

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 22 NOVEMBER 1910**

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## LEGISLATIVE ASSEMBLY.

TUESDAY, 22 NOVEMBER, 1910.

The DEPUTY SPEAKER (W. D. Armstrong, Esq., *Lockyer*) took the chair at half-past 3 o'clock.

## QUESTIONS.

## IMMIGRANTS WHO HAVE LEFT LONDON.

Mr. D. HUNTER (*Woolloongabba*) asked the Chief Secretary—

1. How many immigrants have left London, to date, this year?
2. How do the figures correspond with those for last year to the same date?

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

1. From 1st January to 31st October, 1910, the number of immigrants despatched to Queensland by the Agent-General's Office was 6,003, with capital amounting to £52,650.
2. During the corresponding period of last year the number despatched was 2,327, with capital amounting to £26,941.

Mr. MANN: The first time he has given a civil answer this session.

## LAVATORY ACCOMMODATION ON TRAINS.

Mr. PAYNE (*Mitchel*) asked the Secretary for Railways—

1. Is he aware that a second-class carriage, without lavatory, carrying women and children, has been running between Rockhampton and Longreach for the last four months on every mail train?
2. Will he see that every carriage running between Longreach and Rockhampton has a lavatory attached?

The SECRETARY FOR RAILWAYS (Hon. W. T. Paget, *Mackay*) replied—

- 1 and 2. I find that a second-class non-lavatory carriage is running on this train, and will have the matter looked into with a view to replacing it by a lavatory car. There are already five carriages fitted with lavatories on this train, however.

## PAPER.

The following paper, laid on the table, was ordered to be printed:—Regulations under the Navigation Act of 1876.

NATIVE ANIMALS PROTECTION ACT  
AMENDMENT BILL.

On the Order of the Day being read for the consideration in Committee of the desirableness of introducing a Bill to amend the Native Animals Protection Act, 1906, in certain particulars,

The SECRETARY FOR AGRICULTURE (Hon. W. T. Paget, *Mackay*): Mr. Deputy Speaker,—I move that you do now leave the chair.

Mr. HARDACRE (*Leichhardt*): This motion to go into Committee limits the power of the Committee to amending the Act "in certain particulars." I know it is an old device to prevent discussion on anything outside the particular kind of amendment the Government wish to make; and I rise for the purpose of endeavouring, if possible, to enlarge the scope of the Bill. I apprehend it is desired to amend the Act with respect to the time during which native animals may be snared or killed; and it is extremely necessary that some provision should be made for giving opossum-snarers and bear-shooters a general

form of license under which they can go, with proper safeguards, on any area or holding for the purpose of carrying on their work. It is a very important matter; and there has been an outcry for some years as to the necessity for some kind of license to enable this industry to be carried on in a much better way. Some years ago we endeavoured to amend the legislation so as to give them a license, but the amendments were ineffective. Since that time the industry has grown to large proportions, and to-day it is a very valuable national industry. Many millions of pounds' worth of opossum skins are exported from Queensland every year.

The SECRETARY FOR PUBLIC LANDS: Millions of skins, not pounds.

Mr. HARDACRE: I mean pounds. If I say a million pounds I am safe.

Mr. KEOGH: In the Commonwealth.

Mr. HARDACRE: No; in Queensland alone.

The PREMIER: It would be safer to say "a million shillings."

Mr. FORSYTH: How much?

Mr. HARDACRE: A million pounds.

Mr. WHITE: Skins, you mean.

Mr. HARDACRE: At any rate we all agree that it has become a very important national industry; a large number of men are engaged in that industry—many thousands of persons; and they are harassed and prevented from carrying on their industry by the fact that they are prevented from going on pastoral leaseholds and other country in order to carry on their pursuits. This is carried to such an extent that in my district the pastoral lessees have actually charged the opossum hunters and snarers for permission to go on their holdings as much in some cases as paid the rents of the leaseholds to the Crown—as much as £1 and £1 10s. a week each.

Mr. CORSER: Because they lost a lot of cattle through cyanide.

Mr. HARDACRE: I don't know about that. This money goes into their private pockets; it would be different if it went to the State. They have done this to the injury of the persons engaged in the industry; and for that reason I have taken the opportunity of objecting to going into Committee under the wording of the proposal on the paper; and I intend to move an amendment in order that when we get into Committee we may enlarge the scope of the Bill so as to give due consideration to the thousands of men engaged in this important industry. I have much pleasure in moving the omission of the words "in certain particulars."

Mr. J. M. HUNTER: Mr. Deputy Speaker—

The DEPUTY SPEAKER: Order, order!

Mr. J. M. HUNTER: The question has not been put. I wish to second the amendment.

The DEPUTY SPEAKER: Order! This discussion is entirely out of order. When the House gets into Committee this amendment may be moved, but at this stage it is out of order, and I must decline to put it.

Mr. LESINA (*Clermont*): Mr. Deputy Speaker,—I do not think you ought to leave the chair unless we get some assurance from the Government with regard to the suggestions made by the hon. member for Leichhardt. I know in the Clermont district there is a large

number of men engaged in shooting marsupials who have complained of the fact that they have been charged high fees before being allowed on private lands.

The DEPUTY SPEAKER: Order! This discussion is entirely irrelevant. At the present juncture the question is whether I do now leave the chair. On receiving instructions from the House to proceed into Committee hon. members may move any amendment they may think necessary, and the whole question can be decided there.

Mr. LESINA: I thought this was the proper time for discussing the matter. When we go into Committee, if we do not enlarge the scope of this measure, we will be tied down. I think the Bill ought to be amended.

The DEPUTY SPEAKER: Order! At the present juncture the hon. member has no knowledge of what the Bill contains. The discussion is entirely irrelevant. The question is that I do now leave the chair.

Question put and passed.

#### COMMITTEE.

(*Mr. K. M. Grant, Rockhampton, in the chair.*)

The SECRETARY FOR AGRICULTURE (Hon. W. T. Paget, *Mackay*) moved—

That it is desirable that a Bill be introduced to amend the Native Animals Protection Act of 1906 in certain particulars.

Mr. HARDACRE was rather surprised the Minister had not given the Committee any information as to the particular way in which it was proposed to amend the Act. He had left it an open question, and had not given the slightest indication—

The SECRETARY FOR AGRICULTURE: It is not usual.

Mr. HARDACRE: When it was considered desirable to introduce an amending Bill there was usually no objection, but in the present instance some indication should be given as to the direction in which it was proposed to amend the Act. He had heard a number of rumours that the department were going to close the season for shooting native bears and opossums for three years. This was a matter on which the Minister might give the Committee some information. This was the time the Committee should get information to enable them to say whether it was desirable or otherwise to amend the Act, and how could they consider whether it was desirable or not unless they knew what was going to be done? The Committee were asked to decide on pure abstract information, without any reason or justification for amending the Act in any way. Hon. members might think the Act wanted amending in one direction, but in a different direction to that in which the Minister wanted to amend it. He wished to impress upon the Committee again that it was very important indeed that some general powers should be given to licensed persons engaged in the fur industry to enable them to pursue their lawful avocation without loss and without irritation. If an opossum-snarer wished to go upon a holding where there were large numbers of opossums he was prevented because the lessee had managed to get his holding exempted from any person going on it. When the snarer said he would like to go upon another holding in the district, again he was told that that particular holding was exempted, so that practically the whole district was exempted from any person going upon

*Mr. Hardacre.]*

the runs. And they had been exempted through the fact that the board was chiefly composed of representatives of pastoral lessees, with the result that the opossum-snarer was excluded from that district altogether except where he managed to get permission from the lessee personally, and in that case he had to go to the lessee and say, "Please will you let me go upon your holding?" And the reply was, "Yes; you can take four horses on, but you must pay me £1 10s. a week for every man you put on this holding to carry on that industry." Everyone would admit that it was an unfair thing to allow any lessee to interfere between a man's lawful avocation and the rights of the Crown.

The PREMIER: They have received a lease of the country.

Mr. HARDACRE: The Crown merely leased the grass rights, with, of course, all necessary operations to enable him to carry on grazing, but the Crown did not lease him the animals, timber, or mineral rights. They might just as well say the pastoral lessee had the right to charge a miner for permission to go upon a lease to carry on the mining industry. The industry of getting marsupial skins was not, perhaps, so big or so important as the mining industry, but, nevertheless, it was a very important industry, and some better provision should be made to enable the trapper to carry on the industry in a proper way. For that reason, without delaying the Committee any further, he moved the omission of the words "in certain particulars." He would ask the Minister to give more information than the Committee had so far received.

Mr. LESINA had very much pleasure in supporting the amendment, because he knew that the present Act, because of certain things it lacked, had caused considerable trouble to numbers of working men engaged in following occupations that sometimes compelled them to take to marsupial shooting and the destruction of opossums or other animals, which had been described as pests in some parts of the country, but which, under the Marsupial Act, might be destroyed legally. It had been found that certain privileged persons could get access to certain leases and certain lessees could get exemption very easily to prevent persons carrying on that occupation, compelling them to leave that part of the country and go miles and miles away. If the Bill did not propose to remove this injustice, he would like to see the scope of the measure widened in such a way that they could insert amendments which would do away with that injustice. The Committee at present did not know in what direction it was proposed to amend the Act.

The PREMIER: Wait till you see the Bill.

Mr. LESINA: It would be too late then, as the amendment moved might be outside the scope of the Bill.

The PREMIER: The Minister is asking parliamentary authority to amend the law in the way he thinks necessary.

Mr. LESINA thought they had a right to secure the assistance of members of the Committee to get the scope of the Bill enlarged, so that they could put in any amendments they wished, and which, he thought, would commend themselves to members on the other side, provided the Minister got up and said members could exercise a free hand in that matter.

Mr. ALLEN: A non-party question.

[*Mr. Hardacre.*

Mr. LESINA: Make it a non-party question. The member for Murilla and other members representing country districts where there were men engaged in the destruction of marsupials were acquainted with the hardships those men had to suffer, and they would be very pleased to assist the hon. member for Leichhardt in getting an amendment put in to remove the restrictions. At present he did not know whether the amending Bill would attempt to remove that injustice or not. If it did not, as far as he was concerned, it was useless. It might remove other injustices, and he was prepared to support the removal of those injustices, but before the amendment was disposed of he would like to know whether it was proposed to amend the constitution of the boards.

The SECRETARY FOR AGRICULTURE: There is nothing in the Act about the constitution of boards. I think the hon. member must be referring to the Marsupials Act.

Mr. LESINA: They were both subject to the same limitations. It was proposed to amend the Act in certain particulars, and hon. members did not know what those particulars were. He was inclined to support the amending Bill dealing with the protection of native animals or marsupials, and if the Minister would assure the Committee, before the amendment was disposed of, that he would give hon. members an opportunity of moving amendments on the lines suggested by the hon. member for Leichhardt, with which he was heartily in sympathy, he was prepared to allow the Bill to go.

The SECRETARY FOR AGRICULTURE: The hon. member for Leichhardt and the hon. member for Clermont had rather in their minds the provisions of the Marsupial Act—

Mr. HARDACRE: It applies to both.

The SECRETARY FOR AGRICULTURE: And not the Native Animals Protection Act, for the reason that the Native Animals Protection Act of 1906 made no provision for boards whatever, and no persons were exempted by boards. That Act merely provided methods by which certain native animals might be protected, and the Bill it was desired to introduce would further protect those animals, for the reason that the fur industry was a very valuable one indeed to the State, and it had been found, since the Act had been in operation, that certain trappers were doing that which they were supposed not to do under the provisions of the Act. The Bill provided for the registration of skin dealers and for the unlawful use of cyanide and other poisons if possible, and to generally try to protect the industry. Unless something of that sort was done, this extremely valuable industry would be absolutely destroyed. Last year there was exported from this State marsupial and opossum skins to the value of £234,000, not some millions of pounds' worth, as the hon. member for Leichhardt said. The statistics, however, did not differentiate between marsupials and opossum skins.

Mr. HARDACRE: The value must have fallen off last year compared with what it was in former years.

The SECRETARY FOR AGRICULTURE: There were nearly £250,000 worth exported last year. It had been found that amongst the trappers there were

[4 p.m.] certain unprincipled men who would try to get ahead of their mates. (Hear, hear!) There were

certain trappers who did trap the opossums, but there were a number of others who used cyanide, and under the Bill he proposed to ask the House to give the department the authority that was necessary to stop the unscrupulous use of cyanide.

Mr. MURPHY: Section 6 of the present Act makes it unlawful to use cyanide.

The SECRETARY FOR AGRICULTURE: But it had been found almost impossible to get a conviction under section 6. (Hear, hear!) And under this amending Bill they proposed to give the police power to search and, if necessary, to arrest. (Hear, hear!)

Mr. J. M. HUNTER (*Maranoa*): The Bill so far as it went was desirable, but the limitations put upon it would not amend the Act to the extent that was required. He drew the attention of the Minister some months ago to the use of cyanide—or, rather, the misuse—that was going on, and the Minister informed him that they had no power to deal with the matter, but he hoped to amend the Act during the session. Although the Bill would contain some provision to deal with that, still it required to go further. Other restrictions were required to make the Act better than it was at the present time. The skin trade and fur trade had assumed sufficient dimensions in Queensland to warrant the Minister coming down with a Bill without any provision restricting its scope, so that the House might be able to pass a measure covering the whole ground required. The proposal to issue licenses to those engaged in trapping was a very necessary one. It was also necessary to issue licenses to those who used cyanide for the destruction of these animals.

The SECRETARY FOR AGRICULTURE: That comes under the Poisons Act, not under this Act at all.

Mr. J. M. HUNTER: He understood there was no limitation under the Poisons Act that would permit of these people being dealt with. Then there was the objectionable practice of large leaseholders getting exemptions. They farmed out their land in areas to trappers, and made a good thing out of it. They drew imaginary lines along certain rivers and creeks, and payment was received from the trappers. Contracts were entered into, and he had known trappers to take up contracts almost at a losing price during the time of restriction so as to be allowed to use a certain area of land to trap during the open season. During the close season the trappers would work about the stations for almost anything, so as to get the privilege of trapping there during the open season. Leaseholders and property-holders should be prevented from doing that sort of thing. When the Act was passed there was a wild rush of leaseholders to get exemption.

The SECRETARY FOR AGRICULTURE: There is no exemption under this Act.

Mr. J. M. HUNTER: It prevented the trapper from going on to his land.

The PREMIER: That has nothing to do with this Bill at all.

Mr. MURPHY: There is no exemption under this Act at all.

Mr. HAMILTON: It is under the Marsupials Act.

Mr. J. M. HUNTER: They were prevented from getting opossums all the same. He did not care what Bill it was under if it prevented them from getting opossums.

The PREMIER: But it is out of order to discuss it on this Bill.

Mr. J. M. HUNTER: He wanted to get something in this amending Bill to prevent exemptions being granted so far as opossums were concerned. He did not think the Bill would allow them to get that. As the Minister said, they received £240,000 from the export of skins last year, and two years ago it was much more than that, as he knew where they were paid £2,000 a month, and even £1,000 a week was paid by business people in Roma for skins, so that it was a matter that concerned his electorate. The Bill might have been brought in without any restrictions at all.

The SECRETARY FOR AGRICULTURE: We are trying to protect the industry as much as possible.

Mr. J. M. HUNTER: He gave the Minister credit for that. It was necessary, because of the wholesale destruction that was taking place. Some restriction should have been enforced many years ago, but "better late than never." He was sorry that the Bill did not remove all the grievances they heard of in connection with the industry.

Mr. KEOGH (*Rosewood*): It was unprecedented to ask the Speaker to leave the chair in order to discuss a Bill in Committee when there was no Bill before them. (Laughter.) They were in the dark altogether with regard to the Bill. He admitted he knew little or nothing about what the Minister was bringing forward; but, after hearing what had dropped from hon. members opposite, he was in favour of what they had said. If the lessees had been charging £1 to £1 10s. a week for the privilege of trapping on their land, then they had no right whatever to do so. (Hear, hear!) If the Bill contained any clause to that effect he would be found voting on the other side. (Hear, hear!) He was opposed to the wilful destruction of native animals, and would do all he could to see that they were properly protected; but he wanted to see the men engaged in that industry have fair play, and not be crushed out by the lessee or anyone else. The Government had no authority to give the authority to the lessee or anyone else. The animals should be protected and the trappers should also be protected. The trappers should not be penalised. The penalising did not come from the Government at all, but from the men on the land, therefore the Government should put down their foot and put a stop to it. (Hear, hear!) If the Government were not prepared to do that, then he would be found voting on the other side of the House. (Hear, hear!)

Mr. MANN (*Cairns*): The Native Animals Protection Act of 1906 contained only nine clauses altogether, and it would have been better if the Minister had brought down a Bill to amend the whole Act, instead of asking them to amend it only "in certain particulars." Every member was ready to support the Minister in his contention that cyaniding should be put down. But if they had the whole Act before them, they might amend the schedule or increase the number of animals to be protected. The schedule of the 1906 Act was only a short one, and

*Mr. Mann.*]

it protected under the heading of native animals the tree kangaroo, wombat, duck mole or platypus, hedgehog or echidna, and flying squirrel or opossum mouse. They might amend that schedule by protecting further animals and birds. While some animals might be a pest in some districts, still, where there was closer settlement, they had almost entirely disappeared, and they should preserve some specimens of them. They had got some rare animals in Queensland which they seldom saw near the coast at all. The hon. member for Gregory some years ago brought down a very rare animal that existed in the West; and in some districts the emus were getting scarce, and they might protect them. He believed they were a pest in some districts, as they broke down the fences and spread the prickly pear, but in some districts they were scarce and should be protected.

The SECRETARY FOR AGRICULTURE: We removed the protection from emus because they spread the prickly pear. (Hear, hear!)

Mr. MANN: That might be so in the West, but in the closer-settled districts they should be protected. The tree kangaroo and the ordinary kangaroo should also be protected as much as possible. He would vote for the amendment.

Mr. FERRICKS asked if the Bill made provision to cope with the flying-fox pest?

The SECRETARY FOR AGRICULTURE: No.

Mr. FERRICKS thought that was another reason why the motion should be broadened, and he hoped the Minister would accept the amendment, and so allow members the latitude they were entitled to in submitting amendments.

Mr. HARDACRE: It was quite true, as the Minister had said, that there were no boards under the Native Animals Protection Act which gave permission or otherwise to snare or shoot opossums. But there were boards constituted under the Marsupial Boards Act, and those boards gave trappers permits to shoot or snare marsupials, and under those permits the trappers or scalpers snared opossums. He contended that provision should be made to enable those who were carrying on the opossum-skin industry to do so without being subject to the restrictions now imposed upon them by pastoral lessees in many cases. If the motion was carried without the amendment, then discussion and amendment of the Bill would be limited to the certain particulars implied in the Order of leave. He had moved his amendment in order to give power to the Committee to amend the Bill in such way as might be deemed necessary.

The SECRETARY FOR AGRICULTURE wished to remind the hon. member for Leichhardt and other hon. members that the Bill which he proposed to introduce provided for the protection of native animals, and not for their destruction. There was, therefore, reason why they should include in the measure a provision for granting permits to trappers to destroy native animals.

Mr. HARDACRE: It was quite true that this was a Native Animals Protection Bill, but it was also a Bill under which trappers could snare opossums.

The SECRETARY FOR AGRICULTURE: No: this is a Bill to prevent them from cyaniding native animals.

Mr. HARDACRE: The principal Act gave the right to destroy native animals during certain periods of the year.

[*Mr. Mann.*]

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

AYES, 31.

Mr. Appel	Mr. Keogh
" Barnes, W. H.	" Kids' on
" Bouchard	" Macartney
" Brennan	" Morgan
" Bridges	" Paget
" Corser	" Petrie
" Cottell	" Philp
" Cribb	" Rankin
" Denham	" Roberts
" Forrest	" Stodart
" Forsyth	" Swayne
" Fox	" Tolmie
" Grayson	" Walker
" Gunn	" White
" Hawthorn	" Wienholt
" Hunter, D.	

Tellers: Mr. Grayson and Mr. Swayne.

NOES, 23.

Mr. Allen	Mr. Lesina
" Barber	" Mann
" Breslin	" Mullan
" Collins	" Murphy
" Crawford	" McLachlan
" Ferricks	" Nevitt
" Foley	" O'Sullivan
" Hamilton	" Payne
" Hardacre	" Ryland
" Hunter, J. M.	" Theodore
" Land	" Winstanley
" Lennon	

Tellers: Mr. Breslin and Mr. Murphy.

PAIRS.

Ayes—Mr. Booker and Mr. Mackintosh.

Noes—Mr. Blair and Mr. Douglas.

Resolved in the affirmative.

Original question put and passed.

The House resumed. The ACTING CHAIRMAN reported that the Committee had come to a resolution, and the resolution was agreed to.

FIRST READING.

The Bill was presented and read a first time, and its second reading made an Order of the Day for to-morrow.

## MARSUPIAL BOARDS ACT AMENDMENT BILL.

INITIATION.

On the Order of the Day being read for the consideration in Committee of the desirability of introducing a Bill to amend the Marsupial Boards Act of 1905 in certain particulars,

The SECRETARY FOR AGRICULTURE said: Mr. Deputy Speaker,—I move that you do now leave the chair.

Question put and passed.

COMMITTEE.

The SECRETARY FOR AGRICULTURE moved—

That it is desirable that a Bill be introduced to amend the Marsupial Boards Act of 1905 in certain particulars.

Mr. MANN would like to get some information from the Minister with regard to the operation of marsupial boards. In his district a number of settlers tried to form a board to cope with the wallaby pest, but they found that the assessment was only on the number of stock they owned, and that they could get no assistance from the Government; and, as they did not own any stock in the shape of cattle or sheep, the scheme fell through. It was very necessary that boards should be

formed to protect cane-growers as well as pastoralists, and he should like to know whether provision was made in the measure proposed to be introduced for forming boards in agricultural districts, so that settlers might be able to protect themselves against the wallaby and other animal pests. He hoped the Minister would make provision for boards being formed in agricultural districts to protect settlers against any pest with which they might wish to cope.

Mr. HAMILTON (*Gregory*) thought the Minister should give the Committee some information as to the scope of the [4.30 p.m.] Bill. It was an anomaly that

kangaroos and wallabies were not marsupials according to the Act, but dingoes were included. There was a provision in the Act for a license to go on leasehold country, but a mistake was made in providing that the license should be granted by the marsupial board, and not by the Minister. The board was composed of pastoral lessees in the district; and it was a case of "You scratch my back and I'll scratch yours." Provision was made in the Act for lessees getting exemption, and they exempted one another to such an extent that nearly every station in the *Gregory* district was exempted from the operation of the Act. The cattle men did not regard dingoes as a pest—they looked upon them as auxiliaries in keeping down the marsupials—but on adjoining sheep stations they poisoned as many dingoes as they could.

Hon. R. PHILP: Plenty of cattle men do not want dingoes.

Mr. HAMILTON: On some sheep stations the dingoes committed great depredations. What he would like to see in the Bill was a provision that anyone wanting exemption must apply to the Minister. It was a farce applying to the board, because the members of the board were all lessees.

The PREMIER: They are all "John Thomson's bairns." (Laughter.)

Mr. HAMILTON: Yes. He hoped the Minister would give the Committee some information as to what the Bill proposed.

The SECRETARY FOR AGRICULTURE: In reply to the hon. member for Cairns, he might say that though farmers might not possess twenty head of cattle or 100 sheep, that was no reason why the provisions of the Act should not be applied to their district. He would be only too glad to help them to do what they wished to do in coping with these pests, but they must do it through the proper channel. If the hon. member for *Gregory* would look at the Act of 1905, in the interpretation clause, he would see that wallabies were included.

Mr. HAMILTON: Not kangaroos.

The SECRETARY FOR AGRICULTURE: No; for the reason that kangaroo skins were so valuable that it was not considered necessary to pay for the destruction of kangaroos. With respect to the proposed amending Bill, it was intended under the heading of marsupials to include foxes.

Mr. FERRICKS: Flying foxes?

The SECRETARY FOR AGRICULTURE: No; foxes. And the scalper's permit would show where he was going to scalp. It was proposed to exempt horse-breeding paddocks up to 1,000 acres from the scalpers' operations; and the scalper would not be allowed to camp, without the consent of the owner, within 200 yards of water used by stock, etc. He proposed also to bring in the question of the use of cyanide in killing marsupials, be-

cause it was said that there were heavy losses of cattle in consequence. (Hear, hear!) It was proposed to reduce the endowment to 5s. in the £1, endowment being paid on assessments of 6d. and over on twenty head of cattle, and on 100 sheep. Power would be given to the Governor in Council to exempt boards from the operation of the Act for a specified period. The reason for that was because a number of boards throughout the State had asked for the abolition of the Act, which the Government did not consider advisable.

Mr. FERRICKS asked whether it would be possible to include flying foxes in the Bill?

The SECRETARY FOR AGRICULTURE: That is a question that has occupied the attention of the department for many years, but we have been unable to solve it.

Mr. FERRICKS: Did not the hon. gentleman think it could be solved by including them in this Bill?

The SECRETARY FOR AGRICULTURE: I think it is a matter for the shire councils.

Mr. HARDACRE said he intended to move the omission of the words "in certain particulars." It appeared that the definition of "marsupial" had no relation to zoological classification. He would like the opossum and the native bear to be included in the definition of "marsupials."

The SECRETARY FOR AGRICULTURE: We are endeavouring to protect them. This is a Bill for the destruction of marsupials.

Mr. HARDACRE: He would be glad if the Minister would indicate that at some future time he would bring in a measure to facilitate the operations of marsupial scalpers and opossum snarers; and in that case he would not move this amendment.

The SECRETARY FOR AGRICULTURE: We will see what can be done by and by.

Mr. HARDACRE: The Minister might have indicated what he proposed to do. Members representing districts in which scalpers carried on their industry had had representations made to them again and again pointing out the hardships under which they suffered, and the department must have had similar representations made to them. The complaint had gone on for a number of years and no effort at all was made to meet their legitimate complaints. It was really under the provisions of this Bill that those men carried on the industry. It was quite true that the Bill did not deal with opossums or native bears, but the marsupial scalpers got a permit under the provisions of that Act and under that permit they shot the native bears.

Mr. LESINA: They have no right to do that.

Mr. HARDACRE: That was the only way in which they could get on to the holdings at all. When the 1905 Act was passed, the hon. member for *Gregory* and Mr. Kerr, then member for *Barcoo*, and himself, waited on the Minister and got him to accept an amendment which gave the necessary permit to the snarers to go on to the holdings unimpeded by the pastoral lessee. The Minister in charge at that time accepted the amendment, but afterwards amended it in such a way that the whole attempt to do justice to those men failed.

The SECRETARY FOR AGRICULTURE: You surely must have some restrictions to persons going on holdings.

*Mr. Hardacre.* }

Mr. HARDACRE recognised as well as anyone else that there must be some necessary safeguards to prevent undue disturbance and injury to the pastoralist's stock; and the amendment framed at that time would have done that—something on the lines of the safeguards included in the timber-getter's licenses. Under a timber-getter's license the holder was prevented going upon any particular area from which the pastoral lessee wished him excluded—from any particular paddock or waterhole. It was about up to the Minister to do something for those men, and he moved his amendment in order to give the Committee sufficient power to bring in an amendment to meet the complaints of those men, and he hoped the Committee would agree to the amendment.

Mr. LESINA: The hon. member for Leichhardt pointed out that under the Act passed in 1905 for the destruction of marsupials and dingoes, persons got a permit to destroy marsupials, and under cover of that permit they snared opossums. That appeared to be distinctly illegal, and the department should take action to prevent it being done. There was a special Act, which it was proposed to amend, which dealt with certain forms of native animal life—an Act which he strongly favoured at the time and was still strongly in favour of—and it was the actions of those men perhaps that made the amendment necessary at the present time to prevent the complete destruction of opossums. At the present rate of destruction, it would not be very long before opossums became extinct.

The SECRETARY FOR AGRICULTURE: They are almost extinct in some districts now.

Mr. HAMILTON: They are extinct in some places.

Mr. LESINA: As the hon. member for Leichhardt had pointed out, some pastoral lessees charged enormous fees for permits to go on to holdings, and in one case they gave a royal permit to one family, exclusive of all other persons, to go on to the natural reserves, and those people simply coined money.

Mr. HARDACRE: One pastoral lessee paid the rent of his holding out of fees received.

Mr. LESINA: Under the title of the Act it is proposed to amend they could not very well destroy opossums—it was an Act to encourage the destruction of marsupials and dingoes. The dingo was defined as—

A dingo or half-bred dingo or any undomesticated dog generally known as a wild dog inhabiting the bush, and apparently having no owner, and being under no control.

A marsupial was defined as—

A wallaby, paddamelon, bandicoot, or kangaroo rat.

The hon. member for Gregory, at the initial stages of that Act, endeavoured to get the word "kangaroo" included in the definition clause, but that simply meant increasing the rates; and, as the Government endowed those rates, it meant that they would subsidise the destruction of kangaroos, the destruction of which paid for itself.

The SECRETARY FOR AGRICULTURE: The skins are worth £5 a dozen.

Mr. LESINA: The dingo did not pay for his own destruction. There was nothing valuable about the dingo at all. In New South Wales they were specially protecting the

[Mr. Hardacre.

kangaroo by imposing a close season, and he thought native fauna of that description should be protected. He had listened very carefully to the remarks of the Minister in regard to the proposed amendments, one or two of which he thought were very desirable. For instance, it was very necessary to prevent the use of cyanide and the poisoning of waterholes, which was a most dangerous practice. He was prepared to support the Minister in any action to prevent the general use of cyanide, even to the extent of searching persons. No doubt large numbers of native animals were destroyed by the use of cyanide. At a conference held in Brisbane the other day it was pointed out that a certain class of native birds, which were of infinite advantage to fruit farmers in destroying insects, were being destroyed by the cyanide. That was a practice which should certainly be stopped. He pointed out that the use of cyanide also led to the destruction of the young opossums. Those little tiny joeys just sniffed the cyanide and rolled over dead. Another thing he would like to point out was this: he did not know whether it was proposed to remedy the evil under the Bill, but the Auditor-General reported that the marsupial boards did not keep their accounts very well. Some of them had been over-endowed. For instance, one in the Leichhardt district was over-endowed by the Government to the extent of £549 8s. 2d. He did not know whether that amount had ever been adjusted, and he hoped the Treasurer would look into that matter, as it was a serious thing that the board should be over-endowed to that extent. Then again, the Condamine board, in the Murilla electorate, was over-endowed to the extent of £69 16s. 11d. That was mentioned in the previous inspector's report, and the Under Secretary then made a promise for deduction. That apparently, as the Auditor-General pointed out, had been overlooked by the Treasurer. Public money should not be frittered away in that slipshod fashion. It appeared to him that under the amending Bill they should make some provision against the taxpayers' pockets being rifled in that reckless fashion.

Mr. HAMILTON did not think the order of leave would allow the Committee to get in any amendment. The amendment he wished to get in was very simple. All he wished to do was to substitute the word "Minister" for "board" in section 19. When that amendment was introduced, it was for the protection of the lessee, so that persons would not be allowed to go indiscriminately all over a run.

The SECRETARY FOR AGRICULTURE: It should not be allowed.

Mr. HAMILTON: It should not be allowed. At the same time, it was not right for a lessee to be able to prevent a person from going on to a run where marsupials were prevalent, when others were allowed to do so. In his own district complaints were made to him similar to those the hon. member for Leichhardt and others had spoken about. In some cases the scalpers had to smoothe to the lessees all the year round in order to be allowed on the run to kill marsupials. As far as dingoes were concerned, they were a pest, and everything possible should be done for their destruction. When they inserted that clause in the 1905 Act it was to protect the lessee, but they took advantage of it to such an extent that nearly every run in the country was now exempted.



It was easy to get exemption from the board, as the board was composed of lessees themselves.

The SECRETARY FOR AGRICULTURE: How does it happen that we exported a quarter of a million pounds worth of skins last year if they are all exempted?

Mr. HAMILTON: By allowing their favourites to go on the runs, to the exclusion of others. By substituting "the [5 p.m.] Minister" for "the board" it would mean that when a man applied for a license he would have to apply to the Minister instead of to the board. As pointed out, in some districts the lessee charged £1 or £1 10s. a week for the privilege of destroying marsupials and opossums on his run, but the Crown should get that money. If a lessee wanted to get exemption, the Minister had all his officers in the district and he would make inquiries, and if it were justified it would be granted. But at present one lessee sat on the board and granted an exemption to his neighbour, then his neighbour sat on the board and granted exemption to him. If it were the Minister and not the board who had the deciding of the matter, that would not occur at all. A lot of money had been spent in destroying the dingo, and a lot of money would continue to be spent. During the drought many flocks of sheep were taken to the coastal districts for relief country, and after the breaking up of the drought, when the sheep were being returned to their Western holdings, they were followed by large numbers of wild dogs.

Mr. LESINA: Just like the lawyers follow rich men. (Laughter.)

Mr. HAMILTON: Everything should be done to put down the dingoes.

Mr. MORGAN (*Murilla*): Was sorry that the Minister did not think it necessary to insert a provision to abolish the marsupial boards altogether. (Hear, hear!) The responsibility for the abolition of the different pests should be put on to the shire councils, and not on to specially constituted boards. The shire councils were better able to deal with the pests than the marsupial boards. He advocated that some time ago, because it had been found to be exceptionally successful in Victoria. He was glad that the Minister intended to include foxes as pests. He had been asked by people in his electorate to get the Minister to have crows and emus included as pests. (Laughter.) He knew it sounded strange to have crows and emus included in an Act for the destruction of marsupials, but the boards were formed for dealing with all kinds of pests, and that was why he advocated the inclusion of crows and emus. (Hear, hear!)

The SECRETARY FOR AGRICULTURE: The shire councils can deal with them now.

Mr. MORGAN: No. Under the present law these special boards were formed for the purpose of dealing with pests.

The SECRETARY FOR AGRICULTURE: The shire councils have the power to destroy pests.

Mr. MORGAN: They should also include sparrows as pests. They had done thousands of pounds worth of damage in Victoria, and it was only a matter of time when the Downs farmers and wheat and fruit growers would be singing out to have the sparrows included as pests, when it would cost thousands of pounds to have them destroyed. Why not include them now, before they became a general pest all over Queensland? They knew what hap-

pened in the case of the prickly pear and other pests, which cost the State so much money, just because they had been let go in the first instance. When they were dealing with a Bill of this description they ought to go in for it thoroughly and have a Bill that would deal with all these pests, and not wait until they became a menace to the community generally. With regard to the marsupial skins, it was the practice in the West, especially on the Condamine Board, to compel the dingo-trappers to bring in a strip of skin right down the back and including the tail of the dingo. Now, a dingo skin was worth from 2s. 6d. to 5s., so why should it be destroyed in that way? In Victoria the fox skins brought from 5s. to 10s. apiece in the market, and the practice there was for the trapper to bring in the whole skin, and it was perforated with a number of holes in the form of a square which would be sufficient to prevent the skin from being presented anywhere else. The bonus was paid for the destruction of the animal and the skin handed back to the trapper, and he could then sell it in the market. Why should they reduce the dingo skins to ashes in the way they did in Queensland? It would be better to let the man who was lucky enough to get the dog fresh to retain the skin and get the bonus and market value of the skin as well. In that way they would encourage others to take up the game and destroy more pests. He did not know in what direction the Minister proposed to alter the Act, but he would like to see a good up-to-date measure brought in so that they could have a good discussion on it (Hear, hear!)

Mr. MANN was pleased to hear the hon. member for Murilla object to the amendment of the Bill being confined to "certain particulars," and that being so, the hon. member should have voted with the Opposition on the previous division, as they wanted to have the scope of the Bill widened in that case too. The Minister claimed that there was no trouble at all about a number of farmers forming themselves into a board and getting a subsidy from the Government.

The SECRETARY FOR AGRICULTURE: I said they could get marsupial boards formed.

Mr. MANN: The Hambleton Farmers' Association wrote asking to be brought under the provisions of the Act, but they could not be brought under its provisions except on the lines that they would be assessed according to the number of stock they held. They were mostly men with a few horses, and they could not very well assess them. If the Minister wanted to make a decent Bill of it, he should listen to the suggestion of the hon. member for Murilla and agree to the abolition of the words "in certain particulars" and bring the Bill up to date. The settler was just as much entitled to a subsidy as the pastoral lessee and grazing farmer. The Crown lands were a harbour for many pests and there were many scrubs on Crown lands which were a harbour for dingoes and wallabies. The shire councils ought to be allowed to tax Government reserves, because they were the real breeding places of pests both animal and vegetable. He was pleased to hear that the hon. member for Murilla was going to vote with the Opposition on this occasion.

Mr. O'SULLIVAN (*Kennedy*) would like the Minister to extend the scope of the Bill. When the hon. member for Leichhardt spoke about the excessive charges put on those who

*Mr. O'Sullivan.]*

went into the pastoral properties to destroy pests the Minister seemed to smile at the thought of such exorbitant rates being charged. A similar thing had been brought under his notice by a man who told him that before he was allowed to go on to a run to carry on opossum shooting he had to pay £20 for the season. He (Mr. O'Sullivan) was asked if he could find out if that was right, but he could not get that information. There ought to be a license charged by the Government, as it would be far better for the people engaged in that business. He would like to see something done to stop the destruction of bird life. In his electorate his attention had been drawn to the Railway Department poisoning the weeds alongside the railway line, and the destruction of bird life was great. The Government should not be allowed to do that. Some time ago he saw that it was proposed to introduce the English pheasant into Queensland, but he hoped it would not be allowed, as it would be sure to become a pest, just the same as the sparrow and starling and other things that had been imported.

Mr. FERRICKS: Another phase of industry that had not been touched on in connection with the snaring of opossums and marsupials on holdings was where the lessee paid a man £1 10s. a week and found, and engaged him to snare the opossum for himself. That was a case that had actually occurred in the North. He hoped that a Bill would be introduced to remove the abuses mentioned by members on the Opposition side, and particularly the right of exemption by the marsupial boards. There was a lot of back scratching going on with all the boards, and the members exempted their friends, while the sculpers were refused permission to go on the holdings. It was a confession of weakness on the part of the Minister to say that the Government could not undertake to introduce a Bill to include more pests than it intended. Why should the pernicious pests such as the flying foxes be put on to the shire councils?

The SECRETARY FOR AGRICULTURE: Because we know where their camping places are.

Mr. FERRICKS: As a matter of fact their camping places were often scrub islands out in the sea. These matters should not be left to the shire councils, as it was a national affair, but the restricted nature of the Bill would not permit of members moving amendments to widen the scope of the measure.

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

AYES, 29.

Mr. Appel	Mr. Keogh
" Barnes, W. H.	" Kidston
" Bouchard	" Macartney
" Brennan	" Paget
" Bridges	" Peirie
" Corser	" Philip
" Cribb	" Rankin
" Denham	" Roberts
" Forrest	" Stodart
" Forsyth	" Swayne
" Fox	" Tombs
" Grayson	" Walker
" Gunn	" White
" Hawthorn	" Wienholt
" Hunter, D.	

Tellers: Mr. D. Hunter and Mr. Roberts.

[*Mr. O'Sullivan.*]

NOES, 24.

Mr. Allen	Mr. Lesina
" Barber	" Mann
" Breslin	" Morgan
" Collins	" Mullan
" Crawford	" Murphy
" Ferricks	" McLachlan
" Foley	" Nevitt
" Hamilton	" O'Sullivan
" Hardacre	" Payne
" Hunter, J. M.	" Ryland
" Land	" Theodore
" Lennon	" Winstanley

Tellers: Mr. O'Sullivan and Mr. Winstanley.

PAIRS.

Aye—Mr. Booker and Mr. Mackintosh.  
Noes—Mr. Blair and Mr. Douglas.

Resolved in the affirmative.

Original question put and passed.

The House resumed. The ACTING CHAIRMAN reported that the Committee had come to a resolution, and the resolution was agreed to.

FIRST READING.

The Bill was presented and read a first time, and its second reading made an Order of the Day for to-morrow.

LAND BILL.

LEAVE TO SECRETARY FOR PUBLIC LANDS TO ATTEND COUNCIL.

The DEPUTY SPEAKER announced the receipt of a message from the Council requesting that leave be given to the Hon. Digby Frank Denham to attend the sittings of the Legislative Council on such day or days as shall be arranged between him and the Council, in order to explain the provisions of the Bill to consolidate and amend the law relating to the occupation, leasing, and alienation of Crown lands.

The PREMIER moved—

1. That leave be given to the Honourable Digby Frank Denham to attend the sittings of the Legislative Council, if he thinks fit, on such day or days as may be arranged between him and the Legislative Council, to explain the provisions of the Bill to consolidate and amend the law relating to the occupation, leasing, and alienation of Crown lands.

2. That such leave be notified to the Legislative Council, by message in the usual form.

Mr. LENNON (*Herbert*): This is an unprecedented occurrence, I understand. Of course, the fact of its being unprecedented does not stamp it as being improper, but it is something like a confession on the part of the Government that they are inadequately represented in the other Chamber. Are we to take the motion as an indication that the Government have no one in the Upper Chamber sufficiently well acquainted with the Land Bill to explain its provisions to the members of the Council, or that it is a preparatory step to the translation of the Secretary for Lands to the Upper Chamber—that he may get there to feel his feet for a day or two? I think the Premier should have given notice of the motion, so that we might have fortified ourselves with precedents as to whether the thing is proper or not. But possibly I hit the nail on the head when I said that perhaps in the near future the hon. gentleman might be translated to the Upper Chamber.

Mr. MURPHY (*Croydon*): I think we should agree to this motion, because I am

perfectly satisfied that neither of the gentlemen representing the Government in the Legislative Council is competent to explain the provisions of the Land Bill.

The DEPUTY SPEAKER: Order!

Mr. MURPHY: I am pleased to see a motion of this nature brought before this Chamber, because later on, when a democratic Government occupies the Treasury bench, and introduces really democratic legislation—

The DEPUTY SPEAKER: Order! I may point out to the hon. member that this is the usual procedure when a member of one Chamber is asked to attend in the other Chamber. It is a courtesy to the other Chamber to give leave to the member whose attendance is desired, and that is the question now before the House. I must ask the hon. member not to go outside the limits of that question in this discussion.

Mr. MURPHY: That is precisely the point of view from which I am discussing the motion. I am dealing with it from the standpoint of courtesy, and I say I am pleased that members of the Council have passed a resolution in which they intimate that they desire someone competent to explain the Land Bill to go to that Chamber and explain the provisions of this proposed legislation. When we have a democratic Government in power we may have a Bill like the Trade Disputes Bill passed in this Chamber. Would it not be a nice thing for the Council to pass a similar resolution then, asking a Labour man to go up there and explain the provisions of that Bill?

The PREMIER: Send Keir Hardie to explain it. (Laughter.)

Mr. MURPHY: This is an innovation—something which is unprecedented.

The DEPUTY SPEAKER: Order!

Mr. MURPHY: Am I out of order in saying that the motion is unprecedented when other members who have spoken have pointed out to the House that never before in the history of the Council has such a thing been done?

The DEPUTY SPEAKER: Order!

Mr. MURPHY: On what point?

The DEPUTY SPEAKER: Order! I have informed the House that this is the usual course, and the hon. member must address his remarks to the question before the House.

Mr. MURPHY: Then the Premier and the other hon. members who said this is an unprecedented course were wrong?

The PREMIER: I did not say that.

Mr. MURPHY: I understood the Premier to say that, and I understood the deputy leader of the Labour party to say it. There is one thing that I object to in this motion, and that is the phrase "if he thinks fit." The Legislative Council have invited a member of the Ministry, a member of the Legislative Assembly, to attend in that Chamber and explain the provisions of the Land Bill, and we are asked to give him leave "if he thinks fit."

Hon. R. PHILP: We cannot compel him to go.

Mr. MURPHY: No; we cannot compel him to go.

The PREMIER: And he cannot go there unless this House gives him leave.

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Mr. MURPHY: No; but this motion proposes that if this House gives him permission, he is to go "if he thinks fit."

The PREMIER: It is like "the flowers blooming in spring." (Laughter.)

Mr. MURPHY: You would be a nice flower blooming in spring. (Laughter.) However, the Council have invited the Secretary for Public Lands to go there and explain the provisions of the Land Bill, and that is a compliment of which the hon. gentleman may feel proud, but it is certainly not a compliment to the gentlemen representing the Government in the Legislative Council.

HON. R. PHILP (*Townsville*): I think it is a very good idea for the Council to invite the Minister in charge of the Land Bill to go to that Chamber and explain his views to hon. gentlemen. I do not agree with the hon. member for Croydon that the gentlemen who represent the Government in the Council are not competent to explain the Land Bill. The Hon. Mr. Barlow was once Minister for Lands with a seat in this House, and I know of no abler man who has occupied that position than Mr. Barlow.

Mr. MURPHY: You were not saying that two years ago. (Laughter.)

HON. R. PHILP: I have never doubted Mr. Barlow's ability, though I have sometimes thought that he was wrong in his politics. (Hear, hear! and Opposition laughter.) I think this House should feel complimented by the fact that the other House have invited one of its members to go there and explain this important Bill, and I hope there will be no objection at all to Mr. Denham going to the Council.

Mr. MANN: At one time Mr. Barlow said he favoured sending nightsoil men to instruct the Council, but he has since become wiser, and is inviting the Minister for Lands to instruct them. I am pleased that he is going

there; I am only sorry it is not [5.30 p.m.] the Premier going there to remain permanently. It says little for the intelligence of Ministers elsewhere, when a member of this House is invited to go there and explain the Land Bill. I think it shows that the two men representing the Government there are not fit for the positions they are paid to fill.

Mr. HARDACRE: Personally, I am pleased at the request that has been made. I think it is a compliment to the House and to the Minister. The Land Bill is a complicated piece of legislation, and therefore the request is a reasonable one. But I would like to point out that we are now setting a precedent; and I object to it as a precedent. As far as I can see, according to our Standing Orders no permission from this House is necessary; but permission from the Council is necessary to allow a member of the Council to appear before this House.

The DEPUTY SPEAKER: Has the hon. member read the Council Standing Orders?

Mr. HARDACRE: No; but there is nothing in our Standing Orders to show that it is necessary.

Mr. ALLEN (*Bulloo*): I am distinctly opposed to this innovation. The other Chamber is supposed to be a revising Chamber. It may be in the future that a Minister, having passed a measure through in the teeth of very strong opposition, perhaps with the aid of the gag, will be asked to go to the revising Chamber to explain its provisions. He will have all the say all the time, instead of the other

*Mr. B. F. S. Allen.]*

Chamber being a revising Chamber. If there is to be a member brought up to explain the provisions of a Bill, I do not see why a member on the opposite side should not be brought up to explain its defects.

The PREMIER: Where is he?

Mr. ALLEN: I am not saying where he is. I think there should be no necessity for any member of this House to go up and explain the Bill. Members there ought to be as well able to understand the measure as members of this Chamber.

The PREMIER: Perhaps even more.

Mr. ALLEN: If that is so, it is strange that they should want one of our members to explain it. I am opposed to any of our members going there.

A GOVERNMENT MEMBER: Vote against it.

Mr. ALLEN: I am going to do so. It is practically a confession that they are not competent for their duties; and, if that is correct, instead of sending one of our members to help them out of their difficulty, I think our proper course is to wipe them out.

The PREMIER: I think it is courteous on the part of the Legislative Council, when they want a member of this House to visit them, to ask the permission of this House—that they should at least advise this House that they have invited one of our members to address them. Though it is an innovation, I think it is a good thing; and with an important Bill—not only an important Bill but a Bill so complicated, involving so many questions as the Land Bill—I must say I think the Council have done wisely in asking the Minister for Lands to explain its provisions. It is certainly a good thing that a man who has made a special study of a complicated Bill like this should give an explanation. It is true that members of the Council might read the Minister's speech which he made in this House.

Mr. RYLAND: There are more speeches than the Minister's.

Hon. R. PHILP: Would you like to go up?

The PREMIER: But I venture to say that is a very different thing from a living explanation by the Minister who has made a special study of the Bill. In a matter of that sort I do not think it is any disparagement to either of the Ministers who represent the Government in the other House to say that Mr. Denham, who has devoted six months to the study of the matter, and has the whole thing from A to Z at his finger-ends—I say it is no disparagement to any member of this House or to any member of the other House that they do not know the subject as thoroughly as Mr. Denham. (Hear, hear!) But, though he can explain the matter perhaps better than either of those two Ministers, I may say that neither of those two Ministers is at all deficient in ability or capacity for dealing with that or any other subject. I take it as a well-deserved honour paid to the Minister for Lands for the labour and attention he devoted to the subject. It was recognised in this House; and I am glad that it has been recognised in the other Chamber also.

Question put and passed.

### SUPPLY.

#### RECEPTION OF RESOLUTIONS.

The ACTING CHAIRMAN brought up the resolutions passed in Committee of Supply covering the amounts voted for His Excellency the Governor, Executive and Legis-

*Mr B. F. S. Allen*

lative, Chief Secretary's Department, Home Secretary's Department, and Department of Public Works.

The TREASURER moved that the resolutions be received.

Mr. LESINA: I want to discuss those resolutions.

The DEPUTY SPEAKER: The proper time to discuss them will be on the motion that they be agreed to by the House.

Question put and passed; and resolutions read by the CLERK.

The TREASURER: I beg to move that the resolutions be now agreed to by the House.

Mr. LESINA: I do not particularly object to the resolutions being agreed to, as they were discussed pretty fully in Committee, but I would like to point out that I have not received from the Home Secretary certain information I asked for in connection with one or two votes. I refer to the benevolent societies' votes. I asked for the balance-sheet in connection with the Salvation Army Home here and in Rockhampton to be tabled, and also last year's balance-sheet for the Lady Chelmsford Milk Institute. I am very anxious to ascertain how those institutions spent the money entrusted to their care, and I would like the Premier, who is one of the leading men in connection with the Lady Chelmsford Milk Institute—

The PREMIER: Who?

Mr. LESINA: You. (Laughter.) That institution received £300 of public money last year, and we are now asked to adopt resolutions providing another £300 for that institution. I have not seen any balance-sheet, although I have asked the Home Secretary for it. They are expected to send their balance-sheet to the Home Department in order that the department, if it cares to take the trouble, might carefully analyse their expenditure and find out whether the Crown money has been properly expended. The Auditor-General says most distinctly that their accounts are in a most mixed condition, and I do not see that we should vote money for this institution under the circumstances. The Auditor-General sent an inspector to examine the books of that institution, and the Auditor-General, on page 108, reports, with regard to the books—

Highly unsatisfactory. The whole system seems to need reorganising.

We are asked to adopt resolutions voting £300 to this institution whose book-keeping system is faulty and badly needs reorganising; and a prominent member of it is on the front Treasury bench as leader of the Government. When hon. members find Crown money taken from the pockets of the taxpayer and put into the credit of an institution and is not accounted for, then a member is not doing his duty if he does not rise in his place and protest against it. (Hear, hear!) I have no axe to grind one way or the other. I know nothing of the Lady Chelmsford Milk Institute, except through the Auditor-General's report, and I do not know who is responsible. I say it is a fair and honest proposition that the institution should be reorganised, and I hope the Government will take this final notification, as far as I am personally concerned; and I think, apart altogether from any party view that may be taken of the matter, that the system under which that institution is being run badly needs reorganising.

The PREMIER: That is what is being done.

Mr. LESINA: I am very pleased to hear it. With regard to the Salvation Army homes, the home at Rockhampton has received £3,000 of public money since I have been in this House, and the local institution has probably received another £1,500. Now, we want to know what is being done with that money. I would like to see a balance-sheet, and I cannot get it. I got a printed book, printed by the army in Melbourne, and a page turned down marked for me to examine. I examined it and find we simply get a total of certain money received from the Government, with no particulars as to expenditure and no proper balance-sheet such as other organisations send along to the Home Secretary. I maintain, and if I were in the Home Secretary's position to-morrow, I would immediately issue a minute that those particular bodies receiving £300 a year or £200 a year shall send a proper audited balance-sheet to the Home Department for investigation by the Crown officers. There is nothing dishonest about that. I have asked for weeks now for the balance-sheet, and all I can get is an evasive, non-committal, ingeniously drawn document which they circulate throughout Australia, which conveys no information at all to me as a guardian of the taxpayers' money. In the resolutions now moved by the Treasurer there is something like £2,700 for contributions to the various benevolent societies of Queensland, and at least £500 of it goes to those particular societies that will not give us a balance-sheet, and I say I am justified in asking that in future balance-sheets will be forthcoming. The balance-sheets from all other societies are carefully printed and duly audited, and the inspector from the Auditor-General's Office has gone through the books and testifies, "books well kept" or "ill kept," as the case may be, but I do not find that in respect to the Rescue Home. Why should that particular semi-political organisation not be subject to the same conditions as either the Maryborough, Gympie, Townsville, or other benevolent societies of Queensland? The Treasurer will not contend for a moment that they should not be subject to the same conditions as other institutions.

The TREASURER: I quite agree with you.

Mr. LESINA: Then the Home Secretary, who is in charge of this department, should insist that a properly-framed and duly audited balance-sheet shall be sent to the Home Department, and later on tabled in the library for the use of hon. members. I say under these circumstances I feel justified in having raised this question. I do not desire to score a point at the expense of the Minister in charge of the department, and I do not desire to score a point at the expense of the Minister who leads the Government. I feel certain they are animated with the best possible intentions in this, and are just as concerned about the taxpayers' interests as I am; in fact, a great deal more, because the Minister is personally responsible for the handling of this money. Now they are asking us to vote money for distribution in a certain way, and all I say is, if they will persist in sticking to the rotten system of giving subventions to these bodies, then by all means let us see that the money so distributed shall be properly used.

The PREMIER: I would like to say at once that I entirely agree with the hon. member, and I think it is the duty of every

member to call attention to any such matter and insist upon it being rectified. I knew about the Lady Chelmsford Milk Institute, not because, as the hon. member for Clermont says, I am a leading man there—

An HONOURABLE MEMBER: You are on top of the list.

The PREMIER: It takes all my energies to be a leading man here. (Laughter.) But because the matter was mentioned to me in connection with the Auditor-General's complaint; and action was at once taken. The Auditor-General is seeing that the institution is being put upon a proper business-like footing. With regard to the other matter, which I do not know anything about just now, I may say I will see that the Home Secretary and the Treasurer take such action as will prevent such a complaint being possible in the future. (Hear, hear!) I commend the hon. member for Clermont for drawing attention to the thing, as there should be no secrecy about the spending of public money.

Mr. J. M. HUNTER: These resolutions include a vote for a sum of money which was passed when I was not in the House, and had I been present I would have had something to say about it. It is with regard to the granting of a club license to the Royal Hotel, Roma. In this connection I asked the Home Secretary on 4th August—

Will he inform this House on what grounds he instructed the police sergeant at Roma to withdraw his objections to the granting of a club license applied for on the premises of the Royal Hotel?

And the answer I received was—

On several grounds which were not expressed in accordance with the provisions of the Registration of Clubs Act of 1904, and which could not be supported by facts.

Now, I think, in view of the fact that the Government contemplate introducing a Licensing Bill at an early date—

An HONOURABLE MEMBER: No, they are not.

Mr. J. M. HUNTER: We are told they are, and I hope we are told the truth in that matter. If it is the intention of the Government to bring in a Licensing Bill, I hope some effort will be made to do away with such a practice as has been initiated in this instance. To my mind, it is most reprehensible that the licensing law should be abused in this manner, because whatever power the police may have at the present time to see that this Act is properly carried out, with the admission of club licenses in connection with hotels, there is no possible chance of the closing hours being observed, because all they have to do is to shut their bar door and open their club door and the business goes on for ever. If forty members like to subscribe 1s. each, any hotel can get a club license, and the club can carry on business after prohibited hours. It is a very serious matter, and the Government will do well to see that an end is put to this evil. The license was granted by the bench. I understand a good deal of opposition was raised outside by the public, and, in fact, I have been asked to take the matter up, and I consider it is my duty to see that such a thing as this is not passed without some notice being taken. While I do not profess to be what you might call a rabid temperance man, at the same time I recognise this great evil of liquor, and reasonable restrictions should be placed on it, and I say some effort should be made by this House—and I hope that efforts will be made before

*Mr. J. M. Hunter.]*

the end of the present session—to place proper restrictions upon it. If one hotel is allowed a club license, as in this particular instance, then every other hotel is also entitled to the same thing, and they can reduce the number of members' fees to a minimum. What I complain of is that the Home Secretary instructed the sergeant of police there to withdraw his objection to the license. I think it would be much better if the Home Secretary, instead of doing that, had allowed

the sergeant to have continued [7 p.m.] his objection—which I understand was a fairly reasonable one, that he could very well sustain—and let the bench deal with it on its merits, and then there would be no reason to complain, and the whole question would depend on what the bench did. As it happened, the bench granted the license, and it is very much to the credit of the police magistrate, Mr. Berge, that he was opposed to it. Mr. Berge was the chairman of the licensing bench, and if it had been left to him he would not have granted the license, and I think wisely so, for the reasons I have already stated, because it simply bamboozles the police entirely with regard to places of that description. I think that a wrong principle has been allowed to prevail in this matter. It is not that I object to any individual or any number of individuals having a club license, but what I object to is a club license being granted to a licensed house. I think the Minister would be well advised if he allowed this to be the last instance that will happen, because it is only likely that other hotels will seek the same privilege. I do not blame them, for they can bamboozle the police in the carrying out of their duty in insisting on licensed houses being closed at the proper hour. I do not think that the sergeant of police—who is a very worthy man, and a very excellent officer—would oppose the license for spiteful reasons at all, but in order that he may more effectively carry out his duty. Consequently he did the right thing to oppose it. In my opinion it will not lead to any good being granted to this hotel. The particular class of the community who will operate at this club will not operate as injuriously as I have indicated, but the reverse will be the case, as it is a more select sort of club than the class I say will probably arise if this sort of thing is allowed to proceed unchecked. The very selectness of the club will save it from becoming an abuse, and probably it may prove more injurious to the licensee than beneficial. But it is the principle that I am opposed to. It is a wrong principle to allow to creep into our licensing laws. If there is nothing in the Licensing Bill which the Minister intends to introduce which will prevent that sort of thing, then I hope that the Minister will see that some such provision is made. The Minister, in reply to my question, said that there was no foundation for the sergeant's objection. I hope that the Minister will see that the new Licensing Bill prevents that sort of thing, else corruption will creep into our licensing laws. As we have a new Licensing Bill in view, that is the reason I have risen at this stage to mention this matter on behalf of a number of townspeople.

Mr. MANN: Before these resolutions are agreed to I just want to raise one little point which I was unable to refer to when the Estimates were going through, as I was away from the House at the time and was unable to bring the matter forward. The Cairns

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Chamber of Commerce wrote to the Under Secretary to the Chief Secretary's Office in regard to the establishment of an immigration depôt and a branch of the Intelligence and Tourist Bureau at Cairns, and the letter they received in reply from the Chief Secretary's Department just curtly acknowledged the receipt of the letter and refused the request, and no reason whatever was given for the refusal. I claim that if we are going to spend £54,000 on immigration, we want to see that we get value for our money, and at the present time all the immigrants who are being brought out here are dragged all the way to Brisbane, mostly to compete in the labour market here, and hardly any at all land at any of the ports along the coast of Queensland. When the Scottish Agricultural Commissioners were here the Lands Department gave them the plans of 46,000 acres of land which were available in the Atherton district, and if an immigrant happens to want to go on the land at Atherton and he lands at Cairns and asks for particulars about it, he will find that there is no branch of the Intelligence and Tourist Bureau there, and no immigration depôt where he can stop for a few weeks free of charge while he has a look round to see what land he will settle on. If the immigrant comes to Brisbane he is kept free of cost at the Immigration Depôt. The Government claim that their policy is to settle the waste places of Queensland, but the policy of the Government for the last two years has been to bring 95 per cent. of the immigrants down to Brisbane, where they take up all the available houses, and thus cause an increase in rents, increase the difficulty of finding employment because of their competition in the labour market, and create a building boom in Brisbane for the benefit of the landowners. That is what the Government's immigration policy amounts to. I only rose to express my disapproval of the Chief Secretary's Office for sending such a curt reply to the letter from the Cairns Chamber of Commerce without giving any reasons for their refusal to establish a tourist bureau and an immigration depôt in Cairns. I think that everyone who believes in a policy of immigration will admit that the place they require the people most is in the waste places of Queensland, and not the places where they claim they are already overstocked.

Mr. MURPHY: That is the reason they put on that big vote—to settle the outlying places.

Mr. MANN: Yes, that is the reason they gave. We have almost one-fifth of the population of Queensland within a radius of a few miles of Brisbane Post Office, and still the Government claim that they wish to settle the waste places of Queensland. The immigrants are dragged down to Brisbane, instead of going to Cairns, where there are thousands of acres waiting to be settled. If the immigrants come to Brisbane, they are kept in the depôt free of cost; but if they land at Cairns they have to go to a hotel to board, and the cheapest board they can get is £1 a week, so that in the case of a man with a wife and three or four children it will cost him some £6 or £7 a week, and in that way it will eat up what little capital he has got, and he will be unable to go on to any land because he will not be able to pay his first year's rent and survey fee. In the old days, when the immigrants were landed at Cairns, they were taken to a hotel and paid for by the State, but all that has been done away with. But now the immigrants are told by the Government, "You come to Brisbane, and we will put you in the Immigration Depôt, and will look after you carefully, and get you

a job; but don't land at those God-forsaken places Cairns, Townsville, and Rockhampton, or you will never get a job." I wish also to corroborate the remarks made by the hon. member for Croydon about the way the immigrants are treated at the depôt. They are fed more like cats and dogs than anything else.

Mr. PETRIE: No, no!

Mr. MANN: It is quite true. Ask any "newchum" who has been at the depôt, and he will tell you that it is so. A great lump of beef is brought in and put on the table, and they all go hacking and carving at it one after the other. There is no system of handing out the food at all, and the last man who comes along has just to take what all the others have discarded. For that reason, I take strong exception to the vote for immigration, because I claim that this Government are not going about the system of immigration in a manner most conducive to the welfare of Queensland. If they had spent the money in bringing out settlers to settle on our waste lands, it would have been much better than bringing out immigrants to stay in Brisbane and compete in the labour market. With the amount we have spent on immigration already, I claim that we could get as many people to come out as we have got in Queensland at the present time. If you offered £3,000,000 or £4,000,000 to a syndicate or company running steamships, they would bring out as many people as we have got in Queensland at the present time.

Mr. CORSER: What sort of people?

Mr. MANN: Owing to the bad system of selection, the Government is doing a great wrong in bringing out factory hands and artisans, and not agricultural labourers at all. It is a rare thing to get agricultural labourers to come out here. When I was recently in Mackay, Ayr, and Cairns, the settlers complained to me that they were unable to get agricultural labourers, because the Government did not bring out agricultural labourers at all.

Mr. CORSER: Other districts are just the same.

Mr. MANN: I am just complaining about it, and I know that other districts are the same. One of my friends at home sent out three agricultural labourers, and he sent me a letter of introduction and asked me to get them work. They were brought to Brisbane and I tried to get their passages paid to Cairns. I got them work in Cairns, but the Government would only pay their railway fares to Gladstone, and said that they would have to pay the rest themselves. They paid their own fares to Cairns and went to work there. One was a married man with a family, and he had to pay £15 to take them to Cairns. These people should not have been brought to Brisbane at all. If we are spending all this money on immigration we should bring out agricultural labourers.

Mr. BARBER (*Bundaberg*): Before these resolutions are adopted I would like the Home Secretary to give some information about the granting of licenses or provisional certificates by the licensing benches in districts where the third resolution has been carried. Some weeks ago the hon. member for South Brisbane submitted some questions to the Home Secretary on this matter, and pointed out that in four different districts where a prohibition area had been declared and a local option poll carried the licensing bench had granted further licenses. I asked the hon. gentleman

how many applications had been submitted to the licensing bench in the Gin Gin district for new licenses, how many had been granted, and by what authority such licenses had been granted, seeing that the third resolution had been carried in that district. The reply the hon. gentleman gave me was that there had been two applications for new licenses in that district, that one had been granted, and that he was not sure whether it was illegal for the bench to grant that license. If the Government are going to allow licensing benches to grant licenses in districts where the third resolution has been carried, what is the use of people going to the expense and trouble of taking a poll? There are several districts where this kind of thing has taken place—namely, the districts of Nanango, Biggenden, Kingaroy, and Gin Gin—and I wish to enter my emphatic protest against licensing benches granting provisional certificates in districts where the third local option resolution has been carried.

The PREMIER: You have done that already.

Mr. BARBER: Yes; and what have the Government done in the matter? The Government want driving with a sledge hammer in this matter. That this kind of thing should occur after all the talk we have had from the Premier and members of the Government generally with regard to their anxiety to deal with the licensing law, shows that their talk is mere pretence. What I desire to know is whether the Government intend to cancel the licenses which have been granted by licensing benches in districts where the local option resolution has been carried? In the Gin Gin district there are three or four hotels already. It is a small district, and there is more than ample accommodation for the travelling public, as well as for all those who want to get a drink. I hope that the Home Secretary will be able to give us a definite assurance that these licenses, which I believe have been wrongly and illegally granted, will be cancelled.

The HOME SECRETARY (Hon. J. G. Appel, *Albert*): With regard to the matter of granting a club license to the Maranoa Club at Roma, I notice that the hon. member for Maranoa inferred that the Home Department had overridden the police, who had objected to the granting of that license. The facts of the case are practically contained in the answers which I made to the question of the hon. member on Tuesday, the 9th August. I had hoped that I would have been able to get from the Commissioner of Police the whole of the papers in connection with this particular matter, so that I might be in a position to read to the House the recommendation which was made by the Commissioner, but unfortunately I have not been able to do so up to the present moment. I am therefore compelled to state the facts from memory.

Mr. J. M. HUNTER: Will you put them on the table of the House?

The HOME SECRETARY: Certainly I will. I first became aware that there was an objection made to the granting of this license by certain correspondence, and by a petition. I think it was from members of the club, in which they appealed to me as Home Secretary, to have the objection raised by the police withdrawn. I refused to intervene in the matter, holding that it was a matter which was entirely in the hands of the Commissioner. I intimated that if the Commissioner was prepared to recommend the withdrawal of the objection, I certainly would

*Hon. J. G. Appel.]*

not interfere. Of course, it must be clearly understood that the police can only object to the granting of a license. The Home Department have no jurisdiction over the court which decides these matters; we can only instruct the police to object to an application. The petition and the correspondence were put before the Commissioner of Police, and, if my memory serves me correctly, the papers were put before the Commissioner personally by members of the club, with the result that the Commissioner stated he was satisfied that this was a *bonâ fide* application for a club license, and he recommended that the objection made by the officer in charge of the police at Roma should be withdrawn. In view of that recommendation the objection was withdrawn. As stated in my reply to the interrogatory of the hon. member for Maranoa, the Commissioner pointed out that the objections which had been taken by the officer in charge at Roma were not legal objections under the Act, and he expressed himself as satisfied that the building would be *bonâ fide* used for the purpose of a club. And, if I recollect right, he drew my attention to a similar club which had existed for many years in Toowoomba. The hon. member asked whether I had expressed my wishes with respect to the application to the local bench, and my reply was that I had not. It would be a most improper thing for any administrative head of a department to interfere with the administration of the law by any bench; and, as I have already pointed out, these benches do not come under the administrative vote of the Home Department, save and except that on the recommendation of the Commissioner of Police certain justices are appointed annually by the Home Department as licensing justices. In every instance an attempt is made to secure such men as are known to have independent views and who will be impartial in dealing with any application coming before them, and I venture to say that in the majority of cases the licensing benches have so carried out their duties. Where a member of a licensing bench shows any bias one way or the other, as a rule that member is not appointed on a succeeding occasion.

Mr. J. M. HUNTER: Don't you think the law should be altered so as to prevent licensed houses getting club-houses?

The HOME SECRETARY: Yes; and that is one object in proposing to introduce a measure amending the liquor laws. With reference to what has fallen from the hon. member for Bundaberg, the difficulty is that benches have held that the granting of a provisional license is not an infringement of the local option resolution which may exist in a particular locality, and the Home Department have no administrative power to deal with that phase of the question. It is held that a provisional license does not entitle the holder of that license to retail liquor, which is a matter of fact, and I do not know of any case where in a prohibition area a license to retail liquor has been granted. Cases have come before the Supreme Court on one or two occasions, but no decision was given on that particular point. But any elector aggrieved may bring the matter before the court for the purpose of having the decision given by the licensing bench tested. At present it is a moot question as to whether it is illegal for a bench to grant a provisional license or not. That question would be settled if a bench granted a license to retail

[*Hon. J. G. Appel.*]

liquor in an area while the resolution prohibiting the granting of licenses was in force in that particular locality.

Mr. J. M. HUNTER: What is the use of a provisional license then?

The HOME SECRETARY: The holder of such a license takes the risk. Instructions have been given to the police to oppose every application for a new license, provisional or otherwise, in a prohibitional [7.30 p.m.] bited area, and those instructions have been faithfully carried out; but, as members themselves know, the licensing benches have overruled the objections of the police, and have granted provisional licenses. If they grant a license to retail liquor while the third resolution is in force, that will be a matter with which we can possibly deal. Until that is done I fail to see that we are in a position to take any action.

Mr. CORSER: It was refused at Kingaroy the other day.

The HOME SECRETARY: With regard to the cases mentioned by the hon. member for Bundaberg, it became a scandal prior to the appointment of licensing benches how magistrates went from other districts to grant licenses. In order to cope with that difficulty, the police recommended the appointment of licensing benches, and they were appointed. Unfortunately the evil has not been cured; but when the reappointments are made, every care will be taken to appoint men who will not even colourably contravene the law.

Mr. BARBER: Won't you do away with the licensing benches altogether?

The HOME SECRETARY: You must have benches; it is a matter of the constitution of the licensing benches. Under the new Bill every provision will be made to safeguard the law so far as the application for licenses is concerned; and when hon. members see the measure they will not alone approve of it but will give every assistance to make it law.

Question—That the resolutions be now agreed to by the House—put and passed.

## RIGHTS IN WATER AND WATER CONSERVATION AND UTILIZATION BILL.

### RESUMPTION OF COMMITTEE.

(*Mr. K. M. Grant, Rockhampton, in the chair.*)

On clause 42—"Power to make reserves"—

Mr. WINSTANLEY: The first part of the clause provided that the Governor in Council might make reserves for the purpose of establishing watering-places and for the accommodation and agistment of travelling stock, but such reserves were not to be withdrawn from pastoral lease except by a special notification. There was a case near Charters Towers where a lessee was allowed to surrender 9 square miles of country, and in spite of the fact that the commissioner suggested that it should be made a kind of national park, he was allowed to get it back at a low rate. Would this clause cover a case like that, where the community wanted to have a reserve proclaimed?

The TREASURER: It would be done if it was shown to be necessary for the general public, or for a watering-place, but only in that case.



Mr. HAMILTON: These are additional powers to those contained in the Land Act?

The TREASURER: Yes.

Clause put and passed.

Clause 43—"Power to appoint inspectors and overseers"—put and passed.

On clause 44—"Power to construct tanks and dams"—

Mr. MURPHY: The 3rd subclause provided—

The Minister may let by auction, tender, or otherwise for a term not exceeding five years any such tanks, dams, or other works, or public watering-places upon such terms as he deems expedient; and the lessees shall supply water to travellers and travelling stock at the prescribed rates.

He presumed that before the Minister called for tenders he would stipulate for a certain fee being charged in order to protect the public.

The TREASURER: Yes. That will be regulated.

Mr. O'SULLIVAN: In his electorate there were some places that had been neglected by the shire councils in the matter of providing water. Would the Minister have power to provide water in such cases?

The TREASURER: Yes.

Clause put and passed.

On clause 45—"Power to impound trespassing stock"—

Mr. PAYNE: The clause provided that stock could be impounded from water reserves. In his electorate, and in several others, there were water reserves which were the same as the town reserves. Did this mean that the water reserves would have to be fenced in?

The TREASURER: That is under the control of the local authority.

Mr. PAYNE: As long as it works in with the local authority it is all right; otherwise the local authorities would have to fence in these water reserves.

Mr. HAMILTON said that many reserves for travelling stock and the travelling public in the Western districts were simply used as breeding stations by certain people and used for depasturing purposes by the adjoining lessees, and the local authorities in whom they were vested would not go to the trouble of sending a man to look after them. When such reserves were proclaimed, there should be somebody appointed to look after them. There was no use in having them a dead-letter on the statute-book.

The TREASURER: That is why we are making this provision.

Mr. RYLAND pointed out that the Local Authorities Act of 1902 had been amended, and asked whether it would be necessary to insert the words "or any amendment of that Act."

The TREASURER said he had no objection to putting the words in.

Mr. RYLAND moved the insertion, after "1902," in line 22, of the words "or any amendment thereof."

Amendment agreed to.

Mr. HARDACRE: He saw the necessity in a general way for some powers of this kind: at the same time there was risk of very great danger unless the Government was prepared to undertake a very large scheme by which all the water reserves would be under some controlling authority—a public reserves board,

or something of that kind. There was not only the right to impound, but there was the right to prosecute in the case of stock trespassing the second time. Where there was a big waterhole, or where the board put down an artesian well, how were stock to be kept out of the reserve? How were they to be kept from going for a drink of water?

The TREASURER: Why should one man be allowed to monopolise the water?

Mr. HARDACRE: He recognised the necessity for some power like this, but it depended on how it was going to be exercised. He knew of a very fine waterhole on a stock route; it was a plain water reserve, was unfenced, and was a long way from any other water. It was Crown land and unselected, and unless that water was fenced off, how on earth was anybody to prevent stock straying there? It would be an unfair thing to give some officer of the Emerald Shire Council power to go there and impound stock belonging to the miners because they happened to stray on that reserve where there was water. Take another case. Suppose in some part of the district an artesian well was put down and the water ran away and formed a little water reserve. Unless the board fenced that artesian well, how was it possible to keep stock from straying on to that reserve? It ought to be the duty of the board to fence in the reserve before they were allowed to impound.

Mr. LESINA considered the point raised by the hon. member for Leichhardt deserved serious consideration by the Minister from the point of view of the miners. How would a clause like that affect the miners in a district like Clermont? There might be a proclaimed goldfield there with 400 or 500 men working, and a water board might be constituted with control of the water on that area. Unless the reserve was fenced in, it would be impossible to stop cattle straying on it for a drink, and the overseer or caretaker would have power to impound under the clause. It appeared to him some provision should be made so that the miners would not be victimised in any way by the clause. As to the justice of the clause generally, he was inclined to agree with it, provided the local board made full provision against the possibility of trespass—that was, by fencing in the water. If the Minister would give some assurance that miners working on proclaimed goldfields would not be subject to undue risks of having their stock impounded, he was inclined to let the clause go; otherwise, he felt inclined to oppose it very strongly.

The TREASURER did not think there was likely to be any harsh treatment under the clause. What he wanted to provide for was particularly in drought times, when it was usual for stockowners to run the whole of their stock on to some water reserves to the exclusion of everybody else. They wished to prevent that, and he thought the clause did it fairly, and it was not likely to be at all harshly exercised.

Mr. LESINA understood if it was left in the hands of the Minister the miners in the Clermont district would not suffer any hardship at all, but under the clause boards were constituted with power to take charge of water, and the chances were those miners would get their horses impounded every day, and the department would be bombarded with complaints from the men. He did not distrust the Minister, but a board might be constituted that might not be sympathetic, and might cause a lot of trouble and ill-temper amongst the miners. On a proclaimed goldfield all the natural waterholes should be equally accessible to everybody on the

*Mr. Lesina.]*

fields. There should be no favouritism, and stock passing through the district should have equal access to the water.

Mr. HARDACRE moved the insertion of the word "wilfully" before the word "trespassing" on line 23. The clause would then read—

Any authorised officer may impound stock wilfully trespassing.

He did not think stock found straying on a goldfield unfenced should be accounted as wilful trespass at all. In the case of a drought, referred to by the Minister, if a stockowner drove his stock on to the reserve to eat the grass, that would be wilful trespass and they should be impounded.

The TREASURER: He could not accept the amendment, as they had already provided in the following subclause for wilful trespass. It would be very difficult indeed to prove wilful trespass, though it might be easy enough to prove trespass.

Mr. ALLEN was sorry the Minister could not accept the amendment. It would be very hard on a traveller or miner who happened to lose his horses to eventually find them in the pound. He had no sympathy with those people who drove their stock on to reserves to eat off the grass, at the same time he could not see that there would be any great difficulty in sheeting wilful trespass home. It was not a fair deal that a traveller should be compelled to pay, as a stray horse or two on a water reserve would not do much harm. What he wanted to get at was the individual who turned out a mob of cattle.

The TREASURER: That is who we are getting at.

Mr. ALLEN: They would get at that class if the amendment were accepted. If the clause were accepted as it stood, just to [8 p.m.] show the thing was in operation, they would get at the poor man's cow or the poor man's horse. He did not see any necessity for the clause. If a mob of sheep were found on a water reserve that ought to be sufficient proof that it was wilful trespass. But if a man's horse or one cow strayed on to a reserve it would be ridiculous to put the power into the hands of any board to impound that horse or cow, and he objected to give any board that power.

Mr. CORSER: What about the man who lets fifty cattle or 400 sheep go on to the reserve?

The TREASURER: That is the man he is looking after. He is looking after the big man.

Mr. ALLEN: It might be a flippant matter for the hon. gentleman, but it was not so flippant for the man with one horse if his horse was impounded. He was not barracking for the big man at all, or for the man with 500 sheep or fifty cattle. He knew a case where a man's stock were eating the grass off a reserve, and the wink went round that the inspector was coming along, and the stock were removed. Now, when that inspector arrived, if a man's horse had been straying there it would have been impounded, although the sheep got away scot-free. He had no time for the man who allowed his stock to trespass on other people's property, because it was simply stealing the grass and water, and the owner of the sheep who did that was simply a thief. (Hear, hear!)

Mr. MORGAN could not see the force of the argument of the hon. member for Bulloo that if one man's horse strayed on to a reserve it was not trespass, but if twelve or fifteen horses strayed on it was trespass. If one was trespass, so was the other. It was a good clause and he hoped it would be retained. He had known

selectors to allow their stock to eat out the grass of an adjoining reserve, so that carriers and selectors who were coming along to their selections and camped in these reserves had no grass for their stock.

Mr. LESINA: They could not apply one principle to suit the whole of the diverse interests of such a big State like Queensland. They must differentiate. They could not apply such a principle to a pastoral country and to a goldfield such as he represented. The clause affected the miners a good deal more than appeared on the surface. Miners had been enjoying rights for years in connection with the depasturing of their stock on miners' commons, and if those rights were going to be swept away by a clause loosely drafted and easily passed, then there would be a big outcry on the part of the miners who had those rights taken away from them. Every miner had a horse and some had two, and if the clause meant that their horses would be impounded for being on the water reserve, then they would be impounded every day in the week. One or two miners' horses did not do any harm at all. The harm was done by a neighbouring squatter allowing his sheep to come down and eat out all the grass. (Hear, hear!) That had been the position in Clermont for many years past. There was no one to say them nay when they came down on to the miners' commons, and no one to prosecute the offenders. Not only did the clause prevent the miners' horses from depasturing there, but it also proposed to prevent the miners from watering their horses there. It was too much like "rubbing it in," if they were going to prevent the miner from having access to the water. If the Bill exempted miners' commons, or left it with the Minister, no harm would be done, as Ministers were generally sensible men, who would see that no harm was done to the miners for allowing their horses to depasture on the miners' commons. It was not right to hand the power of dealing with the matter over to a board, or to a local authority, elected on a cross-eyed franchise which excluded the miners altogether from having a say in their election. Every miner kept a horse and a number of goats, and they would all be impounded under this clause. (Laughter.) Every time anyone mentioned a goat in the House hon. members laughed. (Laughter.) It seemed to be somewhat of a comic animal. They could not do without the nanny-goat on the mining fields. (Laughter.) It had been the mainstay of many a field and was the foster-mother of many a child reared out there. To go imposing the restrictions that were imposed in the clause would make life unlivable for the miners in his district, and at the present time they had a hard enough life of it as it was.

The TREASURER: The miners were protected under section 15 of the Mining Act of 1898, which gave them power to run so many horses on the miners' commons, and clause 65 of the present Bill preserved the rights included in the Mining Act.

HON. R. PHILIP: The clause would be a protection to the small man with one horse. On most of the goldfields there were small stations abutting, and it was the small squatter who ate out all the grass by running his stock on to the reserves. He knew of a case up North where a man ran some thousands of stock on a goldfields reserve. This clause would stop that, and would protect the miner with the one or two horses.

Mr. LAND: The clause was one of the most important and one of the best clauses in the Bill. (Hear, hear!) Every man who was travelling would know where the water reserve was, and he

[*Mr. Lesina.*]

could use it, and the neighbouring squatter would be prevented from using it. They knew that at the present time pastoralists ran their sheep on to the reserves and ate all the grass there. So far as the cases raised by the hon. member for Clermont were concerned, they must remember that at the present time in the case of town commons every owner had to register his horse, and the same could be done in the West. This was a good clause, and those who would receive the benefit were those who had been denied the benefit of the reserves for years past. (Hear, hear!)

Mr. HARDACRE pointed out that this was the very thing they had a discussion about the other night and which they tried to prevent becoming law. He objected to local authorities evading the imposition of a tax on land values and harassing owners of stock in other ways—raising revenue by levying a tax on goats or other animals. It was well known that the stock of big owners ate out the grass on reserves to the detriment of drovers of travelling stock and teamsters, and he wanted to prevent that kind of thing, but at the same time he wanted to prevent the impounding of a few head of horses which happened to stray on to an unfenced reserve. If a water authority was given the right to impound, they should fence their reserves, whether they were reserves round artesian wells or round waterholes, and keep the grass for their clients from whom they derived revenue. It was the business of the water authority to keep stock off their reserves by fencing them, and not to impound stock and punish people for what was really their own fault. Wilful offenders ought, of course, to be prosecuted, and where a big stockowner allowed a mob of sheep to go on to a water reserve, that might fairly be construed as wilful trespass. But where a single horse strayed on to a reserve, they had no right to impound that horse. He proposed to move an amendment later on to the effect, "Any stock exceeding five in number belonging to the same owner found trespassing a second time shall be deemed guilty of wilful trespass." That would meet the case of a large number of stock trespassing on the reserve, and would not impose any hardship on a man who owned a single horse which had strayed on to the reserve.

Mr. ALLEN hoped that the suggestion just made by the hon. member for Leichhardt would be accepted. Five head of stock were enough for any man to have straying about and running on a reserve. Some members had said that there was no difference between allowing one head of stock and allowing twenty head of stock to stray on to a reserve, but there was a great deal of difference. If he had a grass paddock and a man stuck his horse in that paddock over night, that would be trespass, but very likely he would say nothing about it. But if a man put 100 head of stock into that paddock, that would be a very different matter. He thought that the first occasion on which a man allowed over five head of stock to stray on to a reserve, he should be deemed guilty of wilful trespass, and that there was no reason why they should pass over the first offence and make the second one "wilful trespass." If he saw a mob of sheep on a water reserve, that would be sufficient evidence for him that it was a case of wilful trespass, and he thought it should be so treated. Why give the owner of those sheep two chances?

Mr. LESINA: What he was most concerned about was whether miners' rights in regard to water and reserves as conferred by the Mining Act of 1898 would be maintained under this Bill.

The TREASURER: Yes, clause 65 provides for that.

Mr. LESINA: Having the assurance of the Minister on that point he was satisfied. With grass pirates who stole the grass on reserves he had no sympathy, and he thought it was a proper thing to provide deterrent punishments for such persons.

Question—That the words proposed to be inserted (*Mr. Hardacre's amendment*) be so inserted—put and negatived.

Mr. HARDACRE moved that lines 34 and 35 be omitted, with the view of inserting the following:—

Any stock exceeding five in number belonging to the same owner, and found trespassing, shall be deemed to be wilful trespass.

As the paragraph stood a man could take 500 or 10,000 head of stock and put them on one reserve after another, allow them to eat the grass off each, and he would be liable to a penalty of only £5. That was insufficient to meet the case of trespass, even for a first offence; but if his amendment was adopted such conduct would render the offender liable to a higher penalty, and probably prevent any attempt to pirate the grass by such means.

The TREASURER: Under the proposed amendment twelve men, each with four head of stock, could go on the same day on to a reserve, commit a trespass and escape punishment, even in a case where the supply of water was very limited. It would be most injudicious to amend the clause in that way.

Mr. LESINA: Under the clause as it stood a man could drive 500 head of stock on to a reserve without being subject to any penalty.

The TREASURER: No, he would be liable to a penalty for the first offence.

Mr. LESINA: Yes; on reading the clause he found that in such a case a man would be liable to a penalty not exceeding £5. [8.30 p.m.] There was evidently some need to make this clearer, but the amendment of the hon. member for Leichhardt was not much of an improvement.

Mr. HAMILTON: He did not like the hon. member for Leichhardt's amendment, which would affect even carriers. They all wished to provide that when reserves were proclaimed they should be kept for the purpose for which they were proclaimed. There were reserves around townships, such as those at Longreach, Winton, and Aramac, which were very well looked after by the local authorities, but there were others, perhaps some miles away from a township, which nobody seemed to look after, and it was necessary that something should be done to keep the grass pirates off. He thought the clause as it stood was better than the hon. member for Leichhardt's amendment.

Mr. MANN: The amendment was worse than the clause, which was bad enough as it stood, inasmuch as stock found a second time on the reserve would be taken to be guilty of wilful trespass. A person trespassing twice with a small number of stock might not do nearly as much damage as a person trespassing once with a large number of stock. He thought it would improve the clause to strike out the words—

Trespass a second time by stock belonging to the same owner shall be deemed to be a wilful trespass.

If they passed the clause as it stood, it would only lead to litigation.

Mr. WIENHOLT, referring to the provision with respect to wilful trespass, said it was not made clear that they must be the same stock. A man might be travelling with 1,000 bullocks in

*Mr. Wienholt.]*

two lots of 500 each; and when he took the second 500 on the reserve he would be liable, though he did not think that was the intention.

The TREASURER: I think it is only fair that he should be.

Mr. WIENHOLT did not think so. One of the droves might be a week behind the other. The roads in the Western districts took the place of railways; and he could understand members opposite being concerned about the clause; but a good deal would depend on its administration.

Mr. PAYNE asked whether clause 45 would interfere with the present Local Authorities law.

The TREASURER: It says, "Subject to the Local Authorities Act."

Mr. PAYNE: If it did not interfere with the present law relating to local authorities, he could not see that it was going to do very much harm. He had never known the local authorities to charge for drinking natural water; but they made a charge where they had gone to the expense of providing water.

Mr. ALLEN was not satisfied with the definition of "wilful trespass." He thought the amendment of the hon. member for Leichhardt would get over the difficulty to some extent. He did not see why the man who put 500 sheep on a reserve, and was caught, should not be deemed guilty of wilful trespass the first time. The great trouble in connection with the reserves was not the carrier with 16 horses, or the travelling public, but the neighbour; and why should he be given two chances?

The PREMIER: You had to get two chances before you succeeded. (Laughter.)

Mr. ALLEN: He did not have to change his colours.

Mr. GUNN (*Carnarvon*) had no sympathy with the man who had a run half a mile wide extending all round Queensland. (Laughter.) There was plenty of power under the Local Authorities Act, and if the local authority people did their duty there would be no occasion for the provision in this Bill. It was because the local authorities did not do their duty that it was necessary to make provision in the Bill. He was in favour of the clause as printed.

Amendment (*Mr. Hardacre's*) put and negatived.

Clause, as amended, put and passed.

Clause 46 put and passed.

On clause 47—"Owner of stock to produce permit or travelling statement"—

Mr. PAYNE: Under this clause it appeared to him that a hardship would be created in a great many districts. The clause provided "that every owner or person having charge of stock shall." The definition of stock was "horses, cattle, sheep, and other live stock." A great inconvenience would be caused to people in Western Queensland travelling about with a couple of horses looking for work.

Mr. LAND: They have not to get a permit.

The TREASURER: It only applies to travelling stock.

Mr. PAYNE: The clause said "any owner or person having charge of stock." If a man was travelling along with three horses, he was in charge of stock under the definition clause.

The TREASURER: He does not get a permit. It is only travelling stock.

Mr. PAYNE: If that was so it would be all right. It was a great hardship to ask a traveller

[*Mr. Wienholt.*

to take out a permit, and a man with two or three horses should not be put to the trouble of doing so.

Mr. HAMILTON: There was a good deal in the contention of the hon. member for Mitchell. The clause ought to be knocked out altogether. Every traveller had to get a permit, and a man would have to produce the permit every time he wanted to give his stock a drink of water. Why should that be.

The PREMIER: On a water reserve?

Mr. HAMILTON: Providing he was willing to pay for the water used, what had it to do with the man in charge of the reserve whether he had a permit or not? It was the duty of the police to look after that, and they were making a policeman of the caretaker. That clause had to be read in conjunction with clause 41, which was very comprehensive, and took in nearly everybody.

Mr. LESINA suggested that the word "travelling" be inserted on line 40 before the word "stock," which would meet the objection of the hon. member for Mitchell. It would be absurd to expect a man to take out a permit if he was in charge of only two or three horses. Unless some better reasons were given for the clause, it would be better to knock it out altogether.

Mr. LAND argued that this was a very good clause indeed, and the hon. members for Mitchell and Gregory did not see the point. Under the Travelling Stock Act every man must have a permit to travel stock, so that no injustice would be done. Every man who was not bound by the law at present to have a permit to travel would not be expected to produce a permit. The clause was to protect the public watering places from stock watering there that were not watering.

Mr. PAYNE moved, after the word "stock," on line 40, the insertion of the following words:—"other than a man searching for work and having charge of not more than three horses." Clause 41 distinctly stated that every man travelling along the road other than on foot would have to take out a permit.

The TREASURER: It is not necessary. The board may make by-laws.

Mr. PAYNE: What was the use of placing legislation on the statute-book if it was not intended to carry it out? He thought the amendment would meet the case.

The PREMIER: How will you prove he is searching for work? He may be running away from work. (Laughter.)

Mr. PAYNE: It was not possible to create laws that somebody could not poke holes through. Under the clause as it

[9 p.m.] stood a man with two or three horses could not get a drink unless he had a permit, and that was why he moved the amendment.

Mr. LENNON: He had an amendment which came before that of the hon. member for Mitchell, and which would meet the case which that hon. member wanted to provide for. He moved the insertion of the word "travelling" after the word "of" on line 40. It would then read—

Every owner or person having charge of travelling stock, etc.

The previous clause stated that if any person obstructed travelling stock in the lawful use of a watering place, he would be subject to a penalty, and, if his amendment were accepted, clause 47 would then provide that a person having charge of travelling stock must produce

his permit, or travelling statement, or else pay a penalty. Would the Minister accept the amendment?

The TREASURER: Yes, I will accept it.

Amendment agreed to.

Clause 47, as amended, put and passed.

Clause 48 put and passed.

On clause 49—"Loans"—

Mr. LENNON: In speaking on the second reading of the Bill, he drew attention to the fact that in regard to loans the boards should receive the same liberal terms as were enjoyed by local authorities, harbour boards, and other public bodies. As he also pointed out, if the new boards were dealing with the sinking of bores, it might result in loss and disappointment, and they ought to be placed on the very best footing in regard to loans. He moved the omission of the word "thirty," on line 4, with the view of inserting "forty" in its stead. It would then read that every loan should be for a period of forty years instead of thirty years. If that amendment were agreed to, he would move a consequential amendment on line 9 to provide for the payment of a reduced sum yearly.

The TREASURER: He could not accept the amendment. In New South Wales the term of loan was twenty-eight years, and he considered that thirty years was sufficient time for a loan to run in Queensland. Under the Local Government Act thirty years' terms were granted for similar works, and he thought it was sufficient.

Question—That the word proposed to be omitted (*Mr. Lennon's amendment*) stand part of the clause—put; and the Committee divided:—

AYES, 30.

Mr. Allan	Mr. Keogh
" Appel	" Kidston
" Barnes, W. H.	" Macarntey
" Bouchard	" Morgan
" Brennan	" Paget
" Bridges	" Petrie
" Corser	" Philp
" Cribb	" Roberts
" Denham	" Somerset
" Forrest	" Stodart
" Forsyth	" Swayne
" Grayson	" Toimie
" Guun	" Walker
" Hawthorn	" White
" Hunter, D.	" Wienholt

Tellers: Mr. Allan and Mr. Bouchard.

NOES, 19.

Mr. Allen	Mr. Lennon
" Barber	" Mann
" Breslin	" Mullan
" Collins	" Murphy
" Crawford	" Nevitt
" Ferricks	" O'Sullivan
" Foley	" Payne
" Hamilton	" Theodore
" Hardacre	" Winstanley
" Land	

Tellers: Mr. Allen and Mr. Barber.

PAIRS.

Ayes—Mr. Booker, Mr. Mackintosh, and Mr. Fox.

Noes—Mr. Blair, Mr. Douglas, and Mr. Lesina.

Resolved in the affirmative.

Clauses 49 to 53, inclusive, put and passed.

On clause 54—"Pollution of water in water-courses and lakes"—

Mr. LAND drew attention to the fact that in some places the water from the bore and the woolscour was allowed to run into the river. For years this had been allowed, and one day when it was brought under his notice he went

down to the river. It was very low at the time and the water was that bad that the horses would not drink it, he could not drink it himself, and along the banks of the river were dead fish caused by the caustic soda and other ingredients used at the woolscour.

The TREASURER: That will come under the pollution of water.

Mr. LAND: The law as it existed prevented practices of that sort, yet they were powerless to stop it. They could not get the Administration to carry out the law in that respect. He had repeatedly brought it under the Premier's notice. He complained to the Lands Department, and to show how they dealt with the matter he would read the reply he received. It was dated 19th June, 1909—

Referring to my letter of the 4th of February last, relative to your complaint that the water from the Burrenilla Woolscour pollutes the water in the Warrego River, I am directed to inform you that the matter has been investigated, and that the Minister for Lands is of opinion that the bore water running into the river does more good than harm.

Well, whoever was instructed to inquire into that matter either never bothered his head about it, or just asked the owner of the bore for his opinion about it. He must only have asked the owner, who was the person guilty of allowing the water to run into the river. He hoped that in the interests of the public generally the Treasurer would see that this matter received attention.

Mr. SWAYNE (*Mackay*) took it that this clause was intended to preserve the purity of the waters in rivers and creeks. He knew of one case in which the waters of a creek had been polluted to such an extent that the fish in the creek died. To check such occurrences he moved that after the word "to" on line 35 there be inserted the word "pollute."

Mr. BARBER: He had called the attention of the Treasurer and three or four of his predecessors to the fact that the Government central mill at Gin Gin was the worst offender as far as the pollution of the waters of the Burnett River was concerned. Quite recently he had mentioned the matter to the hon. gentleman, and he was good enough to wire for a report from the local inspector. He understood that the report of the inspector was to the effect that there was no evidence that the mill was the cause of the pollution of the river, but he had been informed that there were indications that the mill refuse had polluted the water. He would like to know what action would be taken in the event of deleterious matter being allowed to flow from the mill into the river. Would the manager be fined, or would the Treasurer, as head of the department, be fined?

Mr. PAYNE: The woolscour at Ilfracombe, 18 miles from Longreach, was in a most offensive condition. He had interviewed Dr. Ham on the subject, but the result had not been very satisfactory. He hoped that under this clause the Treasurer would take steps to get rid of the tremendous smell which came from that scour. There were more typhoid patients from Ilfracombe than from any other place in Queensland.

The TREASURER: What is the local authority doing?

Mr. PAYNE: The local authority was controlled by the owners of the scour, and would do nothing. The filth from that scour must eventually get into what was commonly

*Mr. Payne.]*

known as Black Gin Creek, and pollute the water there. He would support the amendment of the hon. member for Mackay, or any other amendment which would make the owners of that woolscour keep their premises clean.

The TREASURER said he was willing to accept the amendment. He might point out to the hon. member for Bundaberg that the information he had was that the pollution of the river the hon. member referred to was not due to anything flowing into it from the central mill. Instructions were given not to allow any deleterious matter to flow into the river. With regard to the woolscour at Ilfracombe, he was sure that if the hon. member for Mitchell would interview the head of the Health Department, the matter complained of would be remedied.

Mr. PAYNE: I have, and it is not much better now than it was before I complained.

The TREASURER: This Bill would not come into operation until March next, and he could do nothing in the matter till then; but he would see if the Health Department could do anything meanwhile.

Mr. COLLINS (*Burke*) hoped that the Treasurer would see that this clause was enforced. On mining fields cyanide vats were placed on the banks of creeks and rivers, and the discharge from them poisoned the water for a considerable distance. On the Gympie Gold-field the water was polluted by the different companies discharging thousands of tons of sand into it, and he presumed that would come under the provisions of this clause. Again, many sugar-mills emptied their filth into rivers, and thereby polluted the water. Therefore, he gave his hearty support to the clause.

Mr. WHITE regretted to notice that the hon. member for Bundaberg had again been finding fault with the Gin Gin central mill. He (Mr. White) had seen the manager of that mill, and knew the place very well. There was absolutely no molasses allowed to go into the river at the time the hon. member for Bundaberg brought this matter forward. Long before the mill was established there, Dr. May, the health officer at Bundaberg, had told him that the fish died in the river periodically before there were sugar-mills.

Mr. CORSER: Where they used to bathe they died. (Laughter.)

Mr. WHITE: At one time the molasses got away into the river, and it was not a great trouble, but since then the mill authorities had been very careful not to allow the molasses to flow into the river. Molasses were now worth money, and they took great care of them, and would not even give them to farmers to mix with chaff unless they paid for them. The fact was that if one or two fishermen at Bundaberg thought they had a grievance, they telegraphed to the hon. member for Bundaberg or to himself, and the blame was put on the mill. He was sure that the matter of which they complained was not caused by the mill, which was one of the cleanest places it was possible to go to.

Mr. CRAWFORD: This clause would have a serious effect in his electorate, unless some notice was given to the mining company to erect very large dams in order to prevent the sand resulting from their operations going down into the Dee. Already the sand had been carried some 20 or 30 miles away—he be-

[*Mr. Payne.*

lieved right down to the Fitzroy. To a certain extent that sand polluted the river, but if the company were at once told that they must not allow any more of that sand or discolouring substances to go down the river, it would be a very serious thing for them. He thought some notice should be given before they were required to make such extensive alterations in their arrangements. Already the company had erected a large dam across Mundic Creek gully, and they were continually adding to that, but if they were now peremptorily told that they must not allow any more water or sand to escape, they would be put to an enormous expense.

An HONOURABLE MEMBER: They can afford it.

Mr. CRAWFORD: No doubt they could afford it, but they ought to get sufficient notice. In all cases where similar things had been going on for a considerable time, the companies should get sufficient notice to enable them to take such steps as would prevent any further pollution of the river.

The TREASURER: We will give them ample time.

Mr. THEODORE (*Woothakata*): In many cases sludge, mud, earth, gravel, or other matter was discharged into a [9.30 p.m.] watercourse without polluting the water to any great extent, though it might obstruct the watercourse more or less; and in such cases there should be some loophole. In a mining district, where sand and other materials were allowed to escape from mills and batteries without injury to anyone, the clause should not apply. Where there was pollution of such a nature as to cause injury, it was only right to impose a penalty; but where the pollution of the water was unavoidable and did no injury to anyone, allowance should be made.

Mr. O'SULLIVAN: This clause would press hardly on people in the far North at certain periods when water was scarce. In his electorate the main watercourse was dammed up, and the water used over and over again after the residue from the battery settled.

Mr. MURPHY: Where do the public get their supply?

Mr. O'SULLIVAN: From wells. In flood-time nobody could control the watercourse, and away went the tailings.

Mr. BARBER, in reply to the hon. member for Musgrave, said that his statement had been verified by some of the settlers. As a matter of fact, it was only when the stuff was running into the river from the mill that the fish were killed. Years ago he worked on the river bank, and for the first few weeks after the mills commenced work he noticed thousands of dead fish going down the river.

Mr. WHITE: An exaggeration!

Mr. BARBER: Not at all. To show how deadly was the effect, some years ago he secured three bottles of the water, which he supplied to the Marine Department; and some fish put into that water were dead within three minutes. The hon. member for Maryborough suggested that they did not swim at Bundaberg. The only other occasion he noticed any deleterious effect of the Burnett River on fish life was when the hon. gentleman happened to be in the Gayndah district, and it was reported that he went for a swim in Barambah Creek, a tributary of the Burnett.

Mr. LESINA: If he had not the assurance of the Treasurer that clause 65 guaranteed the miners in his district in the enjoyment of their rights under the Mining Act of 1898, he would be inclined to see danger in this clause.

The TREASURER: That does not include pollution.

Mr. LESINA: This idea of pollution was an entirely new thing. It did not pollute a stream to turn sludge, or mud, or earth into it; but the discharge from a cyanide plant destroyed both vegetable and animal life. The hon. member for Mitchell had shown that Ilfracombe was a hot-bed of typhoid, because the water supply was contaminated by the discharge from the woolscour. A man prospecting in his district washed his dirt in a watercourse, and under this clause he would be liable to a fine of £50. If it was going to have the effect which some hon. members supposed, the sooner the fact was made known the better.

Mr. CRAWFORD said that twenty years ago the Mount Morgan Company had an inferior plant, though it was considered modern and up-to-date at that time. In those days a large bank of sand was heaped alongside the watercourse, and he had seen hundreds of tons washed from that bank right down the river. If this Bill was brought into operation at once, the company would have to build a wall 150 yards long on the river side about 10 feet high to prevent that sand being washed down the river. He thought the word "pollution" should be defined before they went too far in this matter. It was quite possible for a very large amount of sludge to be sent down a river, and simply discolour a portion of the water without actually polluting it. Before putting into operation a clause of that sort, very proper and rational notice should be given to all parties concerned.

The TREASURER: There was nothing in the clause that was not already provided for under the Local Authorities Act. If the local authorities were to carry out their rights, they could carry out every portion of the clause. If they did not do so, of course the Government would not act harshly to anyone, but would give ample notice before taking any action. Those things could be provided for by the large mining companies, and it had been done in many instances in Gympie, and there had been no hardship. Polluting a river was practically making it unfit for human consumption. That was what they had to consider, and the Committee could rely upon it that no greater hardship would be inflicted upon anyone than could be helped.

Amendment (*Mr. Swayne's*) agreed to.

Clause, as amended, put and passed.

On clause 55—"Right of entry to the Crown to prevent interference with watercourse"—

The TREASURER moved the insertion of the words "to which this Act applies," after the word "well," on line 43. The amendment was necessary in consequence of exempting existing artesian wells from the operations of the Act for a period of ten years.

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

Clause 56 was agreed to, with two consequential amendments

Clauses 57 to 60, inclusive, put and passed.

On clause 61—"Private persons may be empowered by Governor in Council to exercise powers of boards"—

The TREASURER moved the insertion of the words "artesian well," after the word "lake," on line 26.

Mr. LESINA was opposed to the clause altogether, as there was a very dangerous principle involved.

The ACTING CHAIRMAN: Order! I think it would be more orderly to get rid of the amendment first. The hon. member can negative the clause afterwards.

Amendment agreed to.

Mr. LESINA was opposed to the whole clause, which made provision for a private person to exercise all the powers a board elected by the ratepayers or appointed by the Governor in Council might exercise. It seemed to him similar to the principle which existed in connection with syndicate railways. He fought against that, and he had fought against the invasion of the State schools by certain theologians. He was always in favour of State control where it had been proved by experience that State control was for the benefit of the general public. The fundamental principle of the Bill was the control by the State of the water rights of Queensland, and, after granting that with the one hand, it was proposed to take away with the other. They proposed first of all to establish national rights, and then it was proposed to hand them over to certain individuals to farm out those rights for personal profit. That was a very dangerous principle indeed. The clause provided—

The Governor in Council may, by Order in Council, authorise any person desirous of undertaking the business of supplying water to exercise all the powers and authorities hereby conferred upon boards so far as regards taking water from watercourses and lakes and constructing and maintaining works for the distribution of the water; and any person so authorised shall have and may exercise all the powers, and shall be subject to the liabilities and obligations, hereby conferred and imposed on boards with respect to the same matters respectively.

The TREASURER: The principle is already law in connection with the Irrigation Act.

Mr. LESINA: He did not believe in that principle, and if it was already the law why introduce the principle in a Bill of this description, which was a declaratory Bill? The Bill was a good Bill without the clause, and would be very much improved if the clause were omitted.

Mr. WHITE: In a sparsely-populated district a private person might sink a well and carry out the distribution of water. He knew of one case where a man holding a grazing farm sunk a well at a cost of £3,000 and supplied water to two of his neighbours, who were very glad indeed to get it and to pay a reasonable amount for it. If it had not been for the enterprise of that man the land in the district might not have been utilised at all.

Mr. HARDACRE: Whom are you speaking of?

Mr. WHITE: He was speaking of the grazing farm owned by the hon. member for Carnarvon. It just struck him that that was ample proof of the necessity of the clause, because it would not pay the Government to sink a well at that place, and there were many other places such as that in Queensland.

*Mr. White.]*

Mr. THEODORE: The Treasurer must know it was not correct to say the powers conferred by that clause were already in the Irrigation Act.

The TREASURER: Clause 31.

Mr. THEODORE: That only deals with water for irrigation.

The TREASURER: And agricultural purposes as well.

Mr. THEODORE: This Bill also dealt with the supply of water to towns.

The TREASURER: I said the principle is contained in that Bill.

Mr. THEODORE: If it only applied to irrigation there would not be so much objection to it, but the clause gave the right to any company to establish waterworks for the distribution of water in towns. Look what evils that had led to in other parts of the Commonwealth! Look at Broken Hill, where the whole supply was controlled by a private company, often to the very great injury of the whole community. Why should they allow any private company to control the supply of water for domestic purposes in any city or town? There was no reason why the Treasurer should arrogate to himself the right to give that power to any company or individual. The experience of Broken Hill, where they had been threatened with a water famine year after year, ought to be a warning to the rest of Australia. In Queensland they had escaped anything of that nature, but other

[10 p.m.] States had not been so fortunate.

The Treasurer himself must see the injustice of making provision for the Government to give that power. If the Treasurer wished to retain the principle which existed in the Irrigation Act, it should be restricted to irrigation purposes, and then the objection of the hon. member for Musgrave would be met.

Mr. WIENHOLT: And for pastoral purposes too.

Mr. THEODORE: Or for pastoral purposes, or else limit the amount to be distributed to so many thousand gallons per day. That would make it impossible for any person to step in and derive enormous profits out of it, and the clause would be more acceptable. He hoped the Minister would accept some amendment in that direction.

Mr. O'SULLIVAN: The hon. member for Musgrave spoke about a person having an artesian bore, but the clause proposed to give a private person authority over lakes, which were quite different from artesian bores. He objected to any person having control over lakes and watercourses. The Bill would be far better without that clause in it. He objected to any such power being given to any man. The matter referred to by the hon. member for Musgrave was a little incidental thing. This was giving power to one person, who had a little money, and who would be able to acquire the water and impose conditions on those around him, which would be very hard.

Mr. WHITE: The hon. member said that it was an incidental matter which he referred to, but, as a matter of fact, the hon. member for Carnarvon supplied 1,000,000 gallons a day from his bore. He did not believe in anyone having a monopoly of a river. He could give illustrations of other cases where it would be a great hardship if people were not able to be supplied with water.

[*Mr. Theodore.*]

Mr. HARDACRE: It was a very dangerous clause. It was loaded. The hon. member for Musgrave just referred to an artesian well, but the Bill already provided that a selector might put down an artesian well if he got a license.

Mr. WHITE: Can he supply other people?

Mr. O'SULLIVAN: Yes.

Mr. HARDACRE: If they omitted the clause altogether, it would not prevent a person using the water taking it for his own purposes. The clause proposed to confer upon a private individual all the powers of a board to establish a water supply, to sell water to one person, and charge water rates for it.

The TREASURER: Why shouldn't he?

Mr. HARDACRE: Because the Bill provided for the establishment of boards for that purpose.

Mr. WHITE: Suppose the board will not take it up?

Mr. O'SULLIVAN: Then the Government will take it up.

Mr. HARDACRE: He could not imagine a case where the selling of water was involved where a board could not be established. It gave too large powers to a private individual. They knew that a board could be formed to have the control of the water supply of townships and cities and also for the purpose of initiating great irrigation schemes, and the clause proposed to confer the same powers on a private individual. He proposed to omit all the words of the clause, with the exception of the word "The," on the first line. He retained the word "The" so that, if his amendment were defeated, he could move that a proviso be added limiting the supply of water, as the clause was too dangerous as it stood. As he understood he could move that a proviso be added even if the clause were carried as it stood, he would withdraw his amendment.

Amendment, by leave, withdrawn.

Mr. WIENHOLT: The clause was cumbersome and hard to understand. If it were wiped out altogether it would stop anyone from selling water from his own bore. That was very commonly done in Queensland, as the hon. member for Leichhardt knew. When a resumption took place, very often the selector was on a piece of country where there was no water, and the water was supplied through drains which ran through the resumption from the lease. He was not in favour of conferring all the powers of a board on any one person, although he wanted to retain the right to sell water from a bore. Some hon. members seemed to think that it would lead to a misuse by private people getting monopolies to supply towns and so on, but he could not imagine the Governor in Council giving a private person the right to do that.

Mr. THEODORE: Other State Governments have done it.

Mr. WIENHOLT: It would be a wrong thing to do that.

Mr. MORGAN: He thought the clause was a good one. He proposed that on line 27, after "water," the words "for any purpose other than domestic purposes," be inserted. If that were agreed to, it would prevent any man being able to supply a town, just in the same way that gas or electric light companies supplied gas or electric light.



He was certainly opposed to a company being formed for the purpose of supplying water to a town and selling it at so much by measurement, as that was a work which should be undertaken by the local authority or the Government.

Mr. WINSTANLEY: The whole trend of the Bill as far as they had gone had been in the direction of giving the Government the control of all water in the State, and in this clause it was proposed to empower private individuals to exercise the powers of boards, and control water supplies. It might be said that such powers would be given only in exceptional circumstances; but, judged by the past, these powers were given in cases that were not exceptional.

The ACTING CHAIRMAN: Order! There is an amendment before the Committee, and the hon. member can only discuss that amendment. The whole clause cannot be discussed at this stage.

Mr. WINSTANLEY did not think the amendment improved the clause very much. It did not take away the objectionable feature of the clause, which was that it gave the Governor in Council the right to confer on private individuals the powers of a board or water authority. With regard to the case of the hon. member for Carnarvon, he failed to see how they could prevent a willing buyer purchasing water from a willing seller, nor did he think that would be prevented by the Bill. But he considered this clause most objectionable, and would like to see it struck out altogether.

Mr. LESINA did not think the amendment improved the Bill. Clause 18 provided that a water supply board might be constituted in four different ways—first by the appointment of a local authority or a water authority, secondly by the appointment of the members of a board by the Governor in Council, thirdly by the election of the members of the board by ratepayers within the area, and fourthly by the election of some members and the appointment of other members of the board. Now the Government proposed a fifth method—namely, the appointing by an Order in Council of any person or persons to supply water, and they were to exercise all the powers of boards appointed in the ways indicated in clause 18. The hon. member for Murilla did not want such persons to supply water for washing-up or for cooking, but he would allow them to supply water for any other purpose. He (Mr. Lesina) objected to farming out water, just as he objected to farming out any other thing that was the property of the community as a whole; and he held that the Committee would make a vital mistake if they permitted this clause to go without making a solid fight against it. He was prepared to stay all night in order to prevent the clause passing. The Government had no right to empower any private company to supply water. They were told that the hon. member for Carnarvon had spent £3,000 in putting down a bore, from which he was supplying water to one or two neighbours, but this Bill gave the Government power to buy that bore and nationalise it, so that that was no argument in favour of the clause. He was opposed to the principle of the clause altogether, as it might lead to the creation of water monopolists in Queensland as well as land monopolists, and water monopolists were probably the greater evil of the two in a country like Queensland, where water was a vital necessity. The clause was a blot

on the Bill. It was a monstrous proposition, and members would be false to the pledge they had given to their constituents if they allowed it to pass.

Mr. MULLAN regarded the clause, even with the amendment, as a blot on the Bill. At the present time there was a whole town depending upon a bore for its water supply, and—

The ACTING CHAIRMAN: Order! I would point out to the hon. member that we are not now discussing the whole clause. We are discussing the amendment of the hon. member for Murilla, and the hon. member should confine his remarks to that amendment.

Mr. MULLAN did not think the amendment was satisfactory, but, as his remarks were more applicable to the clause as a whole, he would postpone them till a later stage.

Mr. RYLAND: Although the amendment limited the scope of the clause to some extent, yet it did not take the sting out of it. The whole proposal was objectionable, and opposed to the principle of the Bill, which was that they should nationalise all water supply. He should like to see the clause struck out.

Mr. LESINA wished to know if the Chairman ruled that discussion could only take place on the amendment.

The ACTING CHAIRMAN: Yes; the question before the Committee is the amendment of the hon. member for Murilla, that after the word "water," on line 27, there be inserted the words "for any purpose other than domestic purposes." After that amendment has been disposed of, the whole clause will be before the Committee for discussion.

Mr. LESINA: He thought it was an absurd amendment. If they gave a rich man in Central Queensland the right to control the Longreach bore and to supply water for all purposes other than for washing-up, drinking, cooking, and that kind of thing, how could they give any other authority the right to supply water for domestic purposes?

Mr. MORGAN: A trust will be formed to do that.

Mr. LESINA: Oh, no; the man would have control of the bore, and would have all the powers a board could exercise, so that he could not be interfered with. He would, in fact, be in a position to make his own terms with regard to the supply of water, and could say to the people that if they did not accept his terms they could perish. It was about the worst proposition that had been made by any Government for many years past, and he hoped it would not be carried.

Mr. MURPHY would like to hear a word from the Treasurer before the clause passed. It had been pointed out that this would place water supply on the same plane as syndicate railways, but the fact was that it [10.30 p.m.] was worse. It gave the Governor in Council the opportunity of dealing with private companies in the matter of water supply, and the amendment proposed by the hon. member for Murilla did not safeguard the matter. He understood that the water from the bore belonging to the hon. member for Carnarvon was used for domestic purposes by neighbouring settlers, and the amendment would be doing an injustice to those people. Seeing that it was now half-past 10, and there was no possibility of getting the clause through to-night, it would be well for the

*Mr. Murphy.]*

Treasurer to move the Chairman out of the chair, and consult with his officers in regard to the clause.

The TREASURER: He was prepared to accept the amendment, because it would take away the objection in the eyes of the hon. member for Murilla and also in the eyes of members of the Opposition, who did not want water companies to supply water to towns. He was prepared to meet the other objection by making an amendment in the latter portion of the clause to provide that the Order in Council should prescribe terms.

Mr. HARDACRE thought it would be well if the Treasurer would accept the suggestion made by the hon. member for Croydon, and move the Chairman out of the chair. The clause was badly worded; and it would be better to postpone the whole thing until to-morrow, and get the Parliamentary Draftsman to draft a proper clause to meet the circumstances. Even with the amendment, it was going back to the dark ages to hand over the control of water to private persons.

Mr. MANN thought the Treasurer would be wise to withdraw the clause from consideration.

The ACTING CHAIRMAN: The amendment of the hon. member for Murilla is before the Committee—the insertion of certain words; the whole clause is not before the Committee.

Mr. MANN: While it was possible that the amendment might lessen the objection to the clause, still it might also do a certain amount of harm, as shown by the hon. member for Carnarvon, who would be prevented from supplying water for domestic purposes. There was something in the amendment which might prevent any person from getting control of the water supply of a town; but he could scarcely realise that any town would allow its water supply to be in the hands of anyone but the local authority.

Mr. WIENHOLT: If they put in the amendment excluding domestic purposes, a man might supply water to a neighbouring selector for his stock, but not for domestic purposes.

Mr. LESINA: The amendment moved by the hon. member for Murilla would only make a bad clause a little better. It gave the Governor in Council power to give one man, or a number of men, the right to deal in water. They would not do that unless they could make a profit out of it, and it would be a step backward to allow private enterprise to come into this matter. The amendment was an attempt to blunt the edge of a very vicious principle. The hon. member for Murilla did not want these people to supply water for domestic purposes; but he would allow them to supply it for brewing, for the manufacture of aerated drinks, for wool-scouring, and for other purposes where a large supply was required. The monopolist would have complete control of the supply of the town in that way, and would be able, practically, to dictate his own terms. It was vitiating a good Bill; and it was because he believed it was a good Bill that he did not want it to go to another place loaded with that vicious principle. He was prepared to stay many hours fighting this clause in order to get rid of it. No man would supply a town or a district with water for merely patriotic purposes, but the local authority would provide a water supply even if they

[*Mr. Murphy.*

lost by it. An individual would only touch it if there was money in it, and then he would pull the strings to get control of some natural watercourse or lake. Suppose the bore at Longreach petered out, and in the meantime some longheaded man—

The ACTING CHAIRMAN indicated that the hon. member's time had expired.

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

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