Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 27 SEPTEMBER 1906

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The SPEAKER (Hon. Sir A. S. Cowley, *Herbert*) took the chair at half-past 3 o'clock.

APPROPRIATION BILL No 2.

ASSENT.

The SPEAKER: I have to inform the House that I this day presented to the Governor the Appropriation Bill No. 2, and that His Excellency was pleased, in my presence, to subscribe his assent thereto in the name and on behalf of His Majesty.

PERSONAL EXPLANATION.

Mr. MANN (*Cairns*): With the consent of the House I desire to make a personal explanation. In this morning's issue of the *Daily Mail* it is reported that the leader of the Opposition accused me of having called him or some other hon. member a "thief." I never applied any such epithet to any hon. member in this House. I admit that I may have made pretty strong personal interjections at times, but I claim that they were justified by the language of the leader of the Opposition, which does not tend to promote harmony in this House. I admit that interjections are not in order, but when the hon. gentleman uses language which is provoking——

The SPEAKER: Order! The hon. member can only draw attention to the statement which he denies.

At a later stage,

HON. R. PHILP (*Townsville*) said: I desire to make a personal explanation. I never said in the House that the hon. member for Cairns called any hon. member a "thief." What I said was that he called him a "thing."

The PREMIER: The *Mail* is unreliable, as usual.

HON. R. PHILP: Something like the Premier sometimes.

QUESTIONS.

OLD AGE ASYLUM IN NORTHERN QUEENSLAND.

Mr. JACKSON (*Kennedy*) asked the Home Secretary—

1. Is the Minister aware that Dunwich is getting very overcrowded, and that a great deal of expense is incurred by the Government in bringing old people down to Dunwich from the North, besides separating for the remainder of their lives these old people from their relatives or acquaintances?

2. Has the Government decided, seeing there is no provision in this year's Estimates, not to establish an old age asylum in Northern Queensland, as requested by a large deputation of Northern members last year?

The HOME SECRETARY (Hon. P. Airey, *Flinders*) replied—

1. Dunwich is full, but overcrowding is obviated by granting from time to time the Government indigence allowance to such inmates as are able to live outside.

2. The matter is still under consideration.

OLD AGE PENSIONS.

Mr. JACKSON asked the Premier—

1. Is he aware that last session Parliament carried by a very large majority the following resolution:—"That, in the opinion of this House, the Government should take steps to substitute for the present unsatisfactory indigent allowance an old age pension scheme, administered under and by virtue of an Act of Parliament"?

2. Is it the intention of the Government to deal, by legislation or otherwise, with the question of old age pensions this session?

The PREMIER (Hon. W. Kidston, *Rockhampton*) replied—

1. Yes.

2. I regret that it is impracticable to take any steps in this direction this year.

INCOME TAX COMMISSIONER'S REPORT.

Mr. PAGET (*Mackay*) asked the Treasurer—

When will the Income Tax Commissioner's report for the year 1905-6 be tabled?

The TREASURER (Hon. W. Kidston, *Rockhampton*) replied—

As the Commissioner's report is made up to include revenue received for September quarter it cannot be completed until after the 30th instant, but will be in press immediately after that date.

REDUCTION OF MEMBERS OF THE LEGISLATIVE ASSEMBLY.

RESUMPTION OF DEBATE.

On the Order of the Day being called for the resumption of debate on Mr. Philp's motion—

That, in the opinion of this House, it is desirable that the number of members of this Assembly should be reduced from seventy-two to forty-eight—

on which Mr. Kerr had moved, That the question be amended by the omission of all words after the word "reduced," with a view to the insertion, in their place, of the words—

to a reasonable number, provided that the Legislative Council be first abolished or reformed—

which stood adjourned at 7 o'clock p.m. on Thursday, 6th September—

Mr. MANN (*Cairns*) said: When the time for private members' business finished on 6th September I was speaking to the motion, and saying that I was against a referendum being taken of the whole State as to the advisability of reducing the number of members of the Assembly. I pointed out that if a referendum

were taken the people of the South might be in favour of a reduction in the number of members while the Central and Northern people might object, and the greater bulk of the population being in the South they could manage to get a reduction in spite of the Centre and the North. To avoid such a result I suggest that a referendum should be taken separately in the Southern, Central, and Northern portions of the State. If that were done I should have no objection to a referendum being taken. If the people of Brisbane desired that the number of their members should be reduced, I am certain that no other portion of the State would object to a reduction in its representation, because most members recognise that although Brisbane may not have too many members from the population point of view, still, being the seat of government, and its citizens having ready access to the different Government offices, and being able to get big deputations to wait on a Minister, if the city had only one member, or at the most two members, it would have full weight in the councils of the State. If the number of members representing the North were reduced, I am certain it would lead to dissatisfaction among the Northern people. At present, though they may have rather more members than the population warrants, you will hear all over the North complaints that it does not get a fair deal.

The PREMIER: Until the present Government came in.

Mr. MANN: If the Premier will only continue to give the North a fair deal, there will be less dissatisfaction. It has been repeatedly said in Cairns, and north of Cairns, that there is no use in applying for anything north of Townsville. Townsville in the past has got more than a fair share of public expenditure, but no other place in the North has. The Cairns people have had a great deal of public money expended there, but that was owing to a misapprehension. If the Government of the day had known that the Cairns Railway would have cost so much, it would never have been built. We have to pay railway freights 25 per cent. higher than in the South, and if we have fewer members for the North it will mean that it will have no share in the affairs of the State. In the North we have large areas of the most fertile lands in the State, and if that land had been in the South and settled, instead of having so few members we would have a great deal more representation. The Atherton Scrub alone, if opened up by railways, would contain more people than are in the city of Brisbane, and at no distant date, if opened up, there will be sufficient population to justify a member for Atherton alone. Then, as you are aware, there are large areas of land in the North which are highly suitable for sugar-growing. If the country between Herberton and Cairns had two or three mills, with one or two on the Johnstone, the number of people who would be there would justify a member for the Johnstone and surrounding country. If the Government go in for a policy of development of the Northern tropical lands, we would have tens of thousands of people settled on them. There is room for two or three mills on the Johnstone, for two on the Russell, and there is room for one at Freshwater and other centres. Even supposing that none of these mills are built, if the sugar industry is a success, the big estates will have to be cut up, and where you see one large proprietor to-day there will be scores of small proprietors. That will mean that the sugar districts will have a larger number of voters. With the advent of white labour in the canefields, the aliens at present working there are passing away. These aliens were people whom we did not trust with the franchise, but the men who come to take their places are Australians and Britishers like ourselves. These men will want votes, and though I admit that most of the labour that goes there is of a character that does not settle down, still, if the industry is to be carried on, the sugar-growers must contrive to keep the bulk of the workers during the slack season. We want these men to settle down and acquire homes for themselves. They will want votes, and instead of their being 3,000 and odd voters in the Cairns district, there will be 5,000 or 6,000. The same may be said of the Herbert, where there are something like 2,000 voters. If the Johnstone River and the sugar districts round Ingham were once settled with peasant proprietors and white labourers in the canefields, the number of voters would increase to 4,000 or 5,000. The idea of doing away with a few members is no doubt to save expense, but that does not commend itself to me. The Northern members are practically the town agents of their districts, and have to look after all requirements and complaints. Then we have to take into consideration the grouping of electorates. Suppose that Cairns and Port Douglas were put into one electorate. They are rival ports, and hon. members can imagine the jealousy and rivalry that will exist between them. They had a big fight for supremacy in the early days for the railway, and Cairns won. The position would simply be this: that when they came to a trial of strength the men in the Cairns end of the electorate would be bound to win, and the chosen member would naturally fight for the end of the electorate which put him in, with the result that Port Douglas would be neglected. I think the leader of the Opposition was very ill-advised in bringing forward a proposition like this. I could understand it if he came from Brisbane, but for a man who has been so closely identified with North Queensland, I am surprised that such a motion should come from him. I do not believe that the hon. gentleman, if it came to the point, would be in favour of a reduction of members in the North. Possibly the hon. gentleman may have all his interests in and around Brisbane, and having got all he can from the North does not care whether the place goes ahead or not. I am satisfied if the number of Northern members is reduced the next thing we will have will be an agitation for separation. Very few settlers are encouraged to go to the North and see the good land there; we have to pay higher railway rates, and we are handicapped by being so far from the seat of government. We have had to put up with the most pokey little buildings. The Cairns people were badly in need of a post office for years, and they would never have got it but for the Federal Government. We now want a decent courthouse, which is so bad that some years ago one of the jurors fainted.

The SPEAKER: Order! The hon. member will have an opportunity of discussing that question on the Estimates. I must ask him not to go into details of that nature.

Mr. MANN: I ask your pardon, Sir. I was drawn into making that statement by an interjection from the side benches. I do not want to dwell upon that, but would simply point out that, if the number of our members is reduced in the North, it is a certainty that we shall go in strongly for separation, though, as a believer in the principle of one flag, one nation, one destiny in Australia, I do not believe in the States being split up into small pieces. But the fact remains that, unless we get justice and a fair deal for the North, we are going to have separation, and that before long. I have no more to say, but simply wish it to be understood that I am going to vote against the reduction in the number of members.

Mr. PAGET (*Mackay*): The hon. member for Cairns has said that he thought the leader of the Opposition was extremely ill-advised in bringing forward this proposal, and he further said that the hon. gentleman brought it forward for the purpose of making political capital out of it. That is not my opinion, because it is well known that before the hon. member for Townsville left the Treasury benches in the year 1903 the then Government had a Bill prepared, and the maps were also all prepared, for reducing the number of members to fifty-six, so that I hardly see that the contention of the hon. member for Cairns can be correct in the face of those facts. The hon. member for Townsville is only following out the proposals which he was prepared to submit to this House some three years ago, and which proposals I was prepared to support, for the reason that a great deal of the business that used to be done by this Parliament has been taken away and put under the Federal Parliament, and for the further reason that, in consideration of the fact that we are now sending fifteen members from this State to Melbourne, we should reduce the number of members of this House by the same number, if not of bringing the number below that. The hon. member for Barcoo has moved an amendment—to omit certain words and insert the words "to a reasonable number, provided that the Legislative Council be first abolished or reformed." The hon. member in moving that amendment must be extremely well aware that it is impossible by any vote in this House to either abolish the Legislative Council or to amend its Constitution. Therefore the amendment can only have been moved for the purpose of blocking the original motion. I hope we shall have an opportunity of voting on both the amendment and on the original motion. If we have, I shall certainly vote against the amendment and in favour of the original motion. The hon. member for Cairns made a strong appeal for justice for the North, and I am with him in that every time. But I think he rather went beyond what was a fair thing when he said that north of Townsville there had been practically no expenditure of public money except in connection with the building of the Cairns Railway. Now, the harbours to the north of Townsville have all been improved, either by the expenditure of public money or by the means that the whole of our harbours are now improved—that is under the Harbour Dues Act. There has been about a million and a-quarter of public money spent on the Cairns-Atherton Railway, which I am very pleased to see is this year returning something like 2½ per cent. for the first time in its history. There was also a large sum of money spent on a railway from Cooktown, and another large sum on the railway from Normanton to Croydon, whilst there have been large sums spent at various times at Thursday Island; so that, although I do not represent a constituency north of Townsville, but one immediately to the south of that place, I cannot agree with the statement of the hon. member that practically no public money has been expended on places north of the town represented by the mover of the motion. It has been frequently stated that Townsville has had a very great deal more money expended on it than the port warranted, and a great deal more than it was entitled to; but I would like to point out that Townsville is the port and the outlet for tens of thousands of square miles of some of the finest sheep country in Queensland. It is also the port of entry and discharge for the big mining field of Charters Towers. I dare say it has had its fair share of public expenditure, but I certainly do not think it has had a great deal more than it should have had. I shall not pursue that subject any further; but I thought it was only within my privilege to reply very shortly to the contention of the hon. member for Cairns. In connection with the words "a reasonable number" in the amendment of the hon. member for Barcoo, although I am in favour of a reduction in the number of members in this House, still I am not, taking the whole of the circumstances into consideration, entirely in favour of one vote one value, for the reason that, if such a system is instituted in the future, the South-easterly portion of the State will certainly absorb a very large number of the then members of the House. In view of the great areas that have to be represented in the North and the West, I think that acres and interests, as well as electors, should have some representation, and I would be prepared to go further than the Federal Act allows in connection with the matter. The Federal Act allows for a certain quota, and the number of electors may not be less than 20 per cent. below or more than 20 per cent. above that quota. The Northern and the Western areas certainly deserve a greater representation than the larger cities and towns on the coast, where it is possible, especially in the South-eastern portion of the State, for members and their electors to be in constant touch with the Ministers controlling the various departments. Everybody is aware, or should be aware, that a very great deal of a member's time is not taken up in this House. The balance of time he does not put in sitting here and attending to his parliamentary duties is taken up in attending to various matters in connection with his constituency, and the more remote our constituencies are from the capital then it is only reasonable to suppose that the more demands are made upon our time; and if the electorates are made very much larger in area than what they are now, I really fail to see how it would be possible for members representing those electorates to attend to the wants of their constituents in the time at their disposal. That is one of the reasons why I think if any change is brought about in the way of reducing the number of members, these country districts should have, at any rate, greater consideration in regard to voting power in the House than the districts immediately surrounding the latter. I do not propose to take up the time of the House any longer, except to say that I am heartily in accord with the proposal

[4 p.m.] brought forward by the hon. member for Townsville, with the proviso that I have stated in the course of my remarks.

Mr. GRAYSON (*Cunningham*): This matter was brought prominently before the electors in the last State election, and I believe a question on the matter was put to candidates right throughout the State. In my own constituency I had a question put to me asking whether, if I was elected, I would be in favour of reducing the number of members, and I gave my pledge that if the motion was brought forward in the House to reduce the number I would certainly support it.

Mr. PAGET: A great number of candidates did the same thing.

Mr. GRAYSON: I am quite convinced, after two years' experience in this House, that it would be a wise proceeding, and that the time is opportune to pass such a resolution. I remember that the leader of the Opposition took a deep interest in convincing the electors to vote in favour of federation, and during that time, wherever he spoke, he promised that if we federated he would bring forward a motion to reduce the number of members. I think the hon. gentleman missed his opportunity while he was Premier in not bringing forward that motion, and carrying out the behest of the electors of the State. It is

well known that great notice was taken of any words uttered by the Hon. Robert Philp, and I know that many electors voted for federation on the understanding that the hon. gentleman would have had the number of members reduced in this Assembly. The motion of the hon. member proposes to reduce the number to forty-eight. I think forty-eight would be rather drastic—too great a reduction. If the hon. gentleman would alter his motion and make it fifty-six, I think it would be a fair reduction, as that would be sixteen less than the present number. I noticed in one of the southern papers lately a statement to the effect that Australia is the most overlegislated country in the world. We have got 650 legislators in Australia, taking the two Houses in each State.

Mr. HARDACRE: We are more thinly populated.

Mr. GRAYSON: I admit we are more thinly populated, and have larger areas to attend to.

Mr. HARDACRE: There are more Ministers, more policemen, more everything.

Mr. GRAYSON: Quite so. I think the fairest way to treat this matter will be on the lines laid down by the senior member for Drayton and Toowoomba—to divide the State into metropolitan, urban, and rural constituencies—the metropolitan constituencies to contain, say, 4,000 electors, urban constituencies, say, 3,000, and rural constituencies, say, 2,500. I believe that would be a fair mode not only in reducing the number of members but for redistribution purposes.

Mr. PAGET: That is a quota with a minimum and a maximum.

Mr. GRAYSON: Quite so. I will just instance one electorate—North Brisbane, the area of which is 1 square mile. That electorate has 5,000 or more electors on the roll, and yet it has got two members to represent it. I think that is entirely unfair. Just take the electorate I represent myself—that of Cunningham. Cunningham has an area of 500 square miles, and there are 4,300 electors on the roll. I would like to ask if that is a fair representation? It is decidedly unfair. There is, in fact, not a double electorate in this State at the present time that is entitled to two members, except Charters Towers. Then the number of electors on the Ipswich roll is under 6,000.

Mr. MAUGHAN: Over 6,000.

Mr. GRAYSON: I think not only a Reduction of Members Bill, but a Redistribution Bill should be passed, and the sooner the better. I notice that an amendment has been proposed by the leader of the Labour party, and if the hon. member will delete the word "abolished," I am prepared to support his amendment. I do not think it would be judicious at the present time to abolish the Upper House, but I think it should be reformed. It should be made an elective Chamber. I have always been of opinion that the Upper House should be constituted on an electoral basis. I certainly would not support any motion to abolish the Upper House, because I think that, after all, it does good work at times, and is a very inexpensive institution to the country. I believe it only costs £6,000 yearly, which I do not think is badly expended, and, judging from the opinion of the electors in my district, they would not be in favour of abolishing the Upper House. However, to carry out my pledge to the electors during the election contest, I will vote for the motion of the leader of the Opposition to reduce the number of members, but I would much prefer that the hon. gentleman would alter the number by making it fifty-six instead of forty-eight, as I think a reduction of sixteen members would be quite sufficient for the present.

[*Mr. Grayson.*

Mr. FORSYTH (*Carpentaria*): The hon. member for Cairns spoke just now about having a referendum in each of the three divisions of the State, and that each division should say whether they wanted a reduction in the number of members or not. That is a most ridiculous proposal, because it does not lay before the people as a whole the general principle. It simply says to the people of the North, "If you don't want a reduction of members, then you need not have it." And it says to the Centre, "If you want a reduction you can have it," and to the South it would say that they could have a reduction or not, as the case may be. Now, that will not be getting a referendum of the whole of the people on this particular question. A referendum, as I understand the general meaning of it, is something that is given to the whole of the people, and not to a certain section, to say as to what they want with regard to a reduction of members. It is given to the whole of the people to say what they want with regard to the general question; yet the hon. member for Cairns wants to propose a scheme which, in his own mind, he knows will defeat the object of the motion, and that is really what he is anxious to do. He also makes a statement with reference to the leader of the Opposition.

Hon. R. PHILP: He is not worth taking any notice of.

Mr. FORSYTH: When the leader of the Opposition was Premier the argument, or statement, continually hurled across the Chamber was that he was doing a great deal too much for the North and too little for the South.

Mr. MANN: For Townsville.

Mr. FORSYTH: If the hon. member knew anything about the North at all, he would know that huge sums of money—millions of money—have been spent in the North of Queensland, and he would for ever close his mouth in discussing a matter of this sort.

Mr. HARDACRE: That has never been said.

Mr. FORSYTH: I have heard it again and again, in connection with loan money especially.

Mr. HARDACRE: Not that more money was spent in the North than in the South.

Mr. FORSYTH: It was said that more money was spent in the North, in proportion to the population, than was spent in the South. It has been repeated again and again in this House, and yet the hon. member for Cairns wants to lead this House to believe now that the hon. member for Townsville has got no interest in the North at all. He practically says so. He says that because the hon. member does not live in the North now, he does not appear to care whether the North goes ahead or not. I venture to predict that there is no other member in this House who would make such a statement as that. If the hon. member for Cairns lives for 500 years, I guarantee that he will never do as much for the North as the member for Townsville has done. He may talk about these things as much as he likes, but that is my opinion. The hon. member for Mackay gave a list of the great many sums that have been spent in the North in connection with railways. There was the money spent on the railway from Hughenden to Winton, on the Richmond Railway, on the Croydon to Normanton Railway, on the Cooktown Railway, and on the Cairns to Atherton Railway, and besides that there was a great amount spent in public buildings, and improvements to harbours that have been carried on for the last eight or ten years, all of which was done by the member for Townsville. Yet, the hon. member for Cairns raises a question of this sort! It is utterly ridiculous listening to anyone talking on a question like that, and yet, as a member for the North,

he should know something about it. The leader of the Labour party has moved an amendment on the motion, in which he states that he has no objection to a reasonable reduction in the number of members of this House so long as the Upper House is abolished or reformed. This is a general statement. He does not say what a "reasonable" reduction of the number of members of this House is likely to be, or in what way the Upper House shall be reformed. If he had given this House something to go on, some technical knowledge with regard to his ideas in general, we would be able to vote on the question. But this was put in merely for the purpose of trying to block this motion from going any further, because he knows as well as anyone else that a proposal to abolish the Upper House does not lie within the province of this House, and it cannot be done. Then we come to the question of a "reasonable reduction" so far as its members are concerned. The motion says that the number should be reduced to forty-eight, and we have all sorts of suggestions on the subject. The hon. member for Cunningham says that the number should be reduced to fifty-six, others say to fifty, and others, again, say to sixty. I have no doubt that the general consensus of opinion in this House is that a reduction to forty-eight is too drastic, but if the number were fixed at sixty or fifty-six, as the case may be, I think it would be more likely to meet with the approval of the majority of this House than forty-eight. Now I am going to discuss the question from the reduction to sixty point of view, because the late Premier, Mr. Morgan, in his manifesto, and also in the House after he was returned, said that a Referendum Bill, a Redistribution of Seats Bill, and a reduction of members would take place. I think, if I remember correctly, that he said that if the number were reduced to fifty, it would be too drastic, but if the number were reduced by ten or twelve at the present time it would be a fair thing. Then the question cropped up as to how it would affect the sparsely-populated districts. I agree with other members who have spoken that the sparsely-populated districts should have some benefit given to them, as against the thickly-populated districts down South. As a matter of fact, the Federal Government took that matter into consideration when they passed their Franchise Act, because they reckoned that some districts were like that represented by the member for Cunningham, containing 500 square miles, while other electorates were like that which I represent, containing 60,000 or 70,000 square miles. Because I represent such a large constituency as that it does not say that I cannot look after it just as well as a member can look after a constituency containing 500 square miles. In districts which are sparsely populated like that they do not appear to have the same wants as the people in the South, and they can always advise their member as to what they want. If anything is wanted in a large constituency, it generally comes from the centre.

Mr. HARDACRE: How many centres have you?

Mr. FORSYTH: I have a lot of centres; but I may say that I have three particular centres—Normanton, Burketown, and Camooweal. If any of my constituents want anything they can send along the information, and I can take it in hand. Although I do represent a large constituency, I am able to attend to the wants of the whole of the people in my district.

Mr. HARDACRE: I have sixteen different centres.

Mr. FORSYTH: In these districts with large areas they have very few centres. Take the Gregory, for instance, or the Bulloo, or the Burke—all these constituencies have big areas, but you will find that they have only got a few centres to work, while in the thickly-populated districts of only up to 500 or 1,000 square miles, you will find, as the member for Leichhardt points out, that there are as many as fifteen or sixteen centres. Perhaps, in some instances, there might be as many as thirty, forty, or fifty centres. It is a difficult thing to work out, and the only fair arrangement would be to give the sparsely-populated districts better representation in the House as compared with the thickly-populated districts, who naturally have far more votes. I have been discussing this from the point of view that there are sixty members. At the present time, according to the last electoral returns, we have 215,000 electors on the State roll, and if we divide that by sixty it would give a quota of 3,600 electors for each particular seat. I am presuming that they are all single electorates, and that there are sixty different members of this House. If we work upon the basis of 25 per cent. as a maximum and minimum to increase or decrease the quota, it would mean that in the thickly-populated districts the quota would be increased to 4,500 voters. In the more sparsely populated districts, such as my own and others in the North, if they get a reduction of 25 per cent., the number would be 2,700. That is to say, that in the smaller electorates, with a small number of people, the quota would be 2,700, as against 4,500. It may be considered by many that that is giving the sparsely populated districts too large a number. You can vary it, if you like, by making the reduction 33⅓ per cent. That would give the thickly populated districts 4,800 electors, and the sparsely populated districts 2,400. That is on the basis of 215,000 electors, and sixty seats. The hon. member for Cunningham seems to think it would be a good arrangement to have 4,000 for the metropolitan areas, 3,000 for areas with a medium population, and 2,000 for country areas. I do not know how that is worked out. I believe myself that once we arrive at the quota all round, and make a reduction or an increase, as the case may be, the system I have mentioned would be fair, not only to the country districts, but also to the metropolitan districts. But, of course, that is only a matter of opinion. Reference has been made to what other States have done in this matter. Victoria, before federation, had ninety-five or ninety-six members. The number was reduced to sixty-eight; since that time it has been reduced to sixty-five. In South Australia the number was fifty-four; it has been reduced to forty-two. In New South Wales the number wes 125; it has been reduced to ninety. In Queensland, even if we reduced the members to sixty, on the principle laid down by the late Premier in his manifesto of 1904, the proportion in accordance with population would be greater than in any of those States. The reduction in Victoria was thirty, in South Australia twelve, and in New South Wales thirty-five. There is one thing absolutely certain, that since the new Franchise Act has been passed, and the number of electors doubled, the anomalies that exist must be altered sooner or later, and the quicker the better. It is a most unfair thing that any single electorate should have 7,000 electors with only one member, while others should have the same representation with only 700 or 800 electors. During the passing of the Franchise Bill great objections were taken by hon. members opposite to plural voting. The Labour party were specially opposed to it, but they did not oppose the principle of having 7,000 electors in one electorate with one member as against 700 or 800 electors in other electorates, also with one member, which is ten times worse than any system of plural voting that has ever been seen in any State in Australia. We might

disfranchise 5,000 men in any of the big electorates and still have more electors than in the smaller ones I have referred to, and they would have the same power as electorates with only 700 or 800. I do not intend to speak at any length on this subject. I think myself it is a matter that the members of the House should take into their consideration. I certainly think the time has arrived, now that we have sixteen members in the Federal Parliament, to reduce our own members. The people in the southern states, where such reductions have been made, have not, so far as I am aware, objected to it. As a matter of fact, in the State where the question was submitted to a referendum, they fixed upon the lowest number. If the question is submitted to a referendum in Queensland, and the people are asked whether they will have forty-eight or sixty members, there is little doubt what the answer will be. Some are of opinion that we should reduce the number without referring the question to the people. On the other hand, a referendum was promised two years ago, but from that date to this there has not been shown the slightest intention to carry out that principle. But there must be a proposal brought forward, and brought forward before the next general election, for a Redistribution Bill. I cannot discuss that question now, as there is a motion on the paper with reference to it. But we should first of all decide the question as to what number we should reduce the House to, and, when that is decided, it should not be a difficult matter to divide the State into sixty or less electorates, with a certain quota and a margin of 25 or 33⅓ per cent. I sincerely trust the suggestion of the Home Secretary will be carried out, and that the question will be settled at no distant date. When such a proposal comes before the House, it will have my hearty support.

Mr. PLUNKETT (*Albert*): Some years ago, the present leader of the Opposition expressed an opinion in favour of a scheme similar to the one he now proposes, to be accompanied by such a redistribution of seats as would make it fair all round; although I believe some of his colleagues were not in favour of it. At that time the hon. gentleman had been strongly advocating federation, and he promised, I think, that if federation was carried, he would move for a reduction in the number of members of the State Parliament. That promise was never carried out. We know very well that a good many things were said which were never intended to be acted upon, but I believe the leader of the Opposi-
[4.30 p.m.] tion was sincere in this matter. If I remember rightly, the proposal previously made by the hon. gentleman was to reduce the number of members to fifty-six. The hon. member for Carpentaria suggests that the number should be reduced to sixty, and so far there has been no final agreement come to as to what the number should be reduced to. I can speak on this matter from an impersonal standpoint, because my electorate is large enough, both in acres and population, to warrant no alteration being made in it. I think a reduction to fifty-six would be nearer the correct thing than a reduction to forty-eight, because if the number were reduced to forty-eight some of the country districts would be practically unrepresented, and I hope the day is far distant when such a thing will occur. It is a far more difficult task to represent a country constituency than a constituency like Brisbane, or Fortitude Valley, or Brisbane South. New wants frequently arise in country districts, and the members for those districts have to be very active to see that their electorates receive due consideration at the hands of the Government. There is certainly a large population in Brisbane, but the members representing that electorate can easily get their wants attended to. I think it would be a very good thing to do away with the ten or eleven double constituencies which now exist. Charters Towers might do with one member, and Ipswich has no right to more than one member, and the same may be said of Toowoomba. I could not vote for the proposal to reduce the number to forty-eight. See the difference there is in the work of representing a constituency like the Bulloo, or Gregory, or Carpentaria, as compared with the work of representing a constituency like Brisbane! With regard to the amendment, I certainly am not in favour of abolishing the Council, as I look in the future to see very good legislation passed by the Upper House, and I believe it will be of great assistance in framing useful legislation. I hope the hon. member for Townsville will make the number fifty-six, as he did on a previous occasion, and if he does I shall vote for the motion.

Mr. BARTON (*Carnarvon*): I have spoken to several persons in the other States on this question of reducing the number of members of the Assembly, and they have told me that they thought members made a mistake in voting for a reduction in the number of members, because it means a lessening of the representation of the inland districts. The people in the inland districts are the producers of the country, and we must give consideration to their interests in a matter of this description. The people in towns are not producers, but simply live on the producers, and yet they would lessen the representation of the country districts. I should like to know the reason for this movement for reducing the number of members of this Chamber, which emanates from the other side of the House. They had ample opportunity to reduce the number of members, if they desired to do so, when they were in power, but it did not suit them to do so then. This little movement seems to be the only dodge they have left. I do not know whether it is parliamentary or not, but I say we are simply not having any. I consider that when hon. members opposite adopt these measures we are justified in coming to the conclusion that they are wanting material to keep their political billy boiling. At any rate, I shall vote against a reduction in the number of the members of this Assembly.

Mr. JACKSON (*Kennedy*): I think it was suggested, when this question was last before the House, that the hon. member for Barcoo should withdraw his amendment. I do not think it advisable that that hon. member should withdraw his amendment. It may be advisable that the mover of the motion should withdraw the motion, as that would clear the way. But if the hon. member for Townsville is not prepared to withdraw the motion, I think the hon. member for Barcoo should call for a division. It may be just as well to explain to hon. members that by voting for the omission of the words mentioned in the amendment, that will not prevent them voting against the insertion of the words the hon. member for Barcoo proposes to insert. If the words are omitted, the motion may be amended in some other form than that now proposed, and it may be found desirable to insert the words "to a reasonable number." So that the original motion will read—

> That in the opinion of this House it is desirable that the number of members of this Assembly should be reduced to a reasonable number—

and leave out all reference to the Legislative Council. That might be considered desirable by some, although I should be prepared to vote for the amendment as its stands when it comes to a question of inserting the words.

Mr. J. LEAHY: What do you call "a reasonable number"? I understand what a reasonable member is.

Mr. JACKSON: I do not think the reduction proposed by the hon. member for Townsville is a reasonable number, particularly if there is a chance of federation being brought to an end. Only the other day, in Western Australia, a motion was carried in favour of secession, and an hon. member of this House has given notice of a motion on similar lines.

Mr. MAUGHAN: We know why it was carried.

Mr. JACKSON: We cannot tell what may happen in the course of a year or two; so that it would be foolish to reduce the number of members of the Assembly in the wholesale manner proposed, in face of the contingency ahead. I do not know whether the hon. member for Bulloo is listening to me, or whether he has expressed an opinion on this matter.

Mr. J. LEAHY: You generally make me listen to you.

Mr. JACKSON: I am obliged to the hon. member for the compliment. I do not know what the hon. member's views are. He represents a constituency with a small population, and there is no doubt there is a necessity for a rearrangement of electorates. That question will also come up later on in the session. Many of us are in favour of a small reduction, and I consider a small reduction would be a reasonable reduction. I am in favour of a moderate reduction and a rearrangement of constituencies. I think that city members do not always recognise the amount of work and responsibility that country members have on their shoulders as compared with themselves. It has been pointed out by some members that country members are really commission agents for their constituents without the commission. I think it is important for city members to realise the amount of work that country members have to do for their constituents. A great many people think our work is confined to meeting here from half-past 3 to half-past 10 o'clock during five or six months of the year, and they think we draw £300 a year for that work alone. Hon. members must know that we have an immense amount of work to do apart altogether from the business transacted in this Chamber, and my deduction is that if you reduce the number of members to any extent you will simply have to enlarge the boundaries of the country electorates, and that will mean that members will not be able to keep in touch with the isolated communities, and the result will be that you will not have the wants of constituents attended to in the same manner as they are at present.

Mr. TURNER: We will have to get assistance.

Mr. JACKSON: Yes; but we should want an increase of salary before employing assistance, and there is not much chance of getting that. There is another point worth considering, and that is that we have practically doubled the number of electors by conferring on women the franchise. I do not know whether the ladies are likely to trouble us very much in connection with constituency matters, but I suppose they will, and that will place more work on the shoulders of members. I do not intend to go into the question whether the Council should be abolished or not. I did not rise for the purpose of discussing this question at any length, but only to point out the position to hon. members so far as the technicality of the amendment is concerned so that they will understand that if they omit the words they will not be tied down to the insertion of the words proposed to be inserted by the hon. member for Barcoo. I am, as I have said, in favour of a moderate reduction of members, and I think that could be accomplished when the time comes to rearrange the electorates. I understand that that is in accordance with the scheme which the present Government have in view, following on the lines laid down by Mr. Morgan. I shall vote for the omission of the words, and I shall probably vote also for the amendment as proposed by the hon. member for Barcoo.

Mr. FOX (*Normanby*): I am a believer in proportional representation, and think this would be a good opportunity of introducing it. Under that system all minorities would be represented. All interests which elected a quota would be here to speak for themselves, and every vote given under a system of proportional representation would be effective. The electorates would be grouped, of course. Say there were 5,000 electors, each voter would vote for five members, which would be 1,000 to each member. Supposing only 4,000 voted, you would divide the 4,000 by five, and that would be the quota. Every man would vote for some man of his choice. No matter if there were ten candidates, he would vote for five members. He would take the first man of his choice, and then the second man, and so on. If the first man of his choice was thrown out on the first count, he would have the second man of his choice to take his place. If the second man of his choice had more than 1,000 votes he would be passed in, and all the votes he had over 1,000, say, 100 or 500, would be passed on to the next man of his choice. No one can help admitting that the present system is a villainous one. Supposing there are three members to be elected and 900 voters. One man gets thirty votes, and who can say he represents the majority in the electorate? Under the block system, in many of the electorates, you might as well throw the ballot-papers into the waste-paper basket. I remember a case which occurred at Benalla, when Max Hirch, the single-tax man, put up, and the votes were equal. It happened that the returning officer was not a single-tax man and he voted against Hirch. In that case half of the voters were disfranchised. I cannot understand why we put up with such a system at all. In the case of proportional representation, and supposing labour is the largest section of the community——

The SPEAKER: Order! I would remind the hon. member that he is touching upon an entirely new question that is not covered either by the motion or the amendment.

Mr. FOX: I apologise. With regard to the proposal before us, I believe the country desires that there should be a reduction of members. In listening to the speech of the hon. member for Carpentaria I was struck with the fact that it was very clear, very lucid, and I think his suggestion should be well considered by the Government. We must not forget that Queensland is seven or seven and a-half times as big as Victoria, whilst it is more than twice the size of New South Wales. We know that Queensland, like all the States, depends upon the primary industries for its prosperity, and I am of opinion that the men carrying on those industries are entitled to every consideration in this matter. We all know that the towns depend upon the country behind them. If you make the country prosperous, you make the towns prosperous; if you take the back country away the grass will grow in the streets of the towns. Considering our large territory and the distance from the seat of government, it is only fair that those most distant should be most considered. We know very well that Brisbane could probably do without a member at all, because the members are here at the seat of government. I do not suggest that it should be so; but at the same time we know that the people here can

bring effectual pressure to bear upon the Government. This is so in regard to local government, and it is so in regard to State government. The suggestion made by the hon. member for Carpentaria that the number of members should be reduced to sixty is a reasonable one. I do not believe in this proposed reduction to forty-eight, and I do not think the leader of the Opposition is tied to any particular number. But there is evidence in the country, and in this House, that there should be some reduction in the number of members; and, if the suggestion of the hon. member for Carpentaria were adopted and a quota fixed—an even more liberal quota it might be than that fixed by the Commonwealth legislation, so that the towns would have less representation and the country more—I think it would be a good thing for the State. It is no use continuing the present system, because it is by no means tenable. It is not fair that one electorate should have 7,000 electors and another electorate perhaps 1,000 electors. Talk about the "corner-peg" vote! It was an innocent child compared to the present state of affairs; and any Government which did away with the "corner-peg" vote and substituted something much worse, should take immediate steps to remedy the evil. I intend to support the reduction of members.

Mr. NIELSON (*Musgrave*): When the leader of the Opposition was speaking he made reference to the fact that last session, when the same motion was before the House, the hon. member for Musgrave talked it out, and he hoped the same thing would not occur on the present occasion.

Mr. J. LEAHY: You have an hour and five minutes.

Mr. NIELSON: I might be able to fill in the time all right, but it is not my intention to do so, and it was not then. The motion was debated on the 2nd November last year, when apparently there would be any amount of opportunities for the motion to come before the House again. When I was speaking on that occasion I was giving one or two illustrations of the sincerity of hon. members. I had arrived at the point when I was about to quote the public utterances of one of the hon. gentleman's supporters at a meeting. It is well known that the hon. gentleman had the same thing in view as is now the subject of this motion. When he and his party were sitting on this side, they were considering the question of bringing in a Bill for the reduction of the number of members in this House. For some reason or other that Bill was not brought in. I had not the information then as to why the Bill was not brought in, but one of the hon. gentleman's supporters publicly stated that the Bill was brought up before the hon. gentleman's party in caucus, and he could not get his own party to support it.

Mr. PAGET; No. The Bill was never brought up in caucus.

Mr. NIELSON: The authority for that statement was one of the hon. gentleman's supporters, Mr. John White, who stated at a public meeting that he attended this particular caucus, and he was quite satisfied, from the attitude of the members of the party, that either the party or the Bill would have to go; and the consequence was that the Bill went. I am only quoting something that I read in the public prints.

Mr. J. LEAHY: Do you say he said that?

Mr. PAGET: He must have been misinformed, at any rate.

Mr. J. LEAHY: Do you say he gathered that?

Mr. NIELSON: No, I gathered it out of his publicly reported speech at a meeting. He said that he had attended a meeting of the party of the leader of the Opposition, and the question of a reduction of members was brought forward.

Mr. PAGET: You said the Bill.

The SPEAKER: Order!

Mr. NIELSON: It must be remembered that Mr. White was ardently in favour of a reduction in the number of members, and yet he said that he knew, when he heard the expressions of members and looked at their faces, that either party would have to go or the reduction of members would not be gone on with.

Mr. J. LEAHY: That is quite a different thing to what you said before. There was no Bill at all.

Mr. NIELSON: At all events, the question came up. I have no reason whatever to question the sincerity of the leader of the Opposition in the matter. Personally, I favour a reduction of members—not necessarily to forty-eight. I do not for one moment believe the motion is intended to confine this House to that exact number. That particular number has no doubt been selected because on a previous occasion the hon. gentleman fixed the number at fifty something, and, according to the Standing Orders, he could not bring forward the same motion again during the same session. But I am in accord with the leader of the Opposition in believing in a reasonable reduction in the number of members. Whether it shall be to forty-eight, or fifty, or fifty-two, I am not strongly concerned; but I believe in a reasonable reduction. With regard to the amendment moved by the hon. member for Barcoo, I honestly believe it would be a better thing for the State of Queensland from every point of view—from the economic point of view as well as from every other point of view—if the amendment could be given effect to. I intend to support the amendment, not because I think, even if it is carried, it will be of any effective use. I am aware that it will not be of any effective use, because no motion or resolution

[5 p.m.] carried by this House can alter the Constitution of the Legislative Council. That is a matter that is known to every member of this Chamber, but I believe it will have a moral effect tending towards that. I am not going to discuss the question of the Upper House at this stage; but I want to make myself clear in this way—that I believe the business of the State of Queensland can be more effectively carried on in this Chamber with a lesser number of members than there are at present. I am not prepared to say how many members there ought to be, because an opinion can only be formed after an exhaustive inquiry into the subject. Unfortunately, there is a notice on our business-paper regarding a redistribution of seats, and the two questions are so necessarily bound up together that one cannot discuss the present business without in some way encroaching on the other, and that I have no desire to do, beyond saying that before I could form any judgment as to the number to which members should be reduced, I should want to know how redistribution is to be effected, because the one involves the other. Therefore, whether it is forty-eight or fifty, or otherwise, is not a matter of moment, but I want to make it clear that I favour a reduction of members, and at the same time the abolition of the other Chamber. As I have stated, I have no intention of talking the motion out, but I wish to make another condition with regard to reduction of the number of members, and that is this: that in my opinion if the metropolitan representation were likely to be increased proportionately more than it is at present, having regard to the other parts of the State, then I

would rather see the number remain as it is. Now, if it is proposed to reduce the number of members, and afterwards redistribute them on a population basis—although theoretically that is quite right—still, I would not approve of it. The varied resources of this State, the number of its industries, as well as the areas of electorates, are all matters which should be considered, and although at the present time there are country electorates sufficiently large for any one member to attend to, yet there are others the boundaries of which could very well be altered, or which could be eliminated altogether, so that one member could look after his present electorate and part of another. I believe a redistribution on equal lines would tend also to the despatch of business in this Chamber. The effect would be to minimise the repetition of arguments on particular questions, and consequently tend to the shortening of debate generally.

Mr. J. LEAHY: What advantage would that be to the country?

Mr. NIELSON: It would be an advantage to the country, because every moment occupied in this Chamber is an expense to the country.

Mr. J. LEAHY: No; you are paid whether you speak or not.

Mr. NIELSON: I am not going into details, but it should be obvious to members. If for the sake of argument the hon. member for Bulloo gets us, and gives, as he often does, an excellent speech upon a subject, and if I get up and traverse the same arguments, there is more waste. I believe it would facilitate matters in that way; and if it facilitated debate and did not shorten the session, then it would add to the amount of time available for other matters. At the beginning of every session certain measures are forecasted that are never gone on with.

Mr. J. LEAHY: That is not for want of time—we are idle for seven or eight months of the year.

Mr. NIELSON: I admit that, but custom has as much say in the governing of things as rules or standing orders, and the custom has been—I do not say that it has always been observed—that the House practically sits only half the year. While there is a limited amount of time now, if the House sat all the year there would still be a limited amount of time. Suppose the House met on 1st January and continued to 31st December, it could only do a certain amount of business with seventy-two members, and I maintain it could do more business if there were fewer members, provided every member occupied some time in speaking. It might not amount to much, but it would be something. Necessarily the number of members must be fixed at something. At the present time it is fixed at seventy-two, and when it was fixed at seventy-two the number of subjects coming before this Chamber was greater than they are at the present time. We know that since federation many subjects that this Chamber had the power of legislating upon have been taken away from us—the number of subjects was lessened. I do not say there were never sufficient subjects to occupy the Chamber fully, and I do not say that such is not the case now; but the fact remains that the number of subjects is less, and I also believe, if the number of members was reduced, the amount of time available for the subjects which are left would be greater, and, consequently, more subjects could be legislated on. That is the reason why I believe in some reduction.

Mr. J. LEAHY: They are very poor reasons.

Mr. NIELSON: It may be a very poor reason, but it is the only reason advanced by the mover of the motion.

Mr. J. LEAHY: I did not hear him, but even then I do not agree with the mover of the motion if he gave those reasons.

Mr. NIELSON: I am not asking the hon. member to agree with the mover of the motion or anyone else. I think the hon. member has views on this as well as on most subjects I have heard him speak on in this Chamber. I wish to say that I shall support the amendment moved by the hon. member for Barcoo, because I believe it may have some good moral effect, if no practical result follows.

Mr. LESINA: It is only fireworks.

Mr. NIELSON: I am also thoroughly in accord with the mover of the motion, and that I believe there is room for a reduction of the number of members of this Chamber.

Mr. J. LEAHY (*Bulloo*): This matter has been before the Chamber at least on one other occasion before this evening, and I had the misfortune of not being present, or, at all events, if I was here it was only for a short period, so that I never had the advantage of listening to the speech of the mover of the motion or to the speakers who followed him, or either to the speech which was made by the hon. member for Barcoo when he moved his amendment, which is now incorporated into the motion before the House. I was here for only a short period. I did not take a wonderful amount of interest in it, because, although the leader of the Opposition, I am perfectly satisfied, is really sincere in this motion, I think it arose in his mind at a time when things were entirely different to what they are just now. It came up at the same time as it came up in South Australia, at the same time as it came up in New South Wales, and at the same time as it came up in Victoria. At that time there was a period of depression—a wave of depression was sweeping over the whole of the Australian States.

Mr. MAUGHAN: That was not the only reason.

Mr. J. LEAHY: I am not in the confidence of the Governments of the other States, and I do not know whether my friend is.

Mr. MAUGHAN: You know what the reason was.

Mr. J. LEAHY: I know the reason. The reason was that there was a general desire to curtail expenditure—that it was desirable to economise. As a matter of fact, that is the only reason that can be given.

The HOME SECRETARY: That was undoubtedly the reason.

Mr. J. LEAHY: The principal reason was the reason of economy. If it was not the reason of economy, it was the reason of more equitable representation, and that equitable representation might just as well be met by a larger representation as with reduced representation.

Mr. MAUGHAN: The hon. member never heard the cry before the Labour party became strong throughout the whole of the States.

Mr. J. LEAHY: That is not the position. It is true that that may be so, but it is only a coincidence. The Labour party were weaker when the reduction was passed in Victoria than ever they were before. If it is true that it was brought in when the Labour party was strong in the other States, then it is equally true that it was brought in when the Labour party was weak in Victoria.

Mr. MAUGHAN: I do not mean the Labour party in Parliament. I mean the people outside.

Mr. J. LEAHY: There is a proportion of Labour members in this House, and it is hardly possible to conceive that they have not a large party of supporters outside. If there is only a small party here, then they have only a small number of supporters outside. But probably the hon. member knows more with regard to that

matter than I do. I am not prepared to contradict him on that question. From what I gather from reading the papers—and I have read some of them on this subject—the only ground I could see on every occasion was the ground for economy. Since then the rule of economy has departed from the State. Where we had deficits before, we have surpluses now. I venture to say that if this reduction of members were asked for now in the improved condition of things throughout the Commonwealth, it would not be carried out. I should like the House to understand that all I have to say on this motion is not from a personal point of view. Personally, I do not care two pins for the position, as it will probably not affect myself at all. It is not a matter of very great importance to me, and any ground I take up is not on personal grounds. I dare say that if the Bulloo were abolished I would probably be able to take an ordinary chance of getting another seat. I think that in discussing matters of this kind we should leave out the personal element, and discuss it on higher and broader grounds. The hon. member for Musgrave gave some reasons why he supported the motion—reasons with which I do not agree. He told us that first we would be able to do more business if we had a lesser number of members. It does not follow that getting through more work is getting through business. You might get through more work, but you may do it badly, and work badly done is not good business. If you are legislating for a big country, then the more information you get about that country the better will your legislation be, and the less information you get, then the less likely are you able to do good work. Which way is the State going to get the greater service—which way is the State going to benefit the most? If it is desirable that we should do more work, then there is no reason in the world why we should not sit seven months in the year. The reason that we rise before Christmas is that the fifteen or twenty Bills which we generally pass have been put through by that time. I venture to say that a great many of these measures can be dispensed with. We want more common-sense, practical administration instead of this continual tinkering with legislation. (Hear, hear!) There seems to me to be in the public mind a desire that a Government is not doing good work unless it passes a certain number of Acts every year. I do not pay much attention to that aspect of the matter at all, and I told the hon. member that I thought it was a strange argument. Another argument the hon. member used was that there was very little left for this Chamber since federation took over so much work, and he said that the leader of the Opposition said so. It does not matter who said so. We have to deal with what the facts are, and deal with them first. I do not think our legislative business has been very much reduced by federation. It is true that under the Constitution Act a great number of questions have been handed over to the Federal Government, if they like to take charge of them; but they have not taken charge of them, and, until they do take charge of them, the power of looking after them is still left with us.

Mr. JACKSON: The State members do a great deal of the federal members' work.

Mr. J. LEAHY: Of course they do. The Federal Government took over three departments. They took over the Post Office. What legislation took place here in connection with the Post Office? None at all. The Estimates of that department were generally put through in half an hour. What relief do the legislators of this State get from the Post Office being handed over to the Federal Government? What relief do they get from the military being handed over? None. I do not recollect a Bill going through this House in connection with the military. I remember that, just before federation, the late Sir James Dickson went in for some expenditure to make them all colonels, thinking that the federation would pay for it. I told him at the time that they would not pay for it, but he would not listen to me, and we had to pay it ourselves. With the exception of that, I do not remember any defence legislation which took up any time in this Chamber.

Mr. JACKSON: There was a little discussion on the Estimates sometimes.

Mr. J. LEAHY: A little perhaps, but that is not legislation. Then they also took over the Customs.

Mr. MAUGHAN: There was the Federal Defence Act.

Mr. J. LEAHY: I am talking of the things that existed before federation took place and the respective position of this Chamber before federation and after. The third is the Customs. There is no legislation about the Customs except perhaps once in ten years. The tariff is fixed, and there it remains; it is not a thing to be tinkered with. Those are the three departments handed over to the Federal Government, and the handing of them over has not relieved us of one bit of work. Of course there is the contingency that legislation might have arisen upon them to a limited extent, but it is so small a factor that it is unworthy of being taken into consideration as an argument in dealing with a question of this kind. And as against that we have new industries; there has been a big development all round which is constantly requiring something in the way of legislative action.

Mr. LESINA: What do you think about the amendment moved by the hon. member for Barcoo?

Mr. J. LEAHY: I will come to that directly. I know the hon. member is anxious to abolish the Upper House, and I dare say the Upper House is equally anxious to abolish the hon. member for Clermont. But that is not what I am dealing with now. It is believed by some people, especially those outside the House, that by abolishing a few members a great saving is going to be effected. If you have ten less, it is only £3,000; and even if you saved £6,000, it would never be felt, for the money would be spent on a bridge or in clearing a road leading to a Minister's constituency, and we should hear nothing more about it. Of course, in times of crisis we make reductions where we can; when prosperity returns the principle is forgotten. Thus the late Government saved £1,000 a year by dispensing with a Minister. Immediately the present Government came into office, and times had improved somewhat, they appointed another. It has never been shown to the House that a reduction of ten or twenty members is going to be a considerable factor in the adjustment of the Treasury accounts at the end of the year. It will be a very small amount, indeed. Of course, we have to recognise what the public think. If the electors of the country think it would be a very good thing to reduce the number of members, I have no objection. It is a matter of no importance whether I go or others go. The business of the country will go on all the same. We are told we must take into consideration the reductions made in the other States. Victoria, which is only one-seventh the size of Queensland—just about the size of my electorate—has sixty-eight members now. It has only three or four leading interests. We have the same in Queensland, and many more. Victoria is covered with a network of rail-

ways and roads, and it is easily administered. With fifty members Victoria would be as well represented as Queensland with its present number. New South Wales, which is half the size of Queensland, has about 30 per cent. more members. It is the same in New Zealand, a small place compared with Queensland. Then we are told there are far too many legislative bodies in Australia; there are fourteen or sixteen Upper and Lower Houses in the various States. People who talk in that way do not recognise the conditions that exist in their own country. Look at Canada, one of the most progressive countries in the world! I had the curiosity, some five or six months ago, to look into the "Statesman's Year Book" to see what number of Legislatures and legislators they had in Canada. The population of Canada is about the same as that of the Commonwealth, yet they have fifty more legislators. The number in Australia is nearly 700, and in Canada it is about 750. That includes the Federal Parliament and the Upper and Lower Houses of the eight provinces which comprise the Dominion. That is a fact to which hon. members might direct their attention. I have hitherto been speaking generally on the subject before us, without going into details. With regard to the reduction of members, the question on what principle they should be reduced has never been referred to. I have never known anybody who occupies a high place in any country who was able to lay down logically any fixed principle on which a reduction should take place.

Mr. JACKSON: Population is one.

Mr. J. LEAHY: Population is one, and area is another, and both are important factors to be considered. But there are other factors relating to the material development of the country, and others closely associated with society, that must also be taken into account. If we say that the changes we made a year or two ago demand changes in our system of representation—a reduction of members—what reason have we to suppose that some Government may not, in two or three years' time, reduce the franchise from twenty-one years to eighteen, or less, or raise it to twenty-five? In that case you upset the whole system at once. No one can deny that the young natives of this country are very quick. They mature rapidly, mentally and physically, and there are lads of sixteen, seventeen, or eighteen who have far more knowledge of the conditions of Queensland than men who came here from somewhere else a year or two ago. Will anybody deny that? Whatever rule you may lay down will not be absolutely correct.

To say that the number of electors [5.30 p.m.] in the State is 215,000, and that in order to ascertain the number of members we should divide that number by thirty-two or fifty-two is absurd. The Senate of our national Parliament—the Federal Parliament—propose a certain amendment in the Constitution, but they do not propose to alter the representation of the States. Tasmania, with 150,000 people, has as many members in the Senate as New South Wales, which has ten times the population. Tasmanian senators have as much power in regard to federal legislation as the senators from New South Wales, who represent ten times the number of people, and yet the democracy of Australia sees nothing wrong in that. There are a variety of things to be considered as well as population in determining what the representation of a country shall be in its Parliament. The city of London has about eight members—it may be ten or twelve, I am not sure, but I think it is about eight—and Ireland has 106, and yet the population of London is equal to that of Ireland.

Mr. REINHOLD: Ireland has 103 members.

Mr. J. LEAHY: Well, it used to be 106, but that is not material to my argument. As has been stated by some hon. members during the course of this debate, where the population is closely concentrated, say within a radius of 8 miles, as it is in London, it does not require that amount of representation that a large, scattered constituency requires. That is recognised by every hon. member on both sides of the House, and such things must be recognised and looked at from a practical and every-day point of view. I represent the Bulloo, one of the most remote districts in Queensland, and the hon. member for Gregory represents another equally remote district. I consider that although I represent the Bulloo district, I am also to a large extent a representative of the city of Brisbane. If I see anything wrong down here I discuss it in the House, and I am just as anxious to get fair play for the city as the members who represent Brisbane. But the members who represent the city have not the same onus thrown upon them with regard to the constituency I represent or the constituency represented by the hon. member for Gregory. Another thing I should like to direct the attention of hon. members to is that we live in a country of remarkably changing conditions. When the census was taken in 1901 there were 1,400 adult males in the electorate which I represent and about 1,500 adult males in the electorate of the hon. member for Gregory. But why should the number of electors be taken as the basis of representation? There is as much reason in saying that population should be the basis of representation as that the number of electors should be the basis, because it is the duty of a representative to speak in Parliament for every person in his electorate, whether that person is on the roll or not. There are much stronger grounds for claiming that the basis of representation should be population than for claiming that the basis should be the number of electors. Supposing we take adult manhood or adult womanhood as the basis of representation, what would be the result? In a large district, where the population is scattered, people have not the same facilities for getting on the roll as those who live in more settled districts. Is a large district to be disfranchised on that account? Are the people who suffer the hardships and deprivations of pioneering to be also deprived of fair representation in Parliament? There were not a few men in the electorates of Bulloo and Gregory who were not on the roll when the census was taken in 1901. Had they been on the roll, those districts would have had as reasonable quota for representation as any other part of the State. Even under the present franchise, which is as liberal as you can find anywhere, there are a number of people rambling about who do not stay sufficiently long in one district to become enrolled in that district; and if they were enrolled, in two months' time they would probably be in another district. Some persons do not bother to get on the roll, but they are still producers and citizens of the State, and a member of Parliament should not take up the position that he has not to speak for that class of people simply because they are not on the roll. Such a view betokens a narrow and restricted outlook, and great ignorance of the conditions of a widespread State like Queensland. This is, as I have already said, a country of varying conditions. If during the next ten years we have seasons like we have been having during the last three years, there is no man who can measure the progress which it will be possible for this State to make. Given a series of such splendid seasons as we are now experiencing, the population of Queensland ten years hence will be, not 500,000, but 1,000,000—we shall come up to the limits of New South Wales and Victoria.

Rain is what is wanted in this State, and we are getting rain, and the prices for produce are high; our country is rich in minerals, the price now paid for copper is unparalleled, and other conditions are favourable to rapid progress. We cannot say what will be the population of some of those remote districts in the near future. Yet, in their ignorance of the possibilities of this country in the near future some persons would base representation in this House on the conditions which prevailed in drought times. A great deal of our Western country from the Gulf right down to the southern border is abandoned. There are something like 40,000 square miles of that Western country abandoned. But that country, if we have good seasons, is going to be taken up again, and if we make an adjustment of representation now on present conditions, we shall find that that basis will be wrong in four or five years' time. We must take a generous view of this matter, and see that people in districts which have suffered misfortune by the will of God are not punished for that by hasty and ill-considered legislation, or by proposals of the kind which some hon. members advocate. I have expressed my views pretty freely upon this matter, and I think it is one upon which hon. members should leave no room for doubt. I am not at all afraid to express my views upon this or on any other matter, whether introduced by the Premier or the leader of the Opposition. If I disagree with either I will tell them so. Of course there is a certain amount of party allegiance to be observed, but this is not a question upon which any party issue is involved, and we can therefore be considered to be absolutely free. Now, the women must be considered in this matter. Women are a factor which have been introduced into our legislation, and it is very desirable that they should have a say in our legislation, because they are extremely interested in certain questions, more particularly social matters.

The HOME SECRETARY: It is a lopsided interest.

Mr. J. LEAHY: But because we give them an interest in determining matters of family life and social matters, that is no reason why they should be particularly taken into account when we are dealing with the great producing interests of the State, about which some of them know no more than a jackass does about an eclipse. There are, of course, exceptions, but the great bulk of them are concerned chiefly with their domestic affairs. It is the person who has travelled and worked and been actively engaged in the great producing industries of the State who is primarily interested in them, and, without in any way reflecting on the judgment or intelligence of women, I desire to point out that they are prevented by circumstances and environment, as a general rule, from taking as active and intelligent an interest in these matters as men; nor would they be able to cast a vote upon such subjects with the same intimate knowledge as is possessed by men. There are very few women in the back country—perhaps one to every five or six men. It varies according to the district, and they might possibly have a passing knowledge of the subjects I have in view, but to advocate that 2,000 women in Toowong should dictate the policy of the country in regard to land matters or that great national question, the invasion of the rabbits, is to advocate an absurdity. You might almost as well take a vote on such subjects in the primary schools.

The HOME SECRETARY: There are hundreds of men who are as ignorant.

Mr. J. LEAHY: I dare say there are, and the hon. gentleman's interjection merely strengthens my argument. The rabbit question is a great national question involving a vast amount of intimate knowledge of the conditions of the country generally, and would it not be an absurdity to ask the city voter, who knows nothing of life outside the limits of the city, and nothing of the conditions of the great Western country, to vote and decide on that question? Is it not proper that these great interests which are of such magnitude and importance to the country should be more largely dealt with by those having the most intimate knowledge of them?

Mr. LESINA: What greater producing interest is there than woman?

Mr. J. LEAHY: This is a subject beyond and above such trivialities as those introduced by the hon. member for Clermont. There is a time and place for discussing everything, and this is not the time to discuss that question. I was saying that representation is not everything, and whatever basis you propose it will be open to some objection. One of the most eminent men England ever produced, the late Lord Cairns, Lord High Chancellor, propounded a system of representation altogether different to our present system, and which he thought would solve all difficulties, but I do not propose to enter into that now. But I do say that representation is not everything. It is only a means, and that kind of representation is the best which will give the best and most satisfactory results to the State, and no kind of representation can be considered satisfactory which does not study the interests of the great and important industries of the State. We want that kind of representation which will give the best results financially and commercially, which will give the most employment to those who are looking for work, which will bring the most trade and commerce to the thousands of people who are looking for a livelihood in the channels through which trade flows, and I think in the system we have got at present we have got as near as we can get in a country like this to a system which will give a moderate amount of satisfaction. Queensland is not the only State in which that system prevails. I have not been able to find any country in the world where it does not prevail. It prevails in the Commonwealth, though it is true there are certain limitations; but if you depart from the quota, and give to one man in one district the same voting power that you give to two men in another district, then you have broken through the principle altogether. If you are justified in making one man equal to two, you would be justified in making him equal to ten. I do not think there is anything to be gained by altering the system that we have in vogue at the present time, especially in view of the fact that we are just emerging from conditions of drought. What any system should be based on is normal conditions. We should wait for a year or two longer to see what are likely to be the settled conditions of the country, which has been depopulated in parts. Our system should be based on normal and not on abnormal conditions. Now I want to say a word on the amendment. It seems to me a ridiculous amendment. I do not know what the Upper House has to do with this Chamber at all. The fact of our passing a resolution will not abolish the Upper House any more than the Upper House can abolish us. The amendment seems to have been thrown across the track for the purpose of avoiding a direct vote on the question. I have no wish to avoid a direct vote, and I certainly shall not talk the motion out, although there are a good many more things I should like to say. I can only say what I said on a former occasion in this House, and which was not then reported. *Hansard* reports some-

times miss things. Perhaps I do not make myself clear, or perhaps my native modesty makes me speak too low. (Laughter.) I then previously pointed out that this Upper House is not an institution which the Ministry can afford to do without for a moment. Where will you get your Ministers if you abolish it? Of the thirty-four Labour members which the Government have behind them there is not a man who has brain culture enough to make a Minister. (Laughter.) They have not a man among the late Morgan party who would make a successful Minister. This Upper House is the training ground. It is the brainy House. And when we want a Minister we have to go there for him. Now, what are we going to do for Ministers in the future if we abolish the other House? Did the hon. member for Barcoo introduce his amendment so that he may have a chance of becoming a Minister, and he knows that he has no chance so long as the Upper House is there? The hon. member wants a show to become a Minister. (Laughter.) Well, I do not think he has any right to introduce personal matters in connection with a resolution like this; and, if there was no other ground than that, I should feel it my duty to vote against the amendment. I think it is in "Ulysses" that Tennyson says—

> And drunk delight of battle with my peers,
> Far on the ringing plains of windy Troy.

Well, this is not "the windy plains of Troy." It is a place where a man should get a Ministerial billet strictly on his merits; and, if he has no merits, it is not fair that he should try to get a billet by a subterfuge of this kind by doing away with the Upper House.

Question—That the words proposed to be omitted (*Mr. Kerr's amendment*) stand part of the question—put; and the House divided:—

AYES, 18.

Mr. Barnes	Mr. Hargreaves
,, Bouchard	,, Hawthorn
,, Campbell	,, P. J. Leahy
,, Denham	,, Mackintosh
,, Forrest	,, Paget
,, Forsyth	,, Philp
,, Fox	,, Plunkett
,, Grayson	,, Spencer
,, Hanran	,, Stodart

Tellers: Mr. Bouchard and Mr. Fox.

NOES, 28.

Mr. Airey	Mr. Lesina
,, Barber	,, Mann
,, Barton	,, Maughan
,, Bell	,, Mitchell
,, Bowman	,, Murphy
,, Burrows	,, Norman
,, Grant	,, O'Sullivan
,, Hamilton	,, Paull
,, Hardacre	,, Payne
,, Jackson	,, Reinhold
,, Jones	,, Ryland
,, Kerr	,, Scott
,, Kidston	,, Turner
,, Land	,, Woods

Tellers: Mr. Barton and Mr. Turner.

PAIR.

Aye—Mr. Nielson. No—Mr. Maxwell.

Resolved in the negative.

The SPEAKER: The question now is—That the words proposed to be inserted be so inserted. I shall resume the chair at 7 o'clock.

At 7 o'clock the House, in accordance with Sessional Order, proceeded with Government business.

PAPER.

The following paper, laid on the table, was ordered to be printed:—Report on the valley of the Boyne River and a portion of the valley of the Calliope River, Gladstone district, and the probable cost of a railway to Glassford Creek.

PUBLIC WORKS LAND RESUMPTION BILL.

SECOND READING.

The SECRETARY FOR PUBLIC LANDS (Hon. J. T. Bell, *Dalby*): Outside the statement of the two or three leading principles which distinguish this measure from the Act which it proposes to amend, I think I am correct in saying that it is a Bill the provisions of which are more easily explained in committee than they are in the course of a second reading speech. That, at all events, is the position which strikes me as I regard the Bill. But there are two or three new principles in it so distinct from the practice which prevails under the old measure that I shall probably be justified in indicating them to the House. This Bill is brought in to simplify the procedure, lessen the contingent expenses, and to remove the disabilities under which the constructing authority, which may be the Crown or the local authorities, may be labouring in regard to the resumption of land for public purposes. That is the object of the Bill, but, at the same time, I think I can fairly claim for it that it conserves all due interests of landowners while it recognises the paramount claims of the community. The main measure on which this Bill is founded was passed in 1878.

Mr. KERR: That is the Act we are repealing.

The SECRETARY FOR PUBLIC LANDS: That is the Act we are repealing, and it has undergone some slight amendment since, I think, in 1888. That Act was founded on an English measure passed some forty years before—"The Lands Clauses Consolidation Act." Well, since 1878 "a great deal of water has passed under bridges," and we have learnt a good deal in regard to the relationship of individuals owning land, and the general community, and we have also learnt a great deal about the defects of the principal Act in regard to giving the constructing authority power to resume land. Now, that experience has induced the composition of this Bill, but it is not only our own experience in Queensland that has guided us. We have gone to that other State which, in so many particulars, is an exemplar to Queensland—I mean New Zealand—and we have borrowed from a New Zealand Act.

Hon. R. PHILP: It is a copy of the New Zealand Act.

The SECRETARY FOR PUBLIC LANDS: It is not literally a copy of the New Zealand Act, but we have borrowed freely from New Zealand. It is New Zealand, if you like, tempered by our own experience; or our own experience tempered by New Zealand. Under the existing Act compensation, if the amount claimed is over £50, is fixed by arbitration; and if the award is over £300, then there is the right of going to the Supreme Court and a jury.

Mr. J. LEAHY: £500, I think.

The SECRETARY FOR PUBLIC LANDS: No; £300. There is also in that Act a difference as compared with this Bill which is most important, and it is this: Under the existing Act the land proposed to be resumed does not vest in the constructing authority until either the purchase money or the amount awarded as compensation has been paid. Under this Bill the land resumed will vest within

a certain period after the decision is taken to resume it. After a survey has been made, and the proclamation provided in clauses 7 and 8 of this Bill has been promulgated through the *Gazette*, the title to the land proposed to be resumed will thereupon vest in the constructing authority, and the matter to be subsequently decided is entirely one of compensation to the owner or owners from whom the land has been taken. The advantage of that is this—that under the present Act a period of twelve months, and sometimes, I think I am right in saying, even a longer period may elapse after the constructing authority decides that in the public interests it is necessary to resume the land. A period of twelve months under the mode of procedure which now prevails might pass away before the constructing authority is able to take possession. Under this Bill that is remedied, and probably a period of not much longer than five or six weeks will elapse before the constructing authority is able to take possession. That, of course, does not really interfere unduly or unfairly with the owner or owners, because the whole matter is subsequently decided by a competent court with regard to the compensation to be paid. But it is right that I should point out to the House that that is one of the salient features of the measure.

Mr. J. LEAHY: What is the salient feature?

The SECRETARY FOR PUBLIC LANDS: It is not the most salient feature, but it is one of the two or three prominent features of the Bill, that the title of the land vests in the constructing authority much more rapidly than it does under the existing Act. I heard the hon member say that he had not studied the Bill, and I would just remind him that, after the constructing authority decides to take the land, they make a survey of it. They have full power to do that, and they make an announcement defining the area they are going to take, and any subsequent action on the part of the owner of the land is provided for.

Mr. J. LEAHY: You say that the salient feature is with regard to rapid possession?

The SECRETARY FOR PUBLIC LANDS: Yes; that is one of them. Now, in regard to the tribunal that at present has to decide what compensation is to be paid to the owner: Up to £50 justices can act; over £50 abitrators come in, and if the award is over £300, there is a reference to the Supreme Court with a jury. Now those alternative courts or tribunals, allotted as they are according to the amount of compensation claimed, give the claimant a distinct call in regard to the tribunal before which he decides to go. He has, so to say, the choice of weapons, and it has been found in actual operation, whether it be the Crown or a local authority, that under the apparently simple procedure of going to the courts of increasing status, as the amount of compensation rose, a great deal of hampering practice could be put into force to block and interfere with the public interest. In regard to occupation I may mention that the title in the land does not pass under the Act in force until the amount of compensation fixed by the tribunal, or the purchase money agreed on, has been paid. If the man who owns the land—whom we may call the claimant—is averse to parting with his interest in the land, he can adopt measures which will materially lengthen the proceedings and prevent the constructing authority coming into possession. Under the Act it is necessary that two arbitrators should be appointed. The constructing authority appoints one, and the claimant appoints the other. These two arbitrators, if they are unable to come to an agreement, can appoint an umpire; but if the claimant is not disposed to agree to the transaction he can delay the appointment of the arbitrator on various excuses for a long period; at any rate, that has been our experience.

Mr. J. LEAHY: Does not the Act give the court the right to name one for him?

The SECRETARY FOR PUBLIC LANDS: No.

Mr. HAWTHORN: Yes, after seven days.

The SECRETARY FOR PUBLIC LANDS: If he does not name an arbitrator?

Mr. HAWTHORN: Yes, after seven days the Governor in Council may appoint one.

The SECRETARY FOR PUBLIC LANDS: What section is that?

Mr. HAWTHORN: Section 37. That is provided for where a railway comes in.

The SECRETARY FOR PUBLIC LANDS: This has nothing to do with railways. The Act I am referring to does not give that power, and the hon. member will find that the claimant can protract the proceedings materially.

Mr. J. LEAHY: He can protract them, but only for a time.

The SECRETARY FOR PUBLIC LANDS: Of course. I am glad that the hon. member and I agree there. Now, even when it gets to the stage that arbitrators are appointed, we find that the proceedings before the arbitrators—whom, of course, have to be specially paid, both the arbitrators and themselves and the umpire—are expensive proceedings, and they are sufficiently prolix. It is generally recognised by the constructing authority, whether it is the Lands Department or a local authority, that the course of arbitration in connection with land resumption is an unsatisfactory state of things. And it is the experience of the department that rather than resort to the expense of arbitration over a trumpery road case, the compensation for which a fair thing would be not more than £10, and where the owner puts in an exorbitant claim, the department pays compensation which they know is really more than the circumstances justify them.

Mr. J. LEAHY: That often happens in the case of railways.

The SECRETARY FOR PUBLIC LANDS: Yes; and there are one or two notorious cases in connection with railways.

Hon. R. PHILP: Then why leave railways out?

The SECRETARY FOR PUBLIC LANDS: It would involve an amendment of the Railways Act. I candidly admit that it is a question whether the railways ought to be brought under this Bill or not.

Hon. R. PHILP: In nine cases out of ten it is for a railway that the land is wanted.

The SECRETARY FOR PUBLIC LANDS: The railways are run by their own Commissioner, and he has not made any demand for it. I am dealing with the Bill as it affects my own department, although I see no good reason why the resumption of land for railways should not come under this Act.

Mr. PAULL: Does not subsection (ii.) of clause 4 apply to railways?

The SECRETARY FOR PUBLIC LANDS: No. Let me give a concrete case on the point I am arguing—a concrete illustration of a departmental experience. In this case the Crown resumed 14 perches of land for a road, 85 links only in length, which damaged, by severance, an area of 15 perches. The Crown estimated that the compensation due was £1, but to save costs offered £5. The owner claimed £135, and the matter had

to be referred to arbitration. The arbitrators disagreed, and the umpire awarded £22 2s. compensation, and £71 12s. 11d. claimant's costs, in addition to which the department was at an expense of £22 2s. for expenses incurred—a total of £93 13s. 11d. In another case the award was £250 12s. 3d. compensation and £158 16s. costs. The award, in the opinion of the local authority interested, was so excessive, and the attendant costs so great and out of proportion to the benefit to be derived by the public by the opening of the road, that it was forced to the position of asking the owner to consent to a stay of proceedings, and, to avoid the award being made a rule of court, had to pay a large sum and enter into an agreement not to renew resumption proceedings at any time. What is the process we propose to substitute for arbitration? We propose to substitute a tribunal who are not to be paid arbitrators' fees, but a tribunal who are already enjoying salaries fixed by Act of Parliament, and who have time to deal with the work which this Bill will put upon them; I mean the Land Court.

Mr. HAWTHORN: Is it proposed to increase the court?

The SECRETARY FOR PUBLIC LANDS: Not at all, as far as I am aware. There is a considerable margin between the human endurance of the court and the exertion which will be necessary to deal with cases under this Bill.

Mr. J. LEAHY: Are you going to import some legal knowledge into the court?

The SECRETARY FOR PUBLIC LANDS: Well, I am not a candidate; I can tell the hon. member that, although, upon my word, far more unlikely things have happened in this world than finding the hon. member and myself on that Land Court. (Laughter.) It never occurred to me, I confess, until this moment.

Mr. J. LEAHY: At any rate, we would form two-thirds of a very competent tribunal. (Laughter.)

The SECRETARY FOR PUBLIC LANDS: I do not think that many people will seriously argue that having, as we have now—and let me remind the House that that was not the case when the original Act was passed in 1878—a Land Court competent to deal with those matters—I do not think anybody would suggest that it would be a mistake to substitute a tribunal of that kind for arbitration. I do not think that will be seriously argued. What I admit may, at all events, be a more arguable matter, is the deprivation which this Bill proposes of the right to go to the Supreme Court and a jury. The Supreme Court is an august tribunal, but it is an expensive tribunal, and I venture to think that in the matters that this Bill deals with is not one whit a more competent tribunal than the Land Court. The Land Court consists of men who are appointed with a knowledge of land values. I will not say absolutely appointed with a technical knowledge of all the details that this measure relates to; but, at all events, they are a body who have to do in their daily work with the value of land. That will be the chief business of a tribunal such as this, and from their experience I submit it is a fair thing to estimate that they will be rather better qualified to deal with the work of the Bill than even the judges of the Supreme Court. And certainly, although as British subjects we are very proud of juries, and know how largely the jury system looms in any record of British liberties, yet certainly, so far as relates to the matters in this Bill, I think we are far more likely to get a correct decision from a single member of the Land Court, or as this Bill provides, on an appeal to a District Court judge and the remaining members of the Land Court, than we are from a Supreme Court judge and a jury.

Mr. J. LEAHY: You would not say that if you were addressing them. You would say they were the palladium of British liberties.

The SECRETARY FOR PUBLIC LANDS: There is no doubt we suit our conversations and our observations to our company. I have no doubt I should not say so if I was addressing them. It would be extremely rude as well as extremely foolish. I am speaking in a Chamber where we always speak the truth.

Mr. P. J. LEAHY: Is that a true statement

The SECRETARY FOR PUBLIC LANDS: I confine my observation to this side of the House. (Laughter.) One great merit of this Bill is that it is a much shorter measure than the original Act. My explanation of that is this: that in the old measure the sections relating to arbitration are numerous and elaborate, and provision was also made for railway resumption. That has been rendered unnecessary by the Railways Act. In addition, also, the conveyancing clauses of the old Act are much simplified in this Bill, as hon. members will find on referring to them. It is not only—and it is well for hon. members to remember—the Lands Department, or the Crown, that are concerned in this Bill. The constructing authority embraces harbour boards, water boards, electric lighting bodies, as well as actual local authorities, such as municipalities and shire councils. As we go through the Bill in detail, which I may as well reserve to the committee stage, we shall find a number of minor alterations; but the two guiding principles are the substitution of the Land Court for abitration, and the Supreme Court, and that the title of the land to be resumed rests in the constructing authority on the proclamation that is made following the survey of the land proposed to be resumed.

Hon. R. PHILP: Before they pay for it?

The SECRETARY FOR PUBLIC LANDS: Yes; before they pay for it. That is one of the distinctions between this Bill and the original Act.

Mr. J. LEAHY: Suppose an insolvent local authority resumes land?

The SECRETARY FOR PUBLIC LANDS: Is there such a body? I am not aware of any.

Mr. P. J. LEAHY: Does Dalby pay its debts?

The SECRETARY FOR PUBLIC LANDS: If the hon. member makes any allusion to Dalby, I shall allude to Warrego, and, perhaps, make the hon. member blush.

Mr. P. J. LEAHY: You can't say anything against the Warrego.

Mr. J. LEAHY: Dalby has not paid that debt which it has owed for thirty years.

The SECRETARY FOR PUBLIC LANDS: I believe the position of the Dalby finances now is satisfactory to the Treasury, at all events. I am sure that hon. members will [7.30 p.m.] see the wisdom of a proceeding of the kind laid down in this Bill. The owner of land has still got his right to compensation, and he can go to this tribunal and ask for compensation for the land or property of which he has been deprived. He is still entitled to compensation, as he is under the original Act, but instead of the constructing authority being prevented from entering into possession of the land until the claim for compensation is settled, they acquire the land at a very early date comparatively, after the survey is made and proclaimed; and all that has to be settled afterwards by the Land Court is the amount of money

to be paid. Those are the two chief features of the Bill, and I think they make this Bill a very practical measure. Our own experience has shown that something like this is essential, and our experience is corroborated by what has been done and what is being done in New Zealand in the same direction. I have, therefore, great pleasure in moving the second reading of this Bill.

HON. R. PHILP (*Townsville*): This Bill looks much more formidable than it really is. It does not apply to land to be acquired for railway purposes, and, after all, the greater part of the land resumed by the Government is for railway purposes. If it is a good thing for the Lands Department to acquire land under this Bill, it should also be a good thing for the Railway Department to acquire the land it requires under its provisions. I can hardly understand the necessity for bringing in a measure like this in view of the statement made by the Minister, because in nine cases out of ten the land resumed by the Government is for railway purposes. One thing I must congratulate the Minister upon, and that is his renewed confidence in the Land Court. After all that has been said about that court in the Press, the members of the Land Court must feel complimented to learn that again they have the entire confidence of the Minister. This Bill is certainly a step in the right direction, in that it takes these matters away from the Supreme Court, arbitrators, and lawyers, and puts them into the hands of the Land Court. Anyone can appear before the Land Court, and that is a step in the right direction. As far as I can see, in drafting this Bill the Government have simply pieced together portions of the New Zealand Compensation Act, a little of the Victorian Act, and something of the Commonwealth Act. I do not know that New Zealand Bill draftsmen are more competent than our own people who drafted the Act of 1878. In that year we had a splendid House. Some of the finest men we had in the State were in the House at that time, among whom was the gentleman who is now Chief Justice of Australia, who drafted all the Bills passed by Parliament. I venture to say that we do not put through Bills now as well drafted as those which were drafted by that gentleman.

The SECRETARY FOR PUBLIC LANDS: You could not get a man to do the work better than it is done by the Parliamentary Draftsman.

HON. R. PHILP: He does the work exceedingly well, but he does not put the Bills through the House. There is no doubt that when Sir Samuel Griffith was in the House, whether in Opposition or on the Treasury bench, he took as much trouble in getting a Bill through the House as the Minister who was in charge of it, and I am satisfied that the Act which he passed is just as good as this is, and that he knew just as much of the needs of the State as any man in the House.

The SECRETARY FOR PUBLIC LANDS: We have had twenty-eight years' experience since then.

HON. R. PHILP: That is so. But one point I desire to make is that nine-tenths of the money paid as compensation for land has been paid for land resumed for railway purposes. I think the Minister should reconsider this matter, and see whether cases in which land is required for railway purposes should not also come before the Land Court. It is a tribunal in which the people of the State have thorough confidence, notwithstanding the adverse criticism to which it has sometimes been subjected. From the time the first Land Court was established in 1884 up to the present, the Land Court has enjoyed the confidence of the majority of the people of this State. I am pleased that the Minister has so much confidence in that tribunal as to place this matter in their hands, instead of in the hands of arbitrators. Another point to which I wish to refer is in connection with the provision that land may be acquired by local authorities before it is paid for. It is all very well to put that power into the hands of the Government, because the Government are good at any time, but some local authority may acquire land, and may not be able to pay for it, and in that case the owner could not get the land back. It is possible that a local authority may acquire land for which they could not pay.

The SECRETARY FOR PUBLIC LANDS: Has that ever occurred?

HON. R. PHILP: I do not know that they have ever taken land before they paid for it. Hitherto they have always paid for land before they got it, but under this Bill they will be enabled to acquire land before they pay for it.

Mr. CAMPBELL: They have borrowed money from the Government to pay for land.

HON. R. PHILP: But, then, they have always paid the money before they got possession of the land. I think provision should be made for a guarantee of payment for any land that is taken by a local authority, because it is just possible that cases may occur in which local authorities may take land when they are not in a position to pay for it. What would happen then? Would the man get his land back again? It has passed out of his hands altogether, and, as the Minister says, as soon as a proclamation is issued the land ceases to be owned by the former owner. I think if that is done the Government ought to guarantee payment. I can understand that in building a railway the compensation is very often not paid until after the railway is built, but the owner knows that the Government are good for the value of the land. It is quite different, however, with local authorities. We have some local authorities that cannot pay their way. The Secretary for Lands himself represents one, and I think I know another. The Minister will therefore see the position in which the unfortunate landowner would be placed in such a case. I certainly think that if the landowner does not get paid he should be able to get the land back. In other respects, as the Minister says, this is more a Bill which can be dealt with in committee. I have not heard of many hardships under the old Act. It may take a little longer to acquire the land, but I would strongly advocate one tribunal to deal with all lands to be acquired. The Land Court is the best judge of the value of land, and that should be the tribunal to settle all disputes over compensation. This Bill only applies to little bits of land required by the Lands Department, and that is a very small thing altogether I venture to say that, for every £100 worth of land required in that way, £1,000 worth would be required by the Railway Department, and I see no reason why that land should not be dealt with under the Bill. If we apply the Bill to railway lands, there would be some sense in bringing it in, but if it is only applied to the small dealings of the Lands Department and local authorities, then it is waste of time. I am sure the Minister will know of one or two cases in which local authorities are not solvent.

The SECRETARY FOR PUBLIC LANDS: They are only insolvent in regard to their indebtedness to the Government.

HON. R. PHILP: I think I could name some that are not solvent.

The SECRETARY FOR PUBLIC LANDS: Apart from what they owe the Government?

HON. R. PHILP: Well, the Government might foreclose upon them at any time, and the

unfortunate landowner, having lost his land, would not be able to get his money. If you give the local authority power to take land, then there should be some guarantee behind them that they will pay for it after the award is made. In committee we can discuss these matters in detail; but I strongly recommend that the Bill be applied to lands taken for railway purposes. Otherwise it is waste of time passing it.

Mr. HAWTHORN (*Enoggera*): I think the principle of the Bill is a very good one, and I agree with the leader of the Opposition that railway lands should be included. There is no doubt about it that in the past the large bulk of the cases have been railway arbitration cases, and those are the cases in which there is the most room for the contracting authority to be let in heavily. Under the old system, the question of the multiplicity of courts was a serious drawback. A dissatisfied person went before the Supreme Court and a jury, and in every case the jury is undoubtedly with the private person, and as a result the contracting authority has had to pay heavily. The result has been that in many cases the constructing authority, rather than go to arbitration or risk the Supreme Court, has paid a great deal more than the value of the land. The question of the possibility of the constructing authority being insolvent is rather remote, because I do not know of any local authority that has been insolvent. They may be temporarily unable to meet their responsibilities, but if the proper amount of rates are put on they can easily do so. It is more from the fear of incurring disfavour with the ratepayers than anything else that the councils have not met their liabilities. Further than that, I look upon it that in clause 7 there is a safeguard, because the Governor in Council, before giving the constructing authority power to resume land, has to have satisfactory evidence that provision has been made for the payment of the compensation that will probably be awarded for resumption. I think the Government before allowing a resumption would see that the constructing authority was either able to pay the necessary compensation, or had actually made provision for paying it. So that I think the risk is very small.

The SECRETARY FOR PUBLIC LANDS: As a matter of fact, the danger is largely an imaginary one.

Mr. HAWTHORN: Arbitration proceedings in the past have been very unsatisfactory except for the man who gets a big amount awarded to him. To the constructing authority the result has been far from satisfactory, whereas under this measure if the matter goes before the Land Court, which is composed of experts in the matter of land values, they will be able to fairly assess the value. The only point that occurs to me is that the Land Court as at present constituted will hardly have time to undertake any large number of arbitration cases. As far as I can see, their hands are pretty full now in determining values under the 1902 Act and other Acts, and I fancy that a new appointment will be necessary in order to cope with arbitration cases. The matter of immediate resumption will certainly lead to a saving, and a very desirable one. In the past a very large amount of delay has occurred through the proceedings being prolonged, with the result that the constructing authority has had to defer taking action until compensation has been paid. That cannot arise under this measure, and I do not think that owners will be in any way prejudiced, because immediately the constructing authority has given notice, the persons concerned can go before the court and get an award as soon as possible. The mere fact of taking the land in the meantime will not affect the rights of owners in any way. The Bill seems to be a very good one, but I certainly think it would be much better if the whole question of compensation, including compensation in regard to railway construction, were included within the scope of the Bill; and I hope that before the Bill gets through this Chamber the Minister will see his way to amend it in that direction.

Mr. J. LEAHY: I confess that I have not looked into the details of the measure as much as I should like; but I have listened attentively to the speech of the hon. gentleman who introduced it, and I cast my eye over the different clauses which he indicated were important, and the marginal notes, and, as I have some little experience in matters of this kind, probably I am able to grasp the leading features of the Bill in a shorter time than might otherwise be possible. I have no objection whatever to the Bill. I think, however, that to say that one has no objection to a thing is not always to say that one approves of everything in it. There may be things quite harmless in themselves, but which it may not be advisable to pass. The Minister might have indicated what the scope of the Bill will be, and whether there will be any great volume of work in connection with it. There are some rather sweeping provisions in the Bill, such, for instance, as clause 23, which deals with the determination of appeals by the Land Court, and gives that tribunal power to determine all matters of compensation. Then clause 29 provides—

> If the land in respect of which compensation is awarded or has been agreed to be paid is subject to a rent-charge or annuity, the court shall, upon application by the person entitled to such rent-charge or annuity, determine what part of such compensation shall be paid to the person so entitled in redemption thereof.

Now, there may be a number of persons interested in a particular piece of land, and, while the Land Court is highly qualified to decide the value of the land, it will be quite a different matter to decide what part of the compensation awarded shall go to each of the four or five different parties.

The SECRETARY FOR PUBLIC LANDS: You must remember that there is a judge of the District Court on the tribunal.

Mr. J. LEAHY: I know there is a Land Appeal Court.

The SECRETARY FOR LUBLIC LANDS: There is also a reference to the Supreme Court on points of law.

Mr. J. LEAHY: Of course, you cannot take away the common law rights of any man. Subsection (6) of clause 23 provides—

> The decision shall be final as regards the compensation awarded, but shall not be deemed to be final as regards the right or title of the claimant or any other person to receive the compensation, or any part thereof.

The decision is final with regard to compensation; but I submit it cannot be final on points of law.

The SECRETARY FOR PUBLIC LANDS: That only has reference to the matter of compensation.

Mr. J. LEAHY: The Land Court may be, as I said, highly qualified to say what the value of the land is, but it may not be so highly qualified to say what is the value of the interest of the different persons interested in a piece of land. I am told there is a District Court judge on it. I have appeared before the Land Appeal Court once or twice. (Laughter.) I have never been before a court in the sense in which some persons have.

Mr. P. J. LEAHY: You were paid for being there.

Mr. J. LEAHY: But it must be remembered that the District Court judge is only one member

of the court. Two other members may override him on questions of fact, at all events, and it will be a question of fact as to the relative amounts to be paid to four or five conflicting claimants; and, excellent as the tribunal is in matters of fact in a great many matters, I do not believe in taking away a right. I am not saying anything against the Land Court, but their powers are circumscribed. We must not take away rights—complicated rights involving intricate questions of law—and hand them over altogether to the Land Court in matters in which they have no experience. They are not trained to deal with these questions, although I must confess that some of the members of that court have a very excellent tendency in that way. There is another power given here which is rather arbitrary—it is conferred in clause 32; but, seeing that full compensation has to be given, perhaps no harm will be done under it. That clause gives power to the constructing authority to temporarily occupy and use any land for the purpose of constructing or repairing any works. I cannot conceive of the Government or any local authority entering upon any premises or land for the mere purpose of irritating or to inflict an injustice on the owner. The Government are responsible to Parliament and to the country, and a local authority is responsible to its ratepayers, so that it is not likely either will act arbitrarily under the provisions of this clause. I see it is proposed to hand over to the court one of the most intricate things imaginable—that is the power to close roads. It is proposed in clause 25 that the Crown may hand over to the person from whom any land is taken any Crown land, and may for such purpose close any road, and the parties may go before the Land Court to assess the amount of compensation. Surely the Minister will admit that that is a very large power. It is true that the bulk of cases which will come before the court may relate to roads which are littte used, but all the same it is a sweeping power. The law requires notice to be given and certain formalities to be observed before any road can be closed. Indeed, some persons go so far as to say that it is doubtful whether a road can be closed at all—whether you can take away the rights of the people to that extent. However, that is rather beside the question. I merely draw attention to the fact. While I am glad to see that the Government have confidence in the Land Court, still we do not know whether we are not going to have this court for ever. Some of the members have been there a fairly long time, and they may be going any time. Two of them may be going this year, and, notwithstanding the assurance the Secretary for Lands gave the House a while ago, we have to bear in mind that we must not altogether judge as to the prospects of this measure being satisfactory by the present occupants of the position.

The SECRETARY FOR PUBLIC LANDS: We always talk about the court impersonally.

Mr. J. LEAHY: I know the Supreme Court is the body before whom the matter has to be decided as far as questions of fact are [8 p.m.] concerned. The Minister expects the court to be satisfied with the view they take in questions coming into conflict with his opinion. In the appointment of new men I do not think he would select men who would be swayed by partiality; but it is a common thing in public life for the highest officer in the world to be influenced. The hon. gentleman in charge of the Bill will follow me when I say that the Supreme Court of the United States ranks among the leading tribunals in the world, and we know that great constitutional questions have to be settled by a majority. Take the case of the greenbacks being a legal tender in 1871, in which a decision was given by five judges against the Government. One of those judges who formed the majority died afterwards, and there were only four. They passed an Act which increased the number of judges from eight to nine; then they had two judges to make up, and they selected two judges to fill the position who gave a decision in favour of the Government, reversing the former decision. They did not select the two immediately who carried out this decision because the Government wanted them to do it. They selected men whose position they knew in advance, and men who gave their decision in an honest manner. The hon. gentleman in selecting men to fill positions on the Land Court would probably not select men who bent their judgment before him, but men whose judgment he knew on a particular subject in advance. For instance, the hon. gentleman might possibly decide to select the hon. member for Clermont. (Laughter.)

The SECRETARY FOR PUBLIC LANDS: He would not be likely to be influenced by me.

Mr. J. LEAHY: Very likely not, and the Minister would get rid of him. I think you will recognise at once that if he acted in an inconsistent manner, he would not be doing it because the Minister wanted him to do it, and yet be arriving at the result just the same. In regard to that point there is this much to be said against it: that whether it is a Government or a Land Court, or a Supreme Court, they cannot continue long to do wrong things—things which are opposed to ordinary common sense.

Mr. HARDACRE (*Leichhardt*): Like the hon. member for Bulloo, during the past week my attention has been occupied with much more painful matters than the study of a Land Bill. The impression left upon my mind by the Bill at present is this: I am by no means satisfied that it is going to be an improvement on the existing system. I am sorry I was not here to hear the Minister give his reasons for the alteration of the present method by substituting the Land Court. I would like to know what has happened to induce the change which he has brought down. I believe, notwithstanding what the hon. member for Enoggera says, that the system of arbitration has, on the whole, worked very well.

Mr. J. LEAHY: You are not going to get any Arbitration Bill.

Mr. HARDACRE: As far as that method of resuming land for Government purposes is concerned, no doubt the Government have paid too much at times, but I believe it was a very elastic, simple, and less costly way of settling the question than what is proposed under this Bill. This new system of submitting the matter to the Land Court, having an exhaustive examination of witnesses, and all the rest of it, no doubt is a much better way when it affects properties of large values. I can understand it being applied in such cases as that, but the proposal is to apply to all cases of resumption, whether by the Government or local authorities, or whether the property is of large or small value. If it is going to apply to all kinds of property, in a large State like Queensland, it is liable to become, in many instances, an instrument of oppression. Take, for instance, the purposes for which land can be resumed for local purposes by local authorities; the proposal is that the local body shall be able by proclamation to seize upon land, and then let the owner go and whistle, as it were, for payment, until he can undertake the cost of going to the trouble and delay of bringing the matter before the Land Court. He may, for all we know, have to come down to Brisbane from Camooweal, Springsure,

Longreach, or Croydon, with regard to some small portion of land, and the cost of proving his claim might be more than the land is worth.

Mr. HAWTHORN: The court will be a movable one.

Mr. HARDACRE: I recognise that.

Mr. J. LEAHY: It will come on in the ordinary way, like the improvements on a grazing farm.

Mr. HARDACRE: The court in the first instance is composed of one member, and in that case a single member may travel about as at the present time.

Mr. J. LEAHY: The Land Appeal Court travels about the country.

Mr. HARDACRE: I admit it travels on occasions, but less frequently. Members know the long delays which occur in the assessing of improvements, or compensation, or in case of the reassessment of runs. Sometimes it takes six, nine, or twelve months before such a thing happens. In a case of such long delay, the owner will be deprived of his property, and will not know when he will get compensation or to what amount. I think the process ought to be reversed; that the claim should be served by the contracting authority on the owner before the property is taken, or else the operation of this measure should apply only to properties of a larger value than a certain stipulated sum. We know that in ordinary civil matters claims for small amounts have first of all to be dealt with by small local courts, and can only go to the higher courts when of a very important character —over £300.

Mr. FORSYTH: Up to £200.

Mr. HARDACRE: I am not sure, but I am just dealing with the principle. I make that suggestion now in order that it may be dealt with at the committee stage. In the meantime, I do not think that the Bill is going to be an improvement on the old Act.

Mr. TURNER (*Rockhampton North*): I think that this Bill is a step in the right direction, and it is one that has been wanted by local authorities who want to resume small areas of land. I have in my mind a case where the price asked from the local authority for the resumption of a small area of land was excessive. I am speaking from memory, but I believe that I am correct. The first intimation I had of this was in December, 1904, and owing to the delay from the agent of the owners asking for an excessive price for the land, and refusing to come to a settlement, the resumption of the land was unable to be made. This resumption was wanted for the purposes of making a road to farms in which a number of settlers were waiting to occupy, and owing to the delay that has been caused, all this time has been wasted—from December, 1904, up till the present day. I do not know whether there is any hope in the immediate future of that land being resumed so that these people can occupy this land. I shall have very much pleasure in supporting the second reading of the Bill.

Mr. BOUCHARD (*Brisbane South*): I certainly think that the provisions in this Bill are an improvement on the law at the present time regarding resumptions. At the same time, I think there are one or two matters that perhaps it would be as well to refer to on the second reading in order that the Minister might consider them. I certainly think that the owner from whom land is taken should, in the event of his being unable to come to any agreement with the constructing authority as to compensation—he being, by reason of the action of that party, compelled to substantiate his claim—be entitled to full compensation for all costs and expenses which he may have incurred in connection with the proving of his claim. There is no provision in the Bill with regard to that, although there should be. Then section 8 says that when the period has elapsed provided by the proclamation, the land becomes absolutely vested in fee-simple in the constructing authority, discharged from all trusts, obligations, mortgages, charges, rates, contracts, claims, estates, or interests of what kind soever. That is certainly a very drastic provision, and I think there might be something inserted in that clause to include the payment of the compensation. The provisions of this Bill will be extremely valuable to local authorities. It will enable them to avail themselves of its provisions in executing works which are necessary within the local authorities area, and obtain land for their purposes at a minimum expense.

Mr. SOMERSET (*Stanley*): I think that in the case of roads especially, local arbitration in the first instance might tend to hasten matters. I am afraid that considerable delay might be caused by awaiting the consideration of the court. I would suggest that if the parties concerned cannot agree, they should refer the matter to arbitration in the first instance, and if that fail, the matter should go on to the Land Court. Of course it is for the Minister in charge of the Bill to say whether he thinks the suggestion is worth anything, and it might be considered in committee. Otherwise I do not object to the Bill.

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

The committal of the Bill was made an Order of the Day for to-morrow.

RAILWAYS BILL.

COMMITTEE.

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

On clause 2—Repeal of 59 Vic. No. 17—

HON. R. PHILP: The Bill provided that any railways built under it should pay 4 per cent. The Act they were asked to repeal provided that they should only pay 2 per cent. The Minister might tell them why he thought people would more readily pay 4 per cent. than 2 per cent.

The PREMIER: They get the railway in the one case; they did not get it in the other.

HON. R. PHILP: The Railways Guarantee Act was passed in 1895. During the first eight years, at all events, he did not know of any refusal to build lines under that Act. The Minister had told them that there were 300 miles of railway waiting to be built under this Bill. Would he inform the Committee where those railways were?

The SECRETARY FOR RAILWAYS (Hon. D. F. Denham, *Oxley*): The Railways Guarantee Act had been in existence for over ten years, and only four lines had been built under it. Since the present Bill passed its second reading quite a large number of districts had made application for lines to be built under its provisions. No doubt it was more agreeable to pay 2 per cent. than 4 per cent., but there was the fact that during the ten years' operation of the Railways Guarantee Act only four lines had been built under it, whereas since this Bill was introduced there had been a very strong request from various districts for the construction of a railway line. The first he would mention was a line to Taroom, either from Miles or from Chinchilla. The local authorities of both districts had intimated their desire for the line.

Hon. R. PHILP: That is nearly all Crown land.

The SECRETARY FOR RAILWAYS: A large proportion was, but it was one of the chief attractions of the Bill that under it the Government land would be sold at its ordinary value without considering the enhancement the line would give to it. The ratepayers in the betterment area would make up any deficiency between earnings and the interest and working expenses. Settlement would be encouraged by selling the land at its normal value. Then, again, at Cooyah and Evergreen, both those districts had urged the construction of a line on that principle. He was in that district along with the senior member for Toowoomba, who, although at first a little doubtful as to the operation of the Bill, was deeply impressed by the repeated requests from centres in that neighbourhood. Then there was a railway from Pialba to Urangan Point.

Mr. LINDLEY: Who is going to pay for that?

The SECRETARY FOR RAILWAYS: The municipality of Maryborough had intimated their desire to join with the Pialba Shire Council in any liability with respect to that. Then there was a line towards Dalgangal, either from the Mount Perry extension or from Gayndah, the objective being Dalgangal.

Hon. R. PHILP: That is Crown land.

The SECRETARY FOR RAILWAYS: The principle was just as good. Instead of imposing a perpetual liability or 5 per cent., it was far better that people should have the land cheap and be liable for any loss on the railway. Other lines asked for were in the Woongarra district, from Mount Morgan to the Dawson coalfield, and from Cordalba to Booyah. They were having a survey made now from Atherton to Evelyn Tableland, and the people of that district desired to have that line brought under the [8.30 p.m.] provisions of this Bill. Then, there were two other lines which were sought to be brought under the provisions of this guarantee Bill—the extension from Warwick to Maryvale, and the line towards Goomburra. Mr. De Conlay and another gentleman, who came to him about the matter, intimated that they would be agreeable to come under this Bill, if they could not get anything better. There was a long list of lines, comprising 300 miles. He was satisfied that railway extension would be more active in Queensland during the next few years than it had been for many years past. Other districts were asking for surveys or inspections to be made, but the districts mentioned had intimated that they were willing to come under the provisions of this Bill. They recognised that it was better to have a railway on the principle laid down in this Bill than to have none at all.

Mr. J. LEAHY: Why stop at these lines? Why not apply the principle to all State lines?

The SECRETARY FOR RAILWAYS: There would be great difficulty in making it apply to lines which had already been constructed. If the Committee were prepared to agree to zone railway rates, then it would not only meet the shortage which now prevailed on the railway lines, but would enable them to adjust railway freights to any price they liked. If that was the wish of the Committee, the matter could be considered.

HON. R. PHILP: There was no doubt that the people interested in the construction of a railway from Miles to Taroom would be willing to have that line built under the provisions of this Bill, because nearly all the land there was Government land. But what about the construction of lines in districts where the land might never be sold?

The SECRETARY FOR RAILWAYS: The line would never be constructed.

HON. R. PHILP: Would the Minister wait until the land was sold?

The SECRETARY FOR RAILWAYS: No; but unless there is a probability of land being required for settlement the line will not be constructed.

HON. R. PHILP: Was the land near Taroom likely to be required for close settlement? He contended that the mode now in existence for the construction of railways under the guarantee principle was preferable to the mode outlined in this Bill. To show how anxious people were to have lines built on the guarantee principle, it was only necessary to mention that only four lines had been built on that principle in Queensland up to the present time.

Mr. GRANT: You refused one.

HON. R. PHILP: Because the guarantee was not satisfactory.

Mr. KENNA: You refused the Bowen line.

HON. R. PHILP: That was a different thing altogether, as it was a line which was competing with an existing railway. Of course, people living in a township where the value of the land did not amount to many thousands of pounds would be willing to give a guarantee under this Bill, but it would be no advantage to the State to build a line in places where there was no probability of settlement. The principle laid down by the late Government was that people in closely settled districts could get a line on guaranteeing 2 per cent., or that they could borrow money for forty years at 5 per cent. and build the line themselves. And they preferred to borrow the money and build the line themselves. They managed the lines themselves, and he must say that in most cases they managed them most economically.

The SECRETARY FOR RAILWAYS: These people are quite willing to take a liability of 4 per cent.

HON. R. PHILP: The Bill had not passed yet, and he questioned very much whether the people understood it.

The SECRETARY FOR RAILWAYS: It has been before the country for two months.

HON. R. PHILP: That was nothing. Sometimes a measure was before the country for two years, and it was not understood. We had had before the country for some time an Act which said that if the people guaranteed 2 per cent. on the cost of constructing a railway, other things being favourable, such as the report of the Commissioner, etc., that line would be built. Under this Bill, as it passed its second reading, the guarantee was to be 4 per cent., and now it was to be 3 per cent. He could not understand why people were willing to guarantee 1 per cent. more now than they would guarantee a few years ago. The late Government found that the people preferred borrowing money at 4 per cent., and having a line of their own. At the present time there were seven railways or tramways which had been built on that principle, including one at Port Douglas, one at Cairns, one at Johnstone River, one at Herbert River, one from Townsville to Ayr, one at Beaudesert, and one at Mackay; and in every case, he believed, they were paying interest and redemption. The freeholders in those places preferred to own their own line, fix their own route, and borrow the money, rather than have a line built by the Commissioner under a guarantee of 2 per cent.

Mr. GRANT: There is nothing to prevent them doing that now.

HON. R. PHILP: Under this Bill the people would have no say whatever as to the kind of railway they would have. The Commissioner would go to the district and say, "This is the route you must adopt," and the people who paid the money would have no say in the matter. They were not able to reply, "Then we will have no line at all."

The PREMIER: They will have a railway forced upon them.

HON. R. PHILP: Yes, that was so. He could not understand any reasonable man being willing to pay 50 per cent. more than he need pay for the privilege of having a railway built in the district. If the Government were going to carry out the Bill, he did not believe anything like 300 miles, as represented by the Secretary for Railways, would be built under it. Under the conditions laid down the Government would be able to run railways anywhere—through country that was not opened up. Imagine them running a line through the Taroom district, where the land was only opened at either end, and where the rest of it was in the hands of the Crown. How could they levy rates on that land?

The PREMIER: Why should the Government want to run a line through land that is not likely to be settled?

HON. R. PHILP: The Minister had told them that he was going to build 300 miles of railway, and he had told the people of the country outside that if he got the Bill through he would have to borrow £1,000,000 and go in for a thoroughly progressive railway policy. He noticed that all the proposed lines were all at one end of the State. There was no railway policy for the other end. It was all for a few favoured localities.

The SECRETARY FOR RAILWAYS: Where is Cloncurry?

HON. R. PHILP: If the Minister did not get 4 per cent out of that railway, he would be very much mistaken.

The SECRETARY FOR RAILWAYS: You say the railway policy is all at one end.

HON. R. PHILP: He did not think any of the Northern people would be foolish enough to come under the Bill. He would advise them not to come under it at all. If they could not do as they were doing at present, then he would advise them to leave it alone. He considered the Bill was the worst proposal of its kind that had ever been put before any Parliament, and yet the hon. gentleman told them that all future railways to be built would come under the Bill.

The SECRETARY FOR RAILWAYS: That is so.

Mr. PLUNKETT was sorry to say that he could not agree with the proposal of the Government. He held that it was against all reason to suppose that the results would be as anticipated. If local authorities were anxious to build railway lines they would much prefer to build them with a 2 per cent. guarantee as at present than with a 4 per cent. or 3 per cent. guarantee, which was the amended proposal under the Bill. There was no reason whatever in saying that the people should not have a voice in saying where the railway was to be built. He entirely failed to see how the ideas of the Secretary for Railways could be realised. It was impossible. Mention had been made of the tramway in the Beaudesert district, which he had the honour of representing. That tramway was running through as fine country as there was in Queensland or in any part of the States, and yet it was not paying anything like 4 per cent. It was paying as well as many railways, but it was not paying as well as the unfortunate people who had been unlucky enough to borrow the money could have wished. They borrowed £50,000 to construct the tramway which was under the management of Mr. McDonald, a very capable manager indeed, and this was what he said in his last report—

> The principle of local responsibility for loans, as embodied in the provisions of the Local Works Loans Acts Amendment Act of 1899 and the Local Authorities Act of 1902, is undoubtedly sound and good in many respects, and if the benefits to be derived therefrom were more widely known among the ratepayers of the State than at present, there is every probability that more advantage would be taken of them than has hitherto been done. Under these Acts no scheme of works for the benefit of a district can be carried out in its entirety without receiving the endorsement of the ratepayers, either by silent consent, or by the dictum of the ballot, which, in either event, brings the whole of those interested into one co-operative body, desirous of forwarding the scheme or otherwise, and thereby engendering a spirit of co-operation which, in itself, is an excellent evolution evolved from the working of these Acts. Should the scheme in its progressive policy receive the endorsement of the district, then all ratepayers affected thereby are bound together by ties of moral and pecuniary interests to make it successful. The action of the council in deciding to build the tramway, under the system embodied in the Local Works Loans Acts Amendment Act of 1899—namely, (a) Repayment of loans in forty (40) years; (b) tramway to become the absolute property of the council on the expiry of the abovenamed period; (c) tramway and traffic thereon to be under the sole control of the council. Instead of the system embodied in the Guarantee Act of 1905—namely, (a) Taxation for a period of fourteen years after construction is completed; (b) tramways to always be the property of the Government; (c) traffic thereon to be controlled by the Government—is very commendable. In the former case the resources of a district are held within its own boundaries for the purpose of stimulating its development and enhancing its commercial standard, whilst in the latter case the energies of a district (which could otherwise be used in alleviating local requirements) are directed towards the upkeep of a line conducted subserviently to the traffic on the trunk railways, and consequently would nullify that spirit of activity, constructive criticism, and independence engendered throughout a district that is built up by the former method, and which should always be one of the salient features of our national life.

Those were Mr. McDonald's ideas on the subject, and he thoroughly endorsed every word he said. He would ask hon members if such a Bill had been introduced twenty, thirty, or forty years ago, what would have been the result? Would one line have been built under it? Not one.

An HONOURABLE MEMBER: They can refuse to come under the guarantee.

Mr. PLUNKETT: No, they could not; they had no voice in the matter. To his knowledge not one railway in Queensland had paid 4 per cent.

An HONOURABLE MEMBER: The Mount Morgan line.

Mr. PLUNKETT: That was a line built under special circumstances, and for a special purpose.

Mr. GRAYSON: The Allora line is paying.

Mr. PLUNKETT: That was under the present Railways Guarantee Act, and was only responsible for 2 per cent. How many years was it after it was built before it paid? It was built in a magnificent district; it was only a short line from Headon to Allora of about 4 miles, and it was not able for a long time to pay 2 per cent. If that was the result in districts second to none in Australia, it was not likely to prove of value in districts where men were newly settled, and where many of them had not the price of a horse or of a cow. That was not the way to encourage settlement.

Mr. J. LEAHY: You cannot find a finer district in Queensland than that between Warwick and Killarney, and yet that railway does not pay working expenses.

Mr. GRAYSON: That is not so.

Mr. PLUNKETT: If lines in some of the best lands in Australia, and where the country was thickly settled, could not pay 3 per cent., what hope was there of lines in new districts paying that amount? The Bill seemed as if it were rather brought in for the express purpose of preventing future railway construction. He would give the returns for some of the existing lines for the three years 1903-4, 1904-5, and

1905-6. The line from Ernest Junction to Tweed Heads paid 14s. 5d. per cent. in 1903-4, and last year it paid 11s. 8d. per cent. Brisbane to Southport paid 17s. 3d. per cent. in 1903-4, £1 0s. 4d. per cent. in 1904-5, and £1 7s. 9d. in 1905-6. The line from Northgate Junction to Gympie—which ran through an old and closely settled district—paid in the three years £3 9s. 3d., £4 12s. 5d., and £3 13s. 2d. per cent. The line from Bethania Junction to Beaudesert ran through about as good a district as any he knew. It carried the traffic from the Logan, Albert, and Coomera Rivers. There were six large sawmills in the district, and there was a large amount of dairying and farming carried on, in addition to which at the end of the railway there was a tramline 23 miles in length, which did not cost the State one penny to build. Yet, notwithstanding all those facilities, the line paid £2 10s. 7d. per cent. in 1903-4, £2 10s. 2d. per cent. in 1904-5, and £3 2s. per cent. in 1905-6. The line from Wulkuraka to Kannangur paid £2 14s. 4d., £3 6s 1d., and £3 2s. per cent. The line from Kilkivan Junction towards Nanango paid £1 4s. 10d., £1 19s. 3d., and £2 5s. 3d. per cent. The line from Colton to Pialba paid £1 14s. 6d., £1 16s. 9d., and £2 0s. 10d. per cent. The line from Bundaberg to Mount Perry paid £1 11s. 5d., £2 4s. 5d., and £2 11s. 3d. per cent. in the three years mentioned. The line from Warwick to Killarney, which ran through some of the finest country in Australia, only paid £1 1s. 6d. per cent. in 1903-4, £1 3s. 10d. per cent. in 1904-5, and £1 5s. 4d. per cent. in 1905-6. The line from Wyreema to Pittsworth, which also went through magnificent country, only paid £2 15s. 6d. per cent., £4 2s. 1d. per cent., and £3 7s. 9d. per cent. And those were three good years. Not one of those lines had paid £3 per cent. The people who were now settling on the lands of the State should be treated even better than settlers had been treated in the past, because they were further from markets, and had far fewer advantages than those who, like himself, had settled many years ago. The railways could not possibly pay, and it would only be an additional handicap to settlers here if they had to pay for railways in regard to which they had no voice. He did not think the Government meant to hinder settlement, but that would be the result of passing the Bill. The Minister had stated that applications had not been made to any extent under the Railways Guarantee Act, but they had not been made simply because it would not pay the

[9 p.m.] applicants to borrow the money. Was it a fair thing to handicap the future settlers of Queensland in such a way as this? He did not blame people for looking for railways. He had been looking for them himself, but he did not think they would be able to pay this 3 per cent., and he was afraid they would be disappointed. He thought it was unwise to introduce this Bill, as it would have the effect of retarding settlement, and if men were foolish enough to get railways built in districts from which there is no outlet they would have to pay 10 per cent. interest added on. He did not know whether the Government were sincere in this matter—he could not think they were sincere in their desire to benefit the future settlers of the State. The biggest curse that could be inflicted on any district in Queensland was the passing of this Bill, and keeping them tied to the money-lender.

The CHAIRMAN: Order! I would like to draw the attention of hon. members who have spoken on this clause to the fact that the principle of the Bill was settled on the second reading. This clause repeals the Railways Guarantee Act of 1895, and it will be quite in order to give reasons on that question.

[*Mr. Plunkett.*

Mr. PAGET was glad the Chairman had drawn attention to the fact that the clause before the House was the repeal of the Railways Guarantee Act of 1895. He thought there was a mistaken notion in the minds, perhaps, of the Minister and several members of the Committee with respect to the operations of that Act. One reason given for bringing in this Bill, by which settlers were to be taxed 4 per cent., but which by the amendment of the Minister will be brought down to 3 per cent., was that very few lines had been built under the Railways Guarantee Act. They only numbered four, and were of very short lengths. The reason for that was that the guarantors for the 2 per cent. interest on those lines had no say at all in the expenditure of the money, and no word in the running and maintenance and the fixing of the rates on the lines. He had had considerable experience in these matters. At one time he was in favour of building a certain line in his own district under the Railways Guarantee Act, but after further consideration, he came to the conclusion that it was wiser for the local authority to make itself directly responsible for the money under the Tramways Act or under the Local Authorities Act. They could build their own line, pay interest on the money, charge what rates they liked, and if the rates on the tramway were not sufficient to pay interest and redemption as it accrued yearly, they could then strike their own rate for the purpose of making up the deficiency, and at the end of forty years they would own the line which they had taxed themselves to pay for. Under the Tramways Act a number of tramways—or railways they might be called—had been built from the far North to almost the Southern border of the State. The local authorities had pledged their credit to the Government and the Treasurer to the extent of some hundreds of thousands of pounds in order to build those lines. They had shown their faith in their district, and also in their own expenditure of the money which they borrowed, and in their ability to run the line at a cheaper rate than could be done under the Railways Guarantee Act by the Railway Commissioner, because a big Government department was naturally run more expensively than people would run lines under their own supervision. The Ayr-Townsville tramway last year paid between 5 and 6 per cent., and if he was not mistaken the Beaudesert tramway last year paid its interest and redemption.

Mr. PLUNKETT: Very nearly.

Mr. PAGET: Practically those two lines were no drag on the ratepayers. The line from Cairns to Harvey Creek had always paid its way; and the reason for its not paying better was because a central mill under the guarantee Act was not built at the end of the line, which people expected would be built in the course of time, and for which reason the line was built. He did not doubt that the Minister had received a large number of applications for lines to be built under a clause further on in the Bill, but perhaps the people who made these applications were not then aware of the full provisions of the Bill. If he recollected rightly, from Press reports, the Minister was able to say within a week or ten days after the Bill was introduced that he had received the greatest number of these applications—that he was practically rushed with applications to build railways.

Hon. R. PHILP: Before they saw the Bill.

Mr. PAGET: They might possibly have seen the Bill, but they certainly did not understand that their properties would be liable to a tax of 4 per cent. for all time—until the railway paid expenses and 4 per cent.

Mr. KENNA: If it pays for five years, they have no further liability.

Mr. PAGET: Yes, five consecutive years. If one or two years of stress came along—as unfortunately he and others who had been primary producers in this State knew they did come along with unfailing regularity—that would prevent the railway from paying for five consecutive years. They might have three good years, and then two bad years, but they would have to continue paying. Perhaps the people of the districts who applied so hurriedly to be brought under the provisions of this Bill did not understand thoroughly that if their local authorities had made application to the Treasurer for money to build these lines under the Local Authorities Act, the Treasurer would not refuse to give it to them. The Treasurer would welcome such applications, for the reason that it would relieve him from the responsibility of finding any loss of interest—interest that might accrue on the working of the lines—as the local authorities would be responsible for that themselves. They were only asked to pay 4 per cent. under the Local Authorities Act just as this Bill first asked them to do, and by paying £1 1s. 3d. per cent. more per annum in forty years they would own the line, and it would become an asset. And during the running of any line built in that way, if there were any profits above the interest and redemption, those profits could be applied either to the lowering of the general rates or to the opening up of other districts.

Mr. WOODS: What about the rolling-stock after forty years?

Mr. PAGET: Interest and redemption would be paid on rolling-stock, and he took it that if the lines were properly maintained, the rolling-stock would also be properly maintained, and that would mean that at the end of forty years the line and rolling-stock would be practically as good, to all intents and purposes, as when it was made.

The CHAIRMAN: Order! I am sorry to interrupt the hon. member, but I do not think the question he is now discussing is applicable to this clause.

Mr. PAGET: Perhaps he had wandered from the subject, but the local authorities and the Railways Guarantee Act of 1895 were so bound up in this clause that it was almost impossible to sever one from the other. The point he wished to amplify was that the local authorities, in a great number of instances, desired to borrow money directly from the Treasurer, rather than come under the operations of the Act which this clause proposed to repeal. The Minister, by way of interjection, said that a line would be built from Chinchilla to Taroom, or from Miles to Taroom, practically through Crown lands, and perhaps it would be very much better, instead of placing the betterment price on these lands of £1 per acre, for the people to meet that expense by a tax of 3d. an acre on their land.

The SECRETARY FOR RAILWAYS: It would be cheaper for them.

Mr. PAGET: The Minister also said that this line would not be built, or any line running through Crown lands, unless there was a reason to suppose that these lands would be taken up and settled on, and so remove the burden of the interest, on the cost of construction, from the Treasury. That was by placing settlers on the land. He would like to ask the Minister one question on that. During the last session a Bill was passed for the building of half of the remaining gap in the line between a certain place on the Northern line and Cloncurry, a distance of 90 miles. The building of that line was commenced, and would soon be completed, and the other evening the Minister said that probably the plans for the construction of the balance of the line from Eddington to Cloncurry would be tabled this session. He would like to ask the Minister—it having been promised by the Government that this line would be built within two or three years so as to complete the whole line to Cloncurry in that time—would this portion of the line also come under the guarantee?

The SECRETARY FOR RAILWAYS: Yes, certainly.

Mr. J. LEAHY: It will be very difficult to work.

The SECRETARY FOR RAILWAYS: It will pay for itself.

Mr. J. LEAHY: Will the extension of the Warwick line come under it?

Mr. PAGET: He would admit that a line, such as the Cloncurry line, would pay from the jump. There were many other lines in the West where it would be an absolute impossibility to meet the charge. He would ask, therefore, whether it would not be more advisable to leave the Railways Guarantee Act in force, and let things go on as they were, than to attempt to carry this and the remaining clauses of the Bill?

Mr. JONES: Among the list of lines read by the Minister, which he had been asked to construct under the provisions of the Bill, was one from Gayndah to Dalgangal. He held in his hand a copy of a resolution passed by the Eidsvold Shire Council, in which they strongly objected to that railway being constructed under the Railways Bill at present before Parliament.

Mr. PAGET: The line will be forced upon them against their wish.

The SECRETARY FOR RAILWAYS: No, it will not. If they do not want the line, they will not get it.

Mr. JONES: Two other local authorities in the district had entered a similar protest. Personally, he preferred the retention of the Railways Guarantee Act to the present Bill.

Mr. TURNER: In his district quite the contrary view was entertained. In connection with the proposed line to Barmoyea, he had discussed the subject with a large number of the landowners in the district, and found that many of the largest of them were thoroughly satisfied to come under the Bill. They were prepared to break up their land, believing that it would be more beneficial to the district to have a large number of settlers than large areas of unoccupied land.

Mr. PAGET: And pass the burden on to them.

Mr. HARDACRE: Where was the argument for the Bill when the people referred to by the hon. member for North Rockhampton could get their railway built under the existing Act at half the cost? If the Bill carried out the betterment principle there might be something to be said for it, but it would do more harm to the betterment principle than any measure ever passed by the House. As he had pointed out on the second reading, it would absolutely prevent the construction of railways in some parts of Queensland. The liability would simply swamp the local authorities. The Government did not seem to understand the conditions of the State beyond the metropolitan districts and the agricultural areas. He would take the Jericho to Blackall railway as a case in point. When that line was before the House a statement from the Commissioner was read, estimating that the annual loss on it would be between £3,600 and £4,000. The two local authorities in the district, Barcaldine and Blackall, had comparatively small revenues, and the two of them combined could not face a payment of £3,600 a year, in addition to the 3 per cent. interest. A railway in that district would not enhance the value of the Crown land to any appreciable extent; it is almost purely pastoral land.

The Bill was totally unfitted for this country, except in certain places, and unless it was amended he should fight it for all he was worth. Although his district had never asked for a railway, and, so far as he knew, was not likely to ask for a railway, still it was his duty to point out that if this measure was passed it was a certainty that no railway could be built in that district. One part of that district was within the jurisdiction of a local authority whose headquarters were 100 miles away. A benefited area might be declared in a district, and the value of the property in that benefited area might be so small that the rate on it would not be sufficient to meet the expenses of working the railway, and in that case the reponsibility would fall upon the local authority.

[9.30 p.m.]

Mr. PAGET: Upon the ratepayers, through the local authority.

Mr. HARDACRE: Who was going to be responsible if the benefited area could not pay? According to this measure a local authority would be responsible for collecting the rates in a benefited area which might be 100 miles away, and the cost of working the railway might be so great that it would swamp the properties in the benefited area and destroy the possibility of the local authority raising any more rates from them, which would mean the ruin of the local authority. The railway from Jericho to Blackall could not have been built under this Bill. The Premier interjected a little while ago, "What Government would desire to build a railway through a district which would not pay?" This Government had built railways through districts which would not pay, and those districts happened to be represented by themselves, and now they brought in a Bill to make everybody else in Queensland pay for their railway or go without a line. It was quite possible that it might be extremely desirable, for national purposes, to build a railway through a district which would not pay, and where the enhanced value of the land would not pay the cost of working the railway. Take the railway which was being built to Concurry.

The CHAIRMAN: Order! I must again call the attention of the Committee to the fact that the discussion is very wide from the principle contained in the clause under consideration. This clause deals solely with the repeal of the Railways Guarantee Act of 1895, and hon. members should connect their arguments with that particular principle.

Mr. HARDACRE: In discussing this clause they were discussing the substitution of another system for the system they were asked to repeal.

The PREMIER: You are practically making second-reading speeches.

Mr. HARDACRE: The provisions of the Railways Guarantee Act of 1895 were involved in the proposal to repeal that Act.

The CHAIRMAN: Order! Hon. members can only discuss the principle of this Bill so far as it is affected by the repeal of the Railways Guarantee Act of 1895, and will not be in order in discussing the whole question of railway construction.

Mr. HARDACRE was convinced that the existing system of constructing railways on the guarantee principle was much more preferable than the one now proposed. The existing system had, at any rate, this advantage: That, if a railway was constructed on the guarantee principle, it was so constructed with the consent of the local authority. The local authority might refuse to undertake that responsibility, and still get a railway, but under this measure, if the local authority refused to undertake the responsibility of a guarantee, they would not get a railway. Again, under the existing system a local authority might undertake jointly with other persons or companies to give the required guarantee for the construction of a railway, as was done in the case of the Enoggera Railway. He did not know whether they could amend the Bill in that direction, but he strongly urged that they ought to include a provision of that kind or not repeal the existing system. He did not wish to see the present system of railway construction repealed unless an equivalent was substituted.

Mr. FORSYTH objected to the repeal of the Railways Guarantee Act because he felt that it was infinitely more liberal than the Bill. In the Bill there was no mention of a poll of the ratepayers in the benefited areas, but under the old Act the ratepayers had a say in the matter. If there was to be taxation without representation it would certainly be a great injustice. He thought the absence of all provision for a poll was a great blot on the Bill. The people who had to find the money should have a say in connection with building the railway. He believed if the people of the State understood the Bill they would infinitely prefer the existing Act. He was certain that a great many of the country people did not understand the conditions that would apply under the Bill. Reference had been made to farming constituencies, such as Killarney, which was one of the best and most thickly populated farming districts in the State, Yet at the present time there was a loss of something like £4,400 a year on the line in that district. Did anyone tell him that the benefited area would like to pay £4,400 a year in rates to make up to the Government the loss? Now, he wished to show how the Bill would affect sparsely-populated districts. Take the line between Hughended and Winton. That line showed a loss of over £8,000 a year, and he did not think he was wrong when he said that there were not more than five or six stations between Hughenden and Winton. Suppose they said that the benefited area extended 100 miles beyond Winton.

The PREMIER: What has that to do with the clause?

Mr. FORSYTH: It had everything to do with it. It simply meant that if the Railways Guarantee Act was repealed, no railways would be built at all.

The PREMIER: Would they build a guaranteed railway to Winton?

Mr. FORSYTH: The hon. gentleman knew perfectly well that no country district was likely to want a railway under this Bill.

The PREMIER: That is not the question before the Committee.

Mr. FORSYTH: The question before the Committee was the repeal of the Railways Guarantee Act of 1895, and he was showing that it was infinitely better to maintain that Act. If the general public understood the Bill thoroughly, and also understood the existing Act, they would be entirely against the repeal of the existing Act. Even if they took the benefited area 100 miles beyond Winton, there would not be twenty stations between Winton and Hughenden.

The PREMIER: How will the repeal of the Railways Guarantee Act affect this Bill?

Mr. FORSYTH: The Chairman had told them that they could discuss the Railways Guarantee Act so long as they connected it with the Bill under discussion.

The CHAIRMAN: I pointed out that hon. members would only be in order in discussing the principle of the Bill so far as it might affect the repeal of the Railways Guarantee Act, but I think the hon. member is going wide of that in the arguments he is using now.

Mr. FORSYTH: If they had to discuss the question at all, it must be done in such a way as to be intelligible to the general public.

The CHAIRMAN: I would point out to hon. members that they will have an opportunity of discussing the principle of the Bill in subsequent clauses. The principle of the Bill is not contained in this clause.

Mr. FORSYTH: One reason why he objected to the repeal of the Railways Guarantee Act was that it provided for an interest charge of only 2 per cent., while the bill provided for 3 per cent. It was very likely that some of the local authorities who came under the provisions of the Bill would be in a very parlous condition in a short time. He entirely disapproved of the repeal of the Railways Guarantee Act, because it was infinitely more liberal than the Bill. He trusted the clause would be defeated.

Mr. KENNA was inclined to think that the principle embodied in the Bill was superior to that contained in the old Railways Guarantee Act. One reason given by the hon. member for Leichhardt seemed to him to be a very good reason in the opposite direction to that which he intended. Under the Railways Guarantee Act the whole of a local authority pledged its rates as security for the construction of the railway.

Mr. FORSYTH: So far as the benefited area is concerned.

Mr. KENNA: No; the whole of the local authority. Under the Bill only the benefited area would be responsible, but under the Railways Guarantee Act the whole area was liable. One portion of a local authority might be 120 miles away from the centre of the district, and derive absolutely no benefit from the railway, and yet it would be equally responsible for the payment of the deficiency with the portion which was directly benefited. Under the Bill the local authority would only be the collecting medium in the event of there being a deficiency. With reference to the argument of the hon. member for Mackay, local authorities had not constructed railways under the Local Authorities Act because, in the first place, they could not own and control the railways themselves. How many local authorities owned and controlled their railways now?

Mr. PAGET: The whole of them.

Mr. KENNA: Not one of them.

Mr. PAGET: The Railway Commissioner merely runs the traffic to suit both parties.

Mr. KENNA could not conceive of any local authority being foolish enough to construct railways, purchase rolling-stock, and employ its own staff, when it could have it done so much cheaper by co-operating with the Commissioner for Railways.

Mr. PAGET: What about the line from Port Douglas to the Mossman and the line from Cairns to Harvey's Creek?

Mr. WOODS: The Mossman people control their own traffic.

Mr. KENNA: Did they own the rolling-stock?

Mr. WOODS: Yes.

Mr. KENNA: Well, that was the only case in which he knew of that being done, and he very much doubted whether they, too, had not an arrangement with the Commissioner for Railways. Another reason why local authorities did not construct lines themselves was because in the past most of them had been so heavily indebted that they hesitated about incurring any further liability. Under the proposed system, all a local authority was asked to do was to pledge, as security, the area directly benefited, and the main portion of the security was going to be the value that was going to be given to the land by the construction of the railway. If a railway would not pay 3 per cent., then it should never be constructed. He took it that under this Bill no railways would be constructed unless they were going to pay. If it was a fact that none of the railways that had been constructed in the past paid 3 or 4 per cent., then it was time there was a change in their system of railway construction.

The CHAIRMAN: I hope the hon. member will not go into the general question.

Mr. KENNA was merely showing the advantages of this system over the old system. If, after all the years the Railways Guarantee Act hae been in force, only four railways had been constructed under it, it stood self-confessed as a failure, and the substitution of something better was highly desirable.

Mr. RYLAND: Under the Railways Guarantee Act the local authority and the Government were each responsible for 2 per cent. on the cost of construction. Under this Bill the enhancement in value of the land would be a great deal more than the value of the freehold, so that the Treasurer would not have to find more than 1 per cent. The system proposed in the Bill was far better than that in the Railways Guarantee Act, which had only been made use of in a very few instances, and in some of those it had been used to enable a few interested persons to take advantage of hard-working, respectable ratepayers. He knew that had been done. There were only four lines built, and he [10 p.m.] could enumerate hundreds of instances in connection with one railway in which injustice was being done to the taxpayer. That was the Pialba Railway, in connection with which the expenditure was for the benefit of the people of Maryborough, and yet people scores of miles away from the railway had to come under the guarantee.

Mr. LINDLEY: No, not scores of miles away.

Mr. RYLAND: That was why the Railways Guarantee Act was never taken advantage of.

Mr. PAGET: The benefited area can be struck at any time.

Mr. RYLAND: The benefited area had been struck, but it was not the people benefited, but the people who did not get the benefit. The people of Maryborough practically had all the good out of it, while the poor unfortunate selectors who did not get the benefit, had to help to meet the liability. It would be different under this Bill. The Commissioner would define the benefited area, and it would be far better than allowing the knowing ones in connection with the local authority to define it, and to leave the less knowing ones to bear the responsibility. That was the point in connection with the Pialba line, and that was the reason why he was going to vote for the repeal of the Railways Guarantee Act. As had been pointed out, if they repealed that Act, it would enable other people to have railways built who had no railways at present. The Killarney line had been referred to, but although it had not paid a large percentage, still it had put an enormous value on the land. Why should the landowners not have contributed, although it was not a guarantee line, to meet the deficiency? They got the benefit produced by the construction of the railway, the land in that vicinity having increased 100 per cent. in value. The hon. member for Leichhardt pointed out that in some districts the amount of interest might be so high as to crush out the ratepayers. He supposed the Minister might meet them in that case, and see that a maximum rate was inserted. The line would

not be built unless there was a fair prospect of its paying, and consequently there should be a maximum rate. He did not think there was anything in the point of the hon. member for Leichhardt, because the railway would not be built unless there was a prospect that it would pay. This Bill would meet a long-felt want.

Mr. PAGET: Whilst the hon. member for Bowen was speaking, he mentioned the fact that no local authorities who had built lines worked the lines themselves.

Mr. KENNA: Absolutely.

Mr. PAGET: It was just as well that such a misconception should be removed if possible. The local authority which built the line from Port Douglas to the Mossman ran the line itself; it had its own staff, its own rolling-stock, and did its own maintenance.

Mr. KENNA: It is only a tramline.

Mr. PAGET: The hon. member interjected that it was only a tramline. Take the line from Cairns to Harvey Creek. Did the Commissioner run his rolling-stock over that?

Mr. KENNA: What gauge?

Mr. PAGET: A 3 feet 6 inches gauge. The local authority had its own offices, its own railway stations, its own staff, its own engineer, and did its own maintenance, and ran its own rolling-stock. Then there was the line from Lucinda Point to Ingham.

The SECRETARY FOR RAILWAYS: Are those under the Railways Guarantee Act?

Mr. PAGET: No; the hon. member for Bowen, in speaking on the question of the Railways Guarantee Act, brought in an argument that he (Mr. Paget) was using in connection with the Railways Guarantee Act by the construction of lines by the local authorities. A line was built by a local authority from Lucinda Point to Ingham.

The CHAIRMAN: Order! I do not think the hon. member will be in order in quoting those railway lines if they were not built under the Railways Guarantee Act. I imagine the lines he is quoting were built by local authorities with money advanced by the Government.

Mr. PAGET: The hon. member for Bowen said that he was mistaken in connection with these lines, and that it was absolutely impossible for any local authority who guaranteed the money for the construction of a line under the Railways Guarantee Act to either maintain or run that line with its own staff. The work was done absolutely under the control of the Railway Commissioner from the time the survey was made until the rolling-stock was built.

Mr. BURROWS: Then the hon. member for Bowen was correct.

Mr. PAGET: The hon. member for Bowen was absolutely referring to lines built by the local authority, and he desired to remove his misconception.

Mr. KENNA: What are you trying to prove?

Mr. PAGET: He was trying to remove a misconception in the mind of the hon. member that these lines were maintained and run in all instances by the Railway Commissioner. He had given three instances where they were not.

Mr. HARDACRE: It had been urged by the hon. member for Bowen and the hon. member for Gympie, Mr. Ryland, that the reason why the Railways Guarantee Act had been a failure was because the local authority was to be held responsible for the railway, which would only benefit a portion of the district, and he had pointed out at the time that the statement was wrong. The Railways Guarantee Act, which it was proposed to repeal, provided that the rates should be levied only in that part of the district which was benefited.

Mr. KENNA: What clause?

Mr. HARDACRE: In the interpretation clause. That clause defined "benefited area" or "area" as follows:—

> Any district or part of a district within the jurisdiction of a local authority which is specified and defined in manner hereinafter provided as an area which will be benefited by a proposed railway.

That was the benefited area. With regard to the Pialba Railway, the benefited area was the Pialba district, and the benefited area under the Railways Guarantee Act was substantially in effect the same as under this Bill. Under this Bill the Railway Commissioner had to define what the benefited area was. That area was open to objection from the local authority, and the benefited area could be altered. Under the Railways Guarantee Act the only difference was that a poll had to be taken, and the local authorities themselves altered it by vote. Then the benefited area could be defined by the local authority itself. But under this Bill the local authority could make representations and the area could be altered in that way. The real objection to railways being constructed under the Railways Guarantee Act was that the local authorities would not, and in many cases could not, undertake the responsibility of the loss, or probable loss, on a railway which they desired in that particular district, and for that reason there were only four railways built under the Railways Guarantee Act.

Mr. BURROWS: Then it is time it was repealed.

Mr. HARDACRE: To a certain extent the Railways Guarantee Act was a good one, but to repeal an Act which was not universally operated on, because of its disadvantages, for the purpose of introducing a Bill that would be universal in its operation, but which was ten times worse, was absurd. If the Railways Guarantee Act, under which it was permissible to take the responsibility, was not taken advantage of and was a failure, surely the new Bill, under which the responsibility was forced upon them in spite of themselves, must also be a failure. There were three things possible. At first the line might pay sufficiently not to be a burden on the the local authorities. In that case the Railways Guarantee Act in force now was quite sufficient for the purpose, if the local authority would be willing to undertake the construction of a railway. There were two other alternatives. One was, if it would be such a burden on the local authority that a little community would not undertake it under the present system. But, under the new system, it would be forced upon them, and in that case it would be such a heavy burden that it would ruin the local authorities of the district. The third alternative was that the local authorities would not get a railway at all, and that might be a bad thing for the district, and for the State as well. The Premier made a remark that if a railway through a district would not pay when there was derived from it not merely the revenue from the traffic, but also the increased enhancement in value because of the railway—if it would not pay under those circumstances, then it should not be built. That was a policy which must deprive a large portion of the country districts of any railway at all, and if that policy had operated in the past it would have retarded the progress of the State. The first consideration in railway construction was not that of direct repayment from the railway. It might be for development purposes—opening up a district. Take the section of the Cloncurry Railway that was now being con-

structed. It could not possibly pay the local authority to undertake the cost of the construction of that section.

Mr. GRANT: It is all Crown lands.

Mr. HARDACRE: Yes, but it would not pay the local authorities through whose district it passed to guarantee it.

The CHAIRMAN: The question is not the existing system of railway construction. The question is whether the Railways Guarantee Act shall be repealed.

Mr. HARDACRE: It was difficult to separate the two things. He was objecting to the repeal of the Railways Guarantee Act. There were many districts where the enhancement in value from the construction of the railways would not be sufficiently great, particularly in the pastoral districts, to allow them to accept a compulsory system making them pay for the cost of construction. In those cases where they did want it, it was perfectly right that they should have it, but where they did not want it, and could not afford themselves to undertake it, it was undesirable that they should have the railway forced upon them. It was very necessary sometimes that a railway should go through a district which would not pay that district itself in order to reach some objective in another district altogether. Take, for instance, what had been suggested—the building of a railway from Roma to Springsure.

The SECRETARY FOR RAILWAYS: The loss on the present Springsure Railway is deplorable.

Mr. HARDACRE: He was not speaking in the interests of Springsure, because, even if the proposal were carried, it would be twenty years before the railway reached Springsure. Or take the line from Miles to Taroom. It would not pay those particular districts, yet it might be desirable to have a railway through them. If the local authorities wished to undertake the responsibilities of a railway, let them do so. He objected to the repeal of a system which gave them that power, and the substitution for it of another system which would force a railway upon them whether they wanted it or not.

Mr. CAMPBELL (*Moreton*): He had listened in vain for any sound argument in favour of the repeal of the Railways Guarantee Act. Under that Act the equity of all parties was considered. Under this Bill the entire responsibility was thrown on the local authority. The Minister seemed to think that the new system would be better for the country. That might be so, but why not let the people have the choice under which Act they would come? Even if they had not made good use of the Railways Guarantee Act in the past, if it was repealed, and the local authorities could not see their way to make an application under the new conditions, they would get no railways at all. If the Minister was so absolutely certain that this Bill was going to have such a good effect, he should have no objection to allowing the old Act to remain, so that people could have their choice between the two. Some might think that the old system was the preferable one.

Mr. GRANT: Why have they not taken advantage of it?

Mr. J. LEAHY: The clause before the Committee might well have formed the subject of a separate Bill. It proposed to repeal an Act which was passed by the House after a great deal of discussion, and the Bill itself proposed to repeal an old system and to set up an entirely new system in its stead. Before they repealed the old system they were entitled to know whether it was not a greater advantage to the State than the one which it was proposed to substitute for it. If it were argued that the old scheme had not been an exact success, they were entitled to ask what were the conditions which prevented it from being a success, and whether the same conditions would not prevail under the new scheme. When the Railways Guarantee Act was passed there was another system in force to obtain railways. That was to push them through the House, and those who got the railways undertook no obligations whatever. The Bill proposed that all future railways should be built under its provisions. If it were the law that all railways should be built on the guarantee system, that would be an exactly analogous case. They were asked to repeal an Act which was far more fair to the districts of the State than the new system which it was intended to apply. If they had to choose between two rival schemes they should choose the one which was the more favourable to the State. But there was no reason in the world why the two systems should not be allowed to stand side by side.

The SECRETARY FOR RAILWAYS: Would such a provision come within the order of leave?

Mr. J. LEAHY: He certainly thought it would, but, if that point was to be taken by the hon. gentleman, he would discuss it at the proper time. The Act which they were [10.30 p.m.] asked to repeal had a great many useful provisions, and there would not be a single railway constructed under the new scheme if people were allowed to get railways under the existing Act. If the same conditions were imposed in the existing Act as were proposed to be imposed in this Bill, how would the present Act work? Unless the same conditions were imposed in both cases, they could not institute a fair comparison between the two systems. It would be absolutely absurd to say that any person who had the least knowledge of business was going to take a scheme which would cost 1 per cent. more than another scheme which they might adopt, especially as their liability under the former would continue for all time, while their liability under the latter would continue for fourteen years only. If the line from Warwick to Killarney had not been built by the Government, that was one of the districts where the system proposed in this Bill would be enforced, and last year that line, making all the necessary allowances, earned £200 less than working expenses. It would have had to earn £200 net revenue more than it did in order to pay working expenses alone for the year. That showed what people might expect under this Bill. This was a serious matter. The Committee were asked to accept an alternative of two systems, unless the Minister agreed to retain both systems; and he saw no reason why both systems should not be retained. Although the existing system had not been availed of to a large extent in the past, yet it was certain that it would be availed of to a much larger extent in the future if it were known that lines could be built on no other system, which was a condition imposed in regard to the system embodied in the Bill before the Committee. The Minister seemed to think that a reduction from 4 to 3 per cent. was a great concession, but he would point out that it was only a reduction by one-fourth, whereas a reduction from 3 to 2 per cent. was a reduction of one-third, and the latter was what the hon. gentleman was asking the Committee to repeal. They were asked to repeal a system which would be of far greater benefit to outside districts which wanted developing than the system they were asked to put in its place. The clause now before the Committee was the Bill to a large extent, though there were other contentious provisions. This, however, was the

kernel, the very heart of the Bill. If hon members agreed to wipe out the existing Act they would have plenty to think about hereafter.

Mr. FUDGE: What is the use of having the existing Act in force if it is not put into operation?

Mr. J. LEAHY: Was the hon. member referring to the Railways Guarantee Act?

Mr. FUDGE: Yes, it is inoperative, as you know.

Mr. J. LEAHY: Of course it was inoperative, and the Minister knew that the scheme proposed in this Bill would be more inoperative still if it was on the same lines as the other Act. But the hon. gentleman inserted the condition that no line should be built except under this scheme. Had that condition been imposed in the Railways Guarantee Act, instead of two railways being built under it, hundreds of miles of railway would have been constructed. One of the strongest objections to the present proposal was that for years and years past people all over Queensland had paid the deficit on the working of railways all over the State, and now, after they had borne the heat and burden of deficits on the railways for years, it was proposed that they should in future pay for their own railways.

Mr. MITCHELL: The Minister indicated the other night that offers had been made to come under the provisions of this Bill by persons who were applying for railways to the extent of 300 miles, while the Act they were asked to repeal had been in existence for eleven years, and during the whole of that time only 60 or 70 miles of railway had been constructed under its provisions. The fact that applications had been made for the construction of 300 miles of railway under the provisions of this Bill before it was passed into law was evidence that the people, who were supposed to know what they wanted, were prepared to build lines under this system, which they had not previously offered to construct under the old system. People knew that if they got railways constructed under this Bill it would increase the value of their land, so that it would pay them handsomely to pay 3 per cent. Notwithstanding the fact that 2 per cent. was charged under the Railways Guarantee Act and 3 per cent. under this Bill, it must be remembered that under the present measure the Crown lands paid their share, and in some instances the ratepayers would have to find less than 2 per cent.

Mr. P. J. LEAHY: Rubbish!

Mr. MITCHELL: Hon. members had had an opportunity of showing where the rubbish came in, and had entirely failed. Hon. members simply implied that the people did not know what they were asking for, and, in that way, made a serious reflection on their intelligence. He did not think the persons who asked for those lines would be gratified by that estimate of their character. With respect to the Pialba line, there were farmers in the district who had never sent 1 cwt. by railway who were paying their share of the guarantee. He understood that under the Bill if it could be proved to the Commissioner by any individual that he was not benefited, he would not have to pay. He thought it would be wise to allow the clause to go through, and if they wished they could make any necessary modifications in other clauses of the Bill.

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

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