last recognised the wisdom of following the lead of Sir Hugh Nelson and coming to an understanding with Japan similar to that which existed between Japan and Queensland. That was what he referred to when he said they should consider, not only existing circumstances, but what might happen in future.

The SECRETARY FOR PUBLIC INSTRUCTION wished to know if the hon. gentleman was going to move an amendment, or whether he expected the representative of the Government to introduce another amendment. If the hon. gentleman wanted to move an amendment, of course there would be no objection to postponing the clause in order to allow him to prepare that amendment.

HON. A. J. THYNNE said the question was suddenly sprung upon them that afternoon, and they had not had time to consider it sufficiently. The matter had not been discussed on the second reading of the Bill, nor in the Press; it was raised now for the first time, and hon. gentlemen were asked on the spur of the moment to decide an important and difficult question.

HON. T. O'SULLIVAN said that to save time he would move that the consideration of clause 3 be postponed.

HON. A. J. THYNNE: Before the clause was postponed he should like to call attention to another part of the clause, so that it might receive the consideration of the Minister. He referred to the words on line 16—"if an alien acquires any land," which it appeared to him should read, "acquires a selection, or any estate, or interest in any land." [Hon. T. O'SULLIVAN: I will consider that.] Provision should be made to the effect that the title of any subsequent purchaser of the land should not be affected in the event of the alien not becoming naturalised.

HON. F. I. POWER wished to know what was the meaning of the words, "or a selection under the repealed Acts." Could an alien acquire a selection under the repealed Acts? He mentioned this matter for the consideration of the Minister.

Question—That the consideration of clause 3 be postponed—put and passed.

On clause 4—"Postponement of payment of first year's rent, etc., in certain cases"—

HON. T. O'SULLIVAN: This clause provided for the postponement of the payment of the first year's rent and a fifth of the survey fee in the case of land which had been open for one month without being selected. The object was to induce persons who had no money to take up land, instead of having it lying idle, and the condition that it must have been open for one month without being selected was imposed in order to avoid allowing persons receiving the concession specified entering into competition with persons who selected land in the ordinary way. With the view of removing an ambiguity in the clause, he moved that the word "proclaimed," on lines 30 and 31 be omitted.

Amendment agreed to.

HON. A. J. THYNNE: The first reference to the rate of interest was made in this clause, which provided that interest at the rate of 4 per cent. should be charged on the rent and survey fee where the payment of such rent and survey fee was postponed. There were other rates mentioned in other provisions of the Bill—1, 2, 2½, 5, and 10 per cent. It appeared to him that they should adopt a rate which should be applicable all round, and that if 4 per cent. was considered the proper rate to charge for interest, they should adopt that rate all through the Bill.

HON. T. O'SULLIVAN: One of the rates referred to by the hon. gentleman—the 10 per cent. rate—was a penalty for non-payment for rent. [Hon. A. J. THYNNE: I have no objection to that.] It was impossible to have a uniform rate of interest in all the matters where interest was chargeable.

HON. A. J. THYNNE: An important principle was involved in this question. They should determine what the State was entitled to get from the selector for the land which it gave to him. The people of Queensland were paying 4 per cent. on public loans, and they were entitled to get from land taken up by private individuals whatever was fair and reasonable. That fair and reasonable amount should be adopted as a standard, and it should not be departed from; we should have a regular and definite principle on which to base the value of all our lands.

HON. T. O'SULLIVAN: It was rather premature to discuss this question on the clause now before the Committee. When they came to a different rate of interest it would be time enough to discuss the matter.

Clause, as amended, put and passed.

On clause 5—"Selection by members of a family"—

HON. T. O'SULLIVAN: This short clause provided that where the Minister was satisfied that two or more agricultural farms, situated not more than 5 miles apart, were held by members of one family *bonâ fide* in their own separate interests, the Minister might permit the conditions of residence to be performed on any one of the selections so held.

HON. A. J. THYNNE: The intention of this clause was not a bad one, but, as drafted, the clause opened the door to abuse. Any application made to the Minister under this provision must be of an *ex parte* nature, and the Minister would have no reasonable facilities for checking the veracity of the statements. While leaving it to the discretion of the Minister to act or not, as he chose, upon any report submitted to him, he thought that an important matter like this should be referred to the Land Court, which had better means of making the necessary inquiries than the Minister, or even a land commissioner.

HON. T. O'SULLIVAN supposed that every discretionary power vested in a Minister or any other officer was open to abuse. Under section 147 of the Act of 1897, which dealt with the co-operative selection of agricultural homesteads, the land commissioner had as wide a discretion as was proposed to be given to the Minister by the clause under consideration. Section 147 provided that "if it is proved to the satisfaction of the commissioner in open court," etc. [Hon. A. J. THYNNE: That is exactly what I should like to see in this clause—proved "in open court."] He did not regard clause 5 as a vital provision of the Bill. The objection to the Land Court having to deal with such matters was that there was so much delay in connection with that body, whose work was sometimes months and months in arrears. The Minister would make all possible inquiries in this matter, and would exercise his discretion. In accordance with a suggestion by the Hon. Mr. Power, he would move the omission of the word "Minister," in line 42, with the view of inserting "commissioner in open court." [Hon. A. J. THYNNE: A very good amendment.]

HON. A. J. THYNNE suggested that the wording of the old Act "where it is proved to the commissioner in open court" was very good and should be followed. [HON. T. O'SULLIVAN: Yes; I am agreeable to that.]

HON. T. O'SULLIVAN moved the omission, on line 42, of the words "in any case where the Minister is satisfied," with the view of inserting "if is proved to the satisfaction of the commisioner in open court."

Amendment agreed to.

HON. T. O'SULLIVAN moved the insertion, in line 43, after "farms," of "all of which." The object was to avoid ambiguity, which existed at present.

HON. P. MURPHY complimented the Minister on this last amendment, which would obviate the possibility of, say, a large family of six having six farms 30 miles from each other.

HON. A. J. THYNNE approved of the idea, but pointed out that it would mean that the whole of the farms must be within 5 miles, and might prove an awkward factor with selectors who wanted to take advantage of it. Suppose the farms were within 4 miles and 1 chain of each other, but the outer boundary 5 miles and 10 chains outside, then the farms could not be included in the Act. If any portion was within 5 miles it would be fair and reasonable, and they should not limit the thing too much.

HON. T. O'SULLIVAN: The Under Secretary had just drawn his attention to that point, and suggested that they should follow the wording of section 123A of the principal Act, which read—"each of which is at a distance not exceeding five miles from each of the others." He would withdraw his amendment in order to move it in that form.

Amendment withdrawn.

HON. T. O'SULLIVAN moved the insertion, on line 43, after "farms," of the words "each of which is at a distance not exceeding five miles from each of the others."

Amendment agreed to.

HON. T. O'SULLIVAN had another consequential amendment on line 45. He moved the omission of "Minister may permit," with the view of inserting "the commissioner may issue a special license enabling." That followed the wording of the section of the principal Act to which he had referred previously.

HON. F. I. POWER would like to know whether the Minister had considered this aspect of the case—that under the amendment all power would be taken away from the Minister. He questioned very much whether it was advisable. There might be some cases in out-of-the-way places where it would be advisable to have an appeal from the land commissioner to the Minister. He did not like the idea of taking away all power from the Minister, and would rather see it read that the Minister "may." [Hon. T. O'SULLIVAN: That is as it stands.] Yes; if it was not controlled by a provision requiring the approval of the commissioner. Supposing the commissioner said it was not approved, would this clause be of any use? He would suggest it being made, "the Minister may, notwithstanding such report, permit the conditions of occupation."

HON. T. O'SULLIVAN: It would be better to adopt one principle or the other. As introduced, the clause left everything to [7.30 p.m.] the Minister. It was thought advisable to remove that from the Minister's jurisdiction to the commissioner's jurisdiction in open court.

HON. M. JENSEN: It certainly seemed desirable to relieve the Minister from all that unnecessary detail work. It was a comparatively small matter to occupy the time of the commissioner. The commissioner would have the witnesses before him in court, and be able to cross-examine them and come to a proper decision.

HON. A. J. THYNNE: He would ask whether the permit, once given, was irrevocable, notwithstanding any change that might take place in the circumstances? [Hon. T. O'SULLIVAN: No.] With the amendment, once the commissioner had granted his permit there was no machinery for revoking it, no matter what change might take place, and the provision might be put to a use which was never intended. It would be advisable to insert a proviso enabling the commissioner to revoke the permit in case the permit was being abused.

HON. T. O'SULLIVAN: The commissioner would only give his decision on the facts existing at the time, and he did not think any special

machinery was needed to revoke that decision if the facts altered. There was a general power of appeal from the commissioner to the Land Court. If machinery was required, they could put it in.

HON. A. J. THYNNE: It might happen that a member of a family did not fulfil his residence condition, or some transaction might have taken place between the members of a family whereby the *bonâ fide* ownership was changed. There was then no protection given either to the commissioner or the public against the continuance of an abuse of the permit. He would suggest that there ought to be power reserved to the commissioner from time to time to vary or revoke such permit. That would meet the whole question.

HON. M. JENSEN suggested that the permit should be granted for only two years, leaving it to the parties to again come before the commissioner at the end of that period. [HON. A. J. THYNNE: And in the meantime he may make any transaction he likes.]

HON. T. O'SULLIVAN: He preferred to adopt the suggestion of the Hon. Mr. Thynne, and if hon. members would agree to the amendment he would move a proviso to that effect.

Amendment agreed to.

HON. T. O'SULLIVAN moved the insertion of the following proviso :—

Provided that such special license may, at any subsequent time, in open court, be varied or revoked by the Commissioner if he is of opinion that the circumstances under which the license was granted no longer exist.

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

On clause 6—"Repeal of A 120 and 123, and amendment of sections 121 and 122"—

HON. T. O'SULLIVAN said the object sought to be attained by repealing sections 120 and 121 was to compel actual residence on the selection itself by the person who was himself beneficially interested in it. Under the present system he might get the benefit if he happened to reside within 15 miles of it or if he was a freeholder. The principle they were striving to attain was not to give a man the benefit of preferential treatment unless he actually resided on the land. Section 123 gave an unfair priority to the freeholder by enabling him to acquire contiguous land as a homestead, which was intended only for the benefit of the poorer class of settlers who intended to reside continuously upon it.

HON. A. GIBSON: He did not see why a freeholder, with a family growing up around him, should not have the right to take up a selection for them if it were open within 15 miles of his home.

HON. A. J. THYNNE: He had in his mind the case of a man who acquired a freehold on scrub country and turned it into a dairy farm. Within 15 miles of him was a small area of 150 or 200 acres of forest country, which was not of much account by itself, but which fitted in very well with the work of his dairy as a dry-stock paddock. From that he would be debarred if that clause passed unless he left his dairy farm and went to reside on the forest land which he only wanted for a special purpose. If the Minister could satisfy the Committee that the system had been abused in the past, there would be some reason for considering the provision favourably. Later on, he proposed to move amendments which would give dairy farmers who came to the State from New South Wales and Victoria, and took up and worked farms on the share system, the right to have residence on those farms, with a beneficial interest therein, counted in the event of their taking up selections on their own account. He also desired to have inserted an amendment which would encourage persons employed in agricultural work upon farms to put by their savings with the view of acquiring selections of their own—that encouragement being to allow the time spent in agricultural work upon a farm to be treated as residence upon a selection. Only yesterday he received a letter from a man who was in that position, and who was now anxious to secure a selection within a reasonable distance of where he was residing. The man's employer was willing that he should do so, and he (Mr. Thynne) thought it was desirable that men like that should be encouraged to select.

HON. T. O'SULLIVAN thought the Hon. Mr. Thynne and the Hon. Mr. Gibson were under a misapprehension as to the effect of the proposed repeal of sections 120 and 123. The Hon. Mr. Gibson asked why a man who had a freehold of 150 acres should not be allowed to take up a farm 15 miles away? The fact was that there was nothing to stop a man from doing that, and he would not be prevented from doing it if the sections referred to were repealed. The only thing was that he would have to take up the land as an agricultural farm at 10s. an acre, the payment extending over twenty years, instead of as a homestead, for which he would have to pay only 2s. 6d. an acre. Nor was there any reason why a man who wanted a dry paddock should not take up land for that purpose, provided he was willing to take it up as an agricultural farm at 10s. an acre. What the Government desired to do was to give those persons who would reside on the land the benefit of the homestead provisions, and not to allow a man who lived 15 miles away to take up land at 2s. 6d. an acre to the exclusion of the *bonâ fide* resident selector. At present a man holding land under an occupation license could take up a selection within 15 miles at 2s. 6d. an acre, and exclude the man who was willing to live on the land. That kind of thing was not desirable.

HON. A. J. THYNNE thought there was a great deal of reason in the argument of the Minister. If people were allowed to take up land within 15 miles as agricultural farms, that was fair and reasonable. There was no doubt that homestead selection would be very much better for the State if it secured personal residence.

HON. M. JENSEN: An applicant for an agricultural farm got priority if he undertook to reside on the land for the prescribed period; and, having got that priority, why should he be allowed to perform the condition of residence 15 miles away, as suggested by the Hon. Mr. Gibson?

HON. A. J. THYNNE: That was not allowed by the existing law.

HON. E. J. STEVENS: The man who resided on the land was the class of selector they required more than any other. With regard to a man requiring a paddock for dry cattle to assist him in his dairying operations, if he got the land for twenty years at 10s. an acre that would mean 6d. an acre per annum, and surely the land was not worth anything if it was not worth that amount.

HON. A. J. THYNNE: The case he had mentioned was not the case of a homestead selection at all, but land taken up as an agricultural selection. With regard to the latter portion of the 2nd paragraph of the clause, he moved that after the word "is" there be inserted the word "either." If that amendment were agreed to

[8 p.m.]

he would subsequently move that after the words "interested in" there be inserted "or is *bonâ fide* engaged in agriculture upon." The adoption of those amendments would encourage selection by men working on the share system and for wages.

HON. T. O'SULLIVAN said he entirely sympathised with the object of the amendment, but doubted whether it would carry out the object in view. As at present framed the amendment was open to the construction that one man engaged in agricultural work upon a farm would get the benefit of the proposed concession, whereas another man on the farm engaged in different work, possibly that of a coachman, would not be entitled to the benefit of the concession. Again, another man might be employed to perform mixed duties, and disputes might arise as to whether he was entitled to the benefit of the provision. If the hon. gentleman would draft his amendment in such a way as to include only those working on the share system it would not be open to any such doubt. [HON. A. J. THYNNE: Let the labourers have a show; give them a start.] He was quite willing to give the labourers a show, and his only objection to that part of the amendment was the difficulty of determining to what labourers it would apply. If the hon. gentleman wished it, he would move that the clause be postponed so that they might give the matter further consideration. [HON. A. J. THYNNE: I have no objection.] He moved that the consideration of clause 6 be postponed.

Question—That the consideration of clause 6 be postponed—put and passed.

Clause 7—"Amendment of section 123A"—put and passed.

On clause 8—"Amendment of section 130"—

HON. F. I. POWER said an amendment moved by him to omit subsection (2) of clause 2 had been adopted. That subsection proposed to repeal a provision relating to pastoral leases. The clause now under consideration proposed to repeal a similar provision relating to grazing farms. Those grazing farms were taken up under the Act of 1884, and the proviso to subsection (4) of section 58 of that Act read as follows:—

Provided that, in estimating the value, any increment in value attributable to improvements shall not be taken into account.

Those words were identical with the words of a similar provision dealing with pastoral leases, and to repeal them would be an act of repudiation. He therefore suggested that clause 8 should be negatived.

HON. T. O'SULLIVAN: Of course, if the Committee took the view that the proposed repeal would be a repudiation of the contract entered into with grazing farmers, they would negative the clause. That view, however, was entirely based on the assumption that grazing farmers were in a worse position under the Act of 1897 than they were under the Act of 1884—a view in which he did not concur, as he thought the rights of tenants were as much preserved under the Act of 1897 as they were under the Act of 1884. The Act of 1897 provided that, in determining the rent, regard should be had to certain specified matters, and "any other matters which, in the opinion of the court, affect the rental value of the land." Those words were exactly the same as the words in a similar section dealing with pastoral leases, and the department took the view that the amendment now under consideration favoured selectors, as against the provision in the Act of 1884. The whole object of the department in proposing this amendment was to bring the principles of reassessment of rent into line with the principles of reassessment existing in other cases, so that the court should not have to reassess the rents of one lot of selections under the Act of 1884 and the rents of another lot under the Act of 1897. He should take the sense of the Committee on the clause.

Clause put and negatived.

On clause 9—"Lands may be set apart for exclusive selection in Great Britain"—

HON. T. O'SULLIVAN: This clause dealt with land selection in Great Britain, and as he explained it at some length when moving the second reading of the Bill, he did not propose to offer any further explanation at present, unless hon. gentlemen desired more information on the subject.

HON. A. J. THYNNE said he had given notice of a series of amendments in this clause, the object of which was to extend the operation of the provision, at the discretion of the Governor in Council, to other places outside Great Britain, especially to include Ireland. He moved that after the word "Britain," on line 41, there be inserted "and Ireland, or in any other country or State." That would give the Government a free hand to offer these lands anywhere outside Queensland.

HON. T. O'SULLIVAN: He was quite prepared to accept the amendment moved by Mr. Thynne. The only thing he had any doubt about was as to the wisdom of allowing the provisions to apply to any part of Australia, although he quite agreed with the wisdom of going to Great Britain, Ireland, or any European country. Land selection in Queensland was open to all Australians, one might say, and they could come without such a provision as this.

Amendment agreed to.

HON. A. J. THYNNE moved the insertion after "places," on line 50, of "in Great Britain, Ireland, or elsewhere."

HON. T. O'SULLIVAN: His attention had just been drawn by the Under Secretary to the fact that he thought this amendment was not necessary, as it was already covered. It was a question whether the clause was not wide enough.

HON. F. I. POWER: The provision was only that maps and plans might be exhibited. It was a question whether that included taking land up. It did not say they could take it up there. [HON. F. T. BRENTNALL: The question is quite open as it reads now.]

Amendment agreed to.

HON. A. J. THYNNE moved, on line 3, page 4, after "purpose," the insertion of "or such other officer or person as the Governor in Council may appoint."

Amendment agreed to.

HON. A. J. THYNNE moved, on line 4, after "officer," the insertion of "or person."

Amendment agreed to.

HON. A. J. THYNNE moved, on line 8, after "Queensland," the insertion of "or such other officer or person as the Governor in Council may appoint for the purpose."

Amendment agreed to.

HON. A. J. THYNNE moved, on line 14, after "Agent-General," the insertion of "or such other officer or person so appointed as a commissioner."

Amendment agreed to.

HON. T. O'SULLIVAN moved the omission of "confirmation," on line 17, with a view of inserting "approval."

Amendment agreed to.

HON. T. O'SULLIVAN moved the omission of "approved," on line 18, and the insertion of "accepted."

Amendment agreed to.

HON. T. O'SULLIVAN moved the omission, on line 20, of "approved," and the insertion of "accepted."

Amendment agreed to.

On the motion of HON. A. J. THYNNE, after "Agent-General," on lines 20 and 22, the words "or the officer or person so appointed as a commissioner" were inserted.

HON. A. J. THYNNE moved, on lines 39 and 40, the omission of the words "one-half of." This was a matter which might be of some consequence. The proposal in the Bill was to allow the people who selected land in England one-half their passage money towards payment of the purchase price of the land which they selected in England. In view of the fact that the ordinary passage money from Europe to Queensland was on the whole considerably more than double what it was to the United States or Canada, it would be necessary for this State, in order to encourage immigration, to reduce the passage as low or below the rates to the United States or Canada, and it was with that view that he proposed the omission of the words "one-half," so that a selector would be entitled to be credited with the payment of a sum equal to the amount paid as passage money. [HON. F. I. POWER: Take out both.] Yes; and leave the full amount of steerage passage—whatever it may be—as part payment of the passage. It was really reverting to the old land-order system, but with precautions against evasions of the land laws. In this case, a man must have selected land and paid his passage money; and he did not see how that system could be abused in any way. He thought this was a wise policy, which the State would have to face, of giving inducements to immigrants to come here. He noticed, in that very interesting "A B C" of Queensland statistics issued from the Statistical Office the last few days, that the amount Queensland had expended in immigration, and charged to loan account, was close on £3,000,000. After so large an expenditure to find that to-day the State had only a population of [8.30 p.m.] 500,000 was not very satisfactory. But a large part of that sum was spent in bringing out people to Queensland who immediately left to join their relatives in other parts of Australia. All those difficulties would now disappear. Making an allowance of one-half the passage money was a good thing, but it was not enough; they ought to allow the whole of it.

HON. T. O'SULLIVAN: He agreed with a good deal that the Hon. Mr. Thynne had said, but it should be remembered that the Government were practically making a concession of one-half the passage money, and that that had been ratified by the Assembly. However, the matter was a small one, and he would leave it to the sense of the Committee.

HON. F. I. POWER: It might be a big matter to a man coming out, especially if he happened to be a man with small means and a large family. If a man had the pluck to come such a long way with his family, they ought to encourage him by allowing him the whole of his passage money.

HON. E. J. STEVENS: The other side of the question was whether this should prevent the Government from getting a certain amount of revenue. The average passage money was £16. Say there were 1,000 immigrants brought out under the Act: if the whole of the passage money was returned to them, instead of one-half, it would mean a loss of £8,000 to the revenue.

HON. A. J. THYNNE: If Queensland could get 1,000 selectors with their families at a cost of £8,000, it would be the cheapest money Queensland ever spent; and it was only a fraction of the advertising expenses which some of the big land companies incurred in Great Britain in order to induce people to buy their land in Canada and the United States.

HON. P. MURPHY: He strongly favoured the amendment. It was the only means of getting people to come to Queensland who would otherwise settle across the Atlantic. Besides, this was not a matter of cash. Payment was made in land which was now lying idle and producing nothing. Every 1,000 people who settled on the land would reduce our national debt *per capita* to that extent.

Amendment agreed to.

HON. A. J. THYNNE moved the omission of the words "one-half of the" in line 40. And here he might say it appeared to him that an attempt was made to discriminate between people coming by steerage and people coming by second class.

HON. E. J. STEVENS: It was clear enough. It meant that the rebate would only be the steerage fare whichever class a man came out by.

HON. A. J. THYNNE: There was no steerage in it. It might mean that the State would have to pay for the farmer and his family, who came out by an Orient liner, a second-class fare. That was going further than they wished. The old idea was that the amount paid as steerage fare was the value of a land order.

HON. T. O'SULLIVAN: The clause, as amended so far, provided that an immigrant should be credited "with the payment of such sum of money as is equal to the amount so paid, or one-half of the passage money as aforesaid, by second-class fare, whichever is the less sum." If a man chose to come out by a more expensive way than second class, he would not get any more.

HON. A. J. THYNNE: And if he came steerage he would only get the steerage fare. That was his objection. [HON. T. O'SULLIVAN: You cannot give him more than he pays.] They were giving one man double what they gave to another, and drawing a distinction between one man who was prepared to rough it for a month or two in the steerage, and another who was a bit of a swell and came out second class. Was not the one just as deserving of the State as the other? [HON. A. J. CARTER: Leave it at the full steerage or half the second-class fare; that would about equalise them.] The matter wanted clearing up. He did not like the idea of having a distinction drawn between the two classes of passengers or two different concessions given to them. Could the hon. gentleman tell the Committee the difference between steerage and second-class fare?

HON. T. O'SULLIVAN: The principle was a very simple one. A man was allowed whatever he paid for his fare, but that must not exceed one-half the second-class fare. If he came by a higher class than the second class he would have to pay the difference out of his own pocket.

HON. F. I. POWER: He did not think it would create two classes. Nearly all of the

immigrants aimed at by the clause would prefer to come steerage, and keep their cash to put into implements or stock when they got on to their farms.

HON. E. J. STEVENS: The settlers they sought to encourage were those who had not a great deal of capital, and such men were not likely to travel first class.

HON. T. C. BEIRNE said second-class and steerage fares were not the same. On some boats there were only first and steerage fares, and on others there was no steerage. The second-class fare on one line was £32, and the steerage fare £16, so that there was a difference of £16. How would it do to say, "shall be allowed the steerage fare or £16, whichever is the lesser sum"?

HON. T. O'SULLIVAN thought it would be better to leave it at one-half a second-class fare, otherwise, in the case of a homestead selection, they might have a man with a large family entitled to an allowance of £32, exclusive of the allowances to the members of his family, and yet he would only have to pay £2 per annum for twenty years for his selection.

HON. E. H. T. PLANT would like to see a more liberal concession allowed to immigrants than was provided for in the clause, and in view of the fact that the rates of passage money varied on different lines, he would suggest that they should fix the amount allowed at £16 or £20, irrespective of the line or class by which the immigrant travelled. [HON. F. I. POWER: You would not give a bachelor the same amount as a married man with several children?] That objection could be met by making the amount so much for each adult, and half that amount for children.

HON. E. J. STEVENS suggested that the amount should be fixed at a sum not exceeding £16 for each statute adult.

HON. A. J. THYNNE: If they fixed the amount to be allowed they would be practically saying what sum Queensland was prepared to pay for passage money, and they might find vessels willing to carry passengers for less than the present rates in order to secure the trade. He thought it would be better to provide that the amount should be a certain proportion of what the Agent-General certified had been paid as passage money, not exceeding one-half a second-class fare.

HON. P. MURPHY: The second-class passenger paid about double the amount paid by a steerage passenger for his fare, and if they provided that the amount credited to an immigrant should be one-half of the amount paid as passage money, or one-half of a second-class fare, whichever was the lesser sum, they would be differentiating in an undesirable way between immigrants. The second-class fare on Orient boats was £42. He favoured the suggestion that the allowance should be a fixed sum of, say, £16, for even if one company brought out immigrants for less than £32 it would not be very much less, considering the distance. The White Star line had only one class, and the only way in which they could treat all immigrants fairly and justly was by fixing the amount to be credited.

HON. A. J. CARTER: The White Star line had a considerable range of fares—from £17 up to about £24 or £26—so that unless the amount was fixed it would be very difficult to arrange the matter satisfactorily. He thought it would meet the case if they fixed the amount at £20.

HON. T. O'SULLIVAN thought there was a great deal in the suggestion that [9 p.m.] they should fix the amount, but he would make it £16, not £20. He should be prepared to accept an amendment to that effect.

HON. A. J. THYNNE said that in view of the discussion which had taken place he would, with the permission of the Committee, withdraw his amendment.

Amendment, by leave, withdrawn.

HON. A. J. THYNNE moved that the words "or one-half of the passage money as aforesaid by second-class fare, whichever is the lesser sum" be omitted, with the view of inserting the words "not exceeding sixteen pounds per statute adult."

Amendment agreed to.

HON. A. J. THYNNE: The clause was a combination of many clauses, and many questions arose under it. Under the provision for postponement of rent, it read—

> Any such selector may make application in writing to the Minister that the payment of his rent and prescribed instalment of the survey fee in respect of the second, third, fourth, or fifth year, or any two or three of such years, may be suspended. The Minister upon consideration of such application may, in his discretion—

do so-and-so. There was a scale in the department which was based on a consecutive period of three years, and a consecutive period of two years running at the same time, and under the clause as it stood application might be for the second, fourth, or fifth year, which would upset calculations altogether. He moved the insertion, on the second line, after "years," of the words "being consecutive."

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

On clause 10—"Reduction of penalties on late payment of rent"—

HON. T. O'SULLIVAN: This clause reduced the penalties, as he had explained on the second reading. He would be glad to give any explanation if required.

Clause put and passed.

On clause 11—"Amendment of section 133"—

HON. T. O'SULLIVAN: The amendment suggested by this clause was a purely departmental one. He would be glad to give hon. gentlemen any explanation. [HON. A. J. THYNNE: Are there any amendments on it?] No.

Clause put and passed.

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

ADJOURNMENT.

The SECRETARY FOR PUBLIC INSTRUCTION: I move that the Council do now adjourn. At an earlier period of the sitting a motion was carried that the Council adjourn till to morrow at the usual time. I understand that some hon. gentlemen wanted to get away, and I would suggest that we work to a fixed time in the evening to enable them to catch their trains. We have only had one real sitting this week, and if hon. gentlemen will indicate what time they would like to get away in the evening, I am anxious to meet their wishes. The business-paper is lengthening, and other important measures will be coming from the Assembly. The Land Bill will take a considerable time, and the debate on the Traffic Bill is not likely to be a short one.

HON. A. J. THYNNE: As we have made remarkable progress to-day in dealing with the Land Bill, I think no person should complain of the work that has been done. The convenience of hon. members may very well be considered. There can be no complaint whatever on the part of hon. members at the Government asking the House to sit to-morrow, because of the loss of, practically, yesterday's sitting, and for that reason we have not the slightest objection to sitting to-morrow afternoon; but there are several members who have engagements for to-morrow evening which were made before it was understood or expected that the House would be sitting. I think we can very well sit till 6 o'clock, and make progress with the Land Bill. [The SECRETARY FOR PUBLIC INSTRUCTION: If engagements have been made, I have no objection.]

HON. F. I. POWER: I think I am the only one of the country contingent that is left, and the only train I can catch is the ten minutes to to 5 o'clock.

The SECRETARY FOR PUBLIC INSTRUCTION: I understand from my hon. colleague, who has conferred with the leader of the Opposition, that it is the pleasure of the Opposition that the Land Bill be gone on with. If so, we will work at the Land Bill till 6 o'clock.

Question put and passed.

The Council adjourned at twenty minutes past 9 o'clock.