

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

MONDAY, 7 DECEMBER 1914

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LEGISLATIVE COUNCIL.

MONDAY, 7 DECEMBER, 1914.

The PRESIDING CHAIRMAN (HON. W. F. Taylor) took the chair at half-past 3 o'clock.

CRIMINAL CODE AMENDMENT BILL—
FISH AND OYSTER BILL.

ASSENT.

The PRESIDING CHAIRMAN announced the receipt of messages from the Lieutenant-Governor conveying His Excellency's assent to these Bills.

PAPER.

The following paper, laid on the table, was ordered to be printed:—

Report of the Marine Department for the year 1913-1914.

ELECTIONS ACTS AMENDMENT BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S
MESSAGE.

(Hon. T. M. Hall in the chair.)

Clause 17 (now 18)—“Compulsory voting”—

HON. A. H. BARLOW said that the Council had inserted the following paragraph:—

“The returning officer shall decide whether such reason is a valid and sufficient excuse for such failure to vote, and shall write his decision on the said notice.”

The Assembly agreed to the amendment with the insertion of the words “after making all reasonable inquiries” after the word “shall” in the first line of the amendment. He thought it was a very proper amendment, and he moved that it be agreed to.

Question put and passed.

Clause 19 (now 20)—“Protection to soldiers; electors on active service to have a vote,” in which the Assembly agreed to the Council's amendments, omitting lines 47 to 66, on page 8, and lines 1 to 11, on page 19, and to the proposed new paragraph, on page 9, with the following amendment:—

“Omit all the words after the word ‘District,’ on line 17, to the word ‘section,’ on line 20, and insert the following:—‘for which he is enrolled; and such elector may, on the prescribed form, nominate and appoint some person resident in Queensland to exercise such right of voting on his behalf. Every such nomination shall be attested by an officer of the forces with which such elector is serving not being below the rank of captain, and shall be forwarded by such officer to the Principal Electoral Registrar, who shall forthwith advise the returning officer of the district in which the elector is enrolled. Thereupon the person so nominated and appointed to exercise such right of voting in lieu of the elector may exercise such right. The exercise of any such right shall be without prejudice to any right to vote which such person may have in his own personal

capacity as an elector. Regulations may be made by the Governor in Council for giving full effect to this section.’”

HON. A. H. BARLOW said it would be remembered that the Council eviscerated the whole of the clause, and left it in the position that it contained a declaration that members of the Expeditionary Forces who were electors were offered the vote, and the Governor in Council could make regulations. The Assembly desired to go back to the original proposition in a slightly varied, but more equitable form. He asked the Committee to consider the matter again. It was now approaching something like a dispute between the two Chambers. He reminded hon. members, with the greatest respect and without the slightest desire to influence them, that this was a matter affecting the election of hon. members of the Assembly. He did not say that the Council should not oppose anything that they pleased, irrespective of consequences, but hon. members were aware that the procedure of Parliament was that, if any irreconcilable difference arose between the two Houses, the House in which the Bill originated laid it aside and there was an end of it. He did not think that would be the case in this instance—he hoped it would not—but it would be a thousand pities to lose the Bill. The opposition it had received at certain hands was almost a proof that it was a good Bill, and a just Bill, and a Bill which would bring about purity of elections. If it had no other good point about it, the clearing of the rolls every two months was very desirable to stop the tactics of the roll-stuffer and the resurrectionist. If the Committee agreed to the Assembly's amendment, he proposed that the Bill should be returned to the Assembly with a message stating that the Council agreed to the Assembly's amendment on their amendment—

“but desire to say that they do so only under the very exceptional circumstances of the present European war. They also desire to place on record their opinion that any system of voting by proxy at any election for the Legislative Assembly is under any ordinary circumstances a highly dangerous expedient, and that their concurrence with it under the present very exceptional circumstances is not to be drawn into a precedent in any future legislation.”

He thought that would sufficiently guard them against any future attempts to introduce the principle of proxy voting into an Elections Bill, and he hoped the Committee would allow the matter to pass with that rider. He moved that the Committee agree to the Assembly's amendment to the Council's amendment.

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee agreed to the Assembly's amendment upon the Council's amendment in clause 19 (now 20), and agreed to the other amendment made by the Assembly in the Bill.

On the motion of HON. A. H. BARLOW, the Bill was ordered to be returned to the Assembly with the following message:—

“The Legislative Council agree with the Legislative Assembly's amendment

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upon the Council's amendment in clause 19 (now 20), and agree with the other amendment of the Assembly in the Bill, but in agreeing to the amendment in clause 19 (now 20) they desire to say that it is only under the very exceptional circumstances of the present European war. They also desire to place on record their opinion that any system of voting by proxy at any election for the Legislative Assembly is, under any ordinary circumstances, a highly dangerous expedient, and that their concurrence with it under the present very exceptional circumstances is not to be drawn into a precedent in any future legislation."

BOONAH SHOW GROUND BILL.

FIRST READING.

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

TARA TOWARDS SURAT RAILWAY.

PLAN RECEIVED FROM ASSEMBLY.

The PRESIDING CHAIRMAN announced the receipt of a message from Assembly, forwarding the plan, section, and book of reference of the proposed extension from Tara towards Surat, in length 49 miles 56 chains.

PLAN REFERRED TO SELECT COMMITTEE.

HON. A. H. BARLOW, by leave, moved, without notice—

"That the plan, section, and book of reference of the proposed railway extension from Tara towards Surat, in length 49 miles 56 chains, be referred to a Select Committee.

"That such committee have power to send for persons and papers, and leave to sit during any adjournment of the Council; and that it consist of the following members:—Mr. W. H. Campbell, Mr. Hodel, Mr. Parnell, Mr. Stephens, and the mover.

Question put and passed.

RAILLESS TRACTION BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S MESSAGE.

Clause 3—"Trolley vehicles not to be deemed heavy traffic"—

HON. A. H. BARLOW: The first amendment to which the Assembly disagreed was the Council's omission of clause 3. The clause stated that trolley vehicles should not be deemed to be or constitute extraordinary traffic within the meaning of any by-law made by any local authority. The Assembly thought it would be unsafe to agree to the omission of the clause. He moved that the Council do not insist on their amendment.

Question put and passed.

Clause 10—"Contributions towards road-making"—

HON. A. H. BARLOW: The Council had omitted the following words:—

"Provided that nothing in this section shall apply to trolley vehicles run by the [Hon. A. H. Barlow,

constructing authority at cheap fares for the labouring classes."

The Assembly insisted that that provision should be restored. He moved that the Council do not insist on their amendment.

Question put and passed.

Clause 11—"Duration of Order—

HON. A. H. BARLOW said that the Assembly disagreed to the omission of clause 11 and to the insertion of the proposed new clauses 11 and 12, because they considered the proposed new clause 11, which empowered the Minister under certain conditions [4 p.m.] to purchase the undertaking or any part thereof, was in violation of the privileges of the Assembly, to whom belonged the sole right of initiation and creating charges. He therefore moved—

"That the Committee do not insist upon their omission of clause 11, in the insertion of new clause 11."

HON. A. G. C. HAWTHORN: When the Bill was in Committee the Attorney-General suggested that the question of purchase would be better dealt with by the new clause that he proposed. Before that he had agreed to add to clause 11 certain words, enlarging the rights of taxpayers so that they would not have to pay too much in resuming the undertaking. The Attorney-General considered the amendment which he (Mr. Hawthorn) suggested a reasonable one, and he thought it would be better if they inserted those words now in clause 11 as it came to them from the Assembly. He was sure the Assembly would not disagree to the amendment. His suggestion was to insert after the word "goodwill," in line 42, the words, "right of future use," and after the word "purchase" in the same line to insert the words "or of any profits which may or might have been or be made from the undertaking, or any similar considerations." He also thought that it would be necessary to insert an amendment limiting the duration of any Order in Council to twenty-five years. If they did not do that, the time would be unlimited, and they ought to see that no Order in Council gave a franchise for a longer term than twenty-five years.

HON. A. H. BARLOW asked leave to withdraw his motion, with a view of giving effect to the suggestion of Hon. Mr. Hawthorn.

Motion (Mr. Barlow's), by leave, withdrawn.

HON. A. H. BARLOW moved—

"That the Committee do not insist upon the omission of clause 11, but propose to insert in line 42, after the word 'goodwill,' the words 'right of future use,' and after the word 'purchase,' in the same line, to insert the words 'or of any profits which may or might have been or be made from the undertaking, or any similar considerations.'"

HON. W. STEPHENS: If they did not adhere to their original amendment, they might as well throw the Bill in the waste-paper basket. If there was to be no consideration given for goodwill, no financiers would think of starting an undertaking which they would probably work at a loss for some years, and then, as soon as it began to make a profit, the local authority could step in and take it over at cost price.

HON. M. JENSEN reminded the Hon. Mr. Stephens of the instances cited by the Hon. Mr. Hawthorn on the second reading of the

Bill. That hon. member pointed out that there was no compensation upon resumption in the case of the Melbourne tramways, and that on the Continent no compensation whatever was paid for goodwill. In this case the cost of the trams would be nothing like what it would be in the case of an ordinary tramway. In the first place they were saved the enormous expense of the rails, and in the second place, he understood, it was highly probable that where there were electric wires already in existence, the railless tramway company could pay the electric supply company for the use of their electric energy. An amendment having that object in view was inserted in the schedule when the Bill was before the other House. They might be sure that no financiers would enter into the business unless they could see a profit in it.

HON. A. G. C. HAWTHORN was rather surprised that the Hon. Mr. Stephens—a local authorities man—with his experience of the Brisbane Tramways Company, should advocate that compensation should be paid for goodwill.

HON. W. STEPHENS: So it should.

HON. A. G. C. HAWTHORN: On the second reading he cited the case of the Hobart tramways, where the company spent £26,000 in construction, and the Council had to pay £150,000 when they took the tramway over. He also cited the case of Edinburgh Tramway Company. The value of the undertaking was assessed at £100,000, but for goodwill and other things the company wanted £600,000. There were many instances where the amount claimed for goodwill ran into two or three times the actual cost of the tramway system. It was not fair to the local authorities to allow such a provision to remain in the Bill. If their amendment were inserted, a company would know the exact position before it entered into any agreement.

HON. W. STEPHENS: They will not start under this.

HON. A. G. C. HAWTHORN: They would. The hon. member said that the Toowoomba Company had backed out because they were not satisfied with the Bill, but he was informed by Mr. Roberts, the hon. member for East Toowoomba, that they were quite satisfied with the Bill as it passed the other House. He understood they were not going on with the business because of the war. In the light of past experience they should see that the ratepayers had not to pay for any goodwill in the future.

HON. F. T. BRETNALL: It struck him that this was very much like confiscation by legislation. Would any business man in that Committee undertake the expenditure of a large sum of money solely with the desire to help the community? If anybody went into a speculation of that kind, he would go into it with the hope of making it a success, though in all probability it would not be a success at first. The first tramways company in Brisbane failed utterly. The shareholders lost their money; no dividends whatever were paid; and, when the present company came forward the old shareholders were very glad to get out of it and to get back half of their money. The undertaking was more or less of a speculative nature. The company that put in its money undertook the risk of the speculation. They carried on the business without a profit for some years in the

hope that it would eventually turn out profitable. If they wanted people to help the community by investing their money for the public, then they should see that they had a chance of making a profit. It was not fair to allow a company to run a business, and then, as soon as it began to make a profit, for the local authority to step in and say, "We want you to hand that business over to us." That was something like confiscation under legislative powers. They were giving local authorities power to do that, and the company would have no voice in the matter at all. As soon as the business paid 5 per cent. per annum, the local authorities could come forward and demand that it be handed over to them. The trams did not pay at all in Brisbane at first, but when a new company took them over they became a profitable concern. Whether that was due to skilful management now or unskilful management in the case of the old trams he did not know. When people put their money into an undertaking for the good of the community, and then by their knowledge and skill made it payable, no one, not even the local authority, should be able to come forward and say, "We are going to take this over because it is a paying concern, and you can go to Hanover or anywhere else you like."

HON. P. MURPHY: Neither the Hon. Mr. Stephens nor the Hon. Mr. Brentnall had made out a proper case. They both forgot that this was an agreement between a company and a local authority, under which the company had the use of the roads and bridges for a number of years, and at the end of that term the local authority had the right to repurchase the business by paying what it had cost the company. He did not see anything wrong in the addition which the Hon. Mr. Barlow had moved. The company would not be able to inflate its value largely by reason of enormous profits, because the undertaking had to be bought out by the local authority at the end of the term they had agreed on. A company might enter into an agreement with a local authority for forty years, like the Brisbane Tramways Company did, and at the end the local authority would be able to buy them out. In the case of the Brisbane Tramways Company everyone understood that the Brisbane City Council and the other councils in Brisbane would be able to take over the concern for what it had cost the Tramways Company.

HON. W. STEPHENS: You have not read the law.

HON. P. MURPHY: No, and a lot of people did not read the Act. It appeared that in the Act there was a provision that the company could charge for goodwill at the end of the time. They were charging for goodwill after getting permission to run over the roads and bridges that had been paid for by the citizens by means of rates. Was the local authority entitled to nothing at all for the use of their roads and bridges for all those years?

HON. W. STEPHENS: They pay for it by a tax.

HON. P. MURPHY: The tax was very small indeed. It was different to a railway. When the Government built a railway, they bought the land and they had to make a road for the rails, and they also had to fence it in. This was merely an agreement between a local authority and a company,

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giving the company the right to use its roads and bridges for fifty years. They knew that these companies generally did make a good thing out of the undertakings, and that was why it was better to have the safeguard suggested by the Hon. Mr. Hawthorn put into the Bill.

HON. W. STEPHENS: The Hon. Mr. Murphy said that he did not make out his case, and he could say the same about the hon. gentleman himself. The Hon. Mr. Murphy said the arrangement was made between the Brisbane Tramways Company and the Brisbane Council. The Brisbane Council had nothing to do with it at all. The Tramways Company just went to the Government and got an Order in Council. The hon. member made another slight mistake when he said that under this Bill an agreement could be made to give a company the right to run trams for fifty years over the local authority's roads and bridges. If the hon. member had read the amendment, he would have seen that it limited it to twenty-five years—just half the period he had stated. He was sure the hon. member would not wilfully mislead the Committee, but he was wrong on those two points. The Hon. Mr. Hawthorn said he was surprised that he (Mr. Stephens) with all his knowledge of the working of local authorities should speak as he did. He had thirty years' experience of local authorities, and he knew that, if the local authorities had constructed the trams in Brisbane instead of allowing them to be run by the Brisbane Tramways Company, it would have cost them far more than the present company were asking as the price of their goodwill. Then, the local authorities would have made a failure of the trams, because all the little local authorities would be fighting one another. In addition to that, the citizens of Brisbane would not have the benefit of the good tram system which they enjoyed to-day. The Hon. Mr. Murphy knew very well that he would not put money into an investment where he could only get his own money back after twenty-five years.

HON. P. MURPHY: There are the profits in the meantime.

HON. W. STEPHENS: Anyone would think that the hon. member was in the Lower House and that he was looking for the votes of the people when he talked in that way. If the Bill did not make provision for goodwill, then no intelligent citizens would put their money into it at all.

HON. F. McDONNELL: The Hon. Mr. Stephens had supplied the best arguments in favour of the amendment when he quoted the Brisbane trams. The Brisbane Tramways Company had a time limit of forty years.

HON. W. STEPHENS: I do not think there is a limit.

HON. F. McDONNELL: That was a reason that they should have a limit in this case. He thought the reasonable proposal suggested by the Hon. Mr. Hawthorn should be accepted. For a number of years there had been a great desire on the part of the Brisbane people to acquire the trams, and there was no question that, if the trams had been run by a joint local authority like those in Adelaide, they would get far better value from the trams. He thought they would get

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far better value still if the Government ran the trams, and not the local authorities at all. He was a strong believer in the Government running the Brisbane trams. (Hear, hear!) If it came to a question between the Government and the local authorities taking over the Brisbane trams, he would favour the Government doing it. (Hear, hear!) He drew attention to the trams in Sydney, which were run by the Government. The Sydney trams proved a splendid asset to the Government of that State, and had been the means of opening up miles and miles of suburbs around Sydney. If the Queensland Government had had the running of the trams in Brisbane, there would be thousands of people settled in the suburbs of Brisbane which were not settled at all at the present time. He thought twenty-five years was a fair time for a franchise for a tramway company. The Hon. Mr. Brentnall referred to the old tramway system in Brisbane when it was run at a loss. The reason the old trams did not pay was because they were obsolete, and because the system was old-fashioned. In a progressive community they could not expect an old-fashioned system to succeed. When they introduced the electric system the trams were a success from the start. He quite agreed that the Brisbane tram system had been skilfully managed; but, if those trams had been in the hands of the Government instead of in the hands of a private monopoly, they would have given a far better service for the people all round, and they would have had far more people settled in the suburbs than they had at the present time. If the Government had the running of the trams, they would not have the incessant outcry that they had experienced for the last four or five years in Brisbane about the trams not being able to accommodate the people. There were not sufficient cars for the people, and the necessary extensions of the trams had not been carried out. These things would have been attended to by the Government if they had had the trams. He quite agreed with the Hon. Mr. Stephens that no company would invest their money unless it was good security and they saw a chance of a profit. No company would go in for it unless they were sure of making a profit on the undertaking. It should be definitely laid down that the franchise was only for twenty-five years. If a company did not think it was wise to invest its money in an undertaking with a franchise of twenty-five years, they would not do it. He thought it would be a good investment for a city like Toowoomba to go in for a tram system of this kind. He would like to see the amendment incorporated in the Bill.

HON. F. T. BRENTNALL: The Hon. Mr. McDonnell said that, if the tramways had been managed for the same length of time by the Government as they had been by a private company, they would have been equally as successful, and he also referred to the trams in Sydney. He was sorry that the hon. member did not give a little of the history of the Sydney trams, and show how they were run. They knew that the Sydney trams were overcrowded, and at certain hours of the day it was impossible to get accommodation on them, as the crowd was so great at Circular Quay. The hon. member should also have told them whether the Sydney trams were run at a profit or at a loss.

HON. E. W. H. FOWLES: They had to increase the fares in Sydney a short time ago.

HON. F. T. BRETNALL: Yes, and if the Brisbane trams had been run by the Government they would also be run at a loss. He believed in the management of these affairs by private individuals. It was the work that private individuals had done in this way that had built up the Empire. The management of the Brisbane trams showed how trams could be run at a profit as against the system in Sydney, where the evidence showed that the trams were run at a loss.

HON. M. JENSEN: The Sydney tramways were running at a loss merely because they were running in the interests of the public. Unlike the Brisbane Tramways Company, they did not want to make a [4.30 p.m.] profit of £200 a day. Their fares were much lower than in Brisbane. He thought they could travel to South Head and back—a distance of 14 miles—for 6d. Then, the fare from Circular Quay to the railway station was only 1d., although it was twice as long as any section in Brisbane. He admitted that the population in Sydney was very much greater than Brisbane, but the tramways in Sydney were running in the interests of the public, and, in any case, it was only within the last two years, he believed, that they had been running at a loss. Another difference was that the Sydney tramways were running out into the new localities surrounding the city, and they were running with the purpose of opening up suburbs that would never be opened up if the trams were in the hands of a company. In Brisbane the Tramways Company had been frequently appealed to to make extensions, and had refused. Was it reasonable to suppose that the Brisbane Tramways Company—which wanted a profit of £200 a day—could conduct their business as well as the Commissioner for Railways in New South Wales, who did not want any profit? Again, a private company had to pay at least 25 per cent. more for construction than the Government. He might refer by way of illustration to a certain syndicate railway. The company wanted £400,000 to build that railway, and issued debentures, and he believed they paid £56,000 to raise the £400,000, and then had to pay a higher rate of interest than the Government paid for loan money.

HON. W. STEPHENS: Every hon. member on the other side was against the Bill, and none of them addressed their remarks to the Bill. Their one stock argument was that the Government should own all the tramways. If the Government should own all the tramways, they were only wasting their time in passing the Bill.

HON. F. McDONNELL: With respect to what had fallen from the Hon. Mr. Brentnall, he thought it would be found that Sydney tramways paid in some years, and that they had never failed to pay for several years in succession. For a number of years they paid handsomely. The population of Sydney was nearly 700,000, and anyone who visited the Redfern Railway Station between 8 and 9 o'clock in the morning would see how the trams took thousands of passengers to their destinations in a very short time. Of course, there was no comparison between the amount of traffic in Sydney and Brisbane. With such a large population as there was in Sydney, there must be more accidents.

HON. P. MURPHY: There are less proportionately than there are in Brisbane.

HON. F. McDONNELL: He believed there were. Hon. members who were familiar with Sydney would remember that a few years ago there was scarcely a house a few miles out of Sydney on the road to South Heads. To-day there were tens of thousands of people settled in those suburbs, and it was the same all round the city, wherever the trams had gone. Although the trams might be run at a loss, they had done good work in opening up the suburban districts, and, indirectly, they had been a source of great profit to the Government. The Hon. Mr. Stephens was quite right. He (Mr. McDonnell) was certainly in favour of the Government taking over the tramways; but it must be remembered that it was the Government who introduced the Bill; and what hon. members were trying to do was to amend it so that there should be a reasonable limit to the franchise.

Question (Mr. Barlow's motion) put and passed.

HON. A. H. BARLOW: The new clause which the Council inserted in place of clause 11 read—

"No Order in Council issued in pursuance of this Act to a constructing authority shall be for a term exceeding twenty-five years."

The Assembly desired to omit that clause, but he moved—

"That the Committee insist upon new clause 11 because the term of twenty-five years is a reasonable term to allow a company as a franchise."

HON. T. J. O'SHEA thought it would be a mistake if the Committee insisted upon that clause, because no Government would be able to consider a proposition which included a franchise for more than twenty-five years.

HON. W. STEPHENS: Yes, it would.

HON. T. J. O'SHEA: As far as he could recollect, the usual minimum was forty-two years, but that did not say that the Governor in Council was bound to give a franchise for forty-two years. If the Committee insisted upon their new clause, it would preclude the Governor in Council from considering any proposal for a franchise of forty-two years or for an unlimited period, as it was before. He thought it would be wiser to leave it to the Governor in Council in every instance to prescribe the terms of the franchise.

HON. E. W. H. FOWLES: Subclause (1) of the clause as it came to them from the Assembly provided that if, within six months after the expiration of the period of twenty-five years from the original grant of an Order in Council to the constructing authority, or within six months after the expiration of every subsequent period of three years, the local authority served notice on the constructing authority requiring the constructing authority to sell the undertaking, then the constructing authority was bound to sell to the local authority. Supposing a company securing a franchise for twenty-five years, no local authority could step in until the expiration of the twenty-five years. Then the local authority had an option of stepping in within six months after the end of the twenty-five years. What was to prevent the local authority simply lying by for the six months, allowing the whole of the works to depreciate and then stepping in and taking over what was practically scrap iron at scrap iron value? There was a gap of six months between the

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period of the franchise and the time when the local authority could step in, and that gap was not filled in. The difficulty might be overcome if they amended the clause to read—

“If, within six months before the expiration of the period enacted in the original grant of an Order in Council.”

That would allow the original grant to be issued for twenty-four years and six months, and would give the other six months for the local authority to make up its mind what it was going to do. Furthermore, the clause as it came to them from the Assembly provided that, unless the local authority exercised their option at the end of the twenty-five years, or within six months thereafter, the company might continue for a further three years. Would not the extension for three years be forbidden by the very clause which they were now proposing to put in, which said that the franchise was to be for twenty-five years? Could they extend it for another three years beyond that? In view of what had arisen over the Brisbane Tramways Company, it was just as well to make the clause clear. They might be in favour of limiting the term to twenty-five years, and then there would be a period of six months in which nothing would be done. The whole thing would be hung up, and no trams would be run while the local authority was making arrangements to take them over.

HON. T. J. O'SHEA: No. The trams would go on running just the same.

HON. E. W. H. FOWLES: Not if they limited the franchise to twenty-five years.

HON. T. J. O'SHEA: They would get an extension for three years.

HON. E. W. H. FOWLES: It was quite clear, if they accepted the amendment, that it would only be for twenty-five years.

HON. A. G. C. HAWTHORN: They may only take it for twenty years.

HON. E. W. H. FOWLES: The system of railless traction was in its experimental stage, and a company going in for it might drop thousands of pounds, so it was almost certain they would take the longest term they possibly could. They had horse trams in Brisbane at one time, and they were run at a loss, and it was only with the advent of electricity, plus Mr. Badger, that the trams became a payable concern. They would probably have aeroplanes before railless traction became a paying concern. At any rate, no company in its senses would ask the Government for less than twenty-five years.

HON. A. G. C. HAWTHORN: In order to make it quite clear, he moved the omission of the words “twenty-five” with the view of inserting the words “twenty-six.”

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

Amendment (*Mr. Barlow's*), as amended, agreed to.

Clause 12—“Purchase of undertaking by local authority or joint local authority”—

HON. A. H. BARLOW: This clause was inserted by the Council, but it was objected to by the Assembly because it was a violation of the privileges of the Assembly, to whom belonged the sole right of initiating and creating charges. He moved that the Council do not insist on the insertion of the new clause.

Question put and passed.

[*Mr. E. W. H. Fowles.*]

The Council resumed. The ACTING CHAIRMAN reported that the Committee did not insist upon some amendments, and insisted upon others with amendments, and the report was adopted.

On the motion of HON. A. H. BARLOW, the Bill was ordered to be returned to the Assembly by message in the usual form.

MALANDA TO MILLAA MILLAA RAILWAY.

PLAN RECEIVED FROM ASSEMBLY.

The PRESIDING CHAIRMAN announced the receipt of a message from the Assembly, forwarding the plan, section, and book of reference of the proposed branch railway from Malanda to Millaa Millaa, second section, in length 8 miles 24 chains.

PLAN REFERRED TO SELECT COMMITTEE.

HON. A. H. BARLOW, by leave, moved without notice—

“That the plan, section, and book of reference of the proposed railway extension from Malanda to Millaa Millaa, second section, in length 8 miles 24 chains, be referred to a Select Committee.

“That such Committee have power to send for persons and papers, and leave to sit during any adjournment of the Council; and that it consist of the following members:—Mr. W. H. Campbell, Mr. Hodel, Mr. Parnell, Mr. Stephens, and the mover.”

Question put and passed.

CO-OPERATIVE AGRICULTURAL PRODUCTION BILL.

SECOND READING.

HON. A. H. BARLOW: I move that this Bill be now read a second time. I do not propose to push the Bill through to-day, as the Hon. Mr. Stephens desires to move the adjournment of the debate. This is a Bill to provide for advances in aid of co-operative enterprise in connection with the manufacture of primary products of agriculture. Those products are set forth in the interpretation clause, and include butter, cheese, milk, bacon, cornflour, flour, cotton, grain meal, jam, preserved fruits, and such other products of the soil as the Governor in Council may direct from time to time. Then, it goes on to say that any co-operative company may make application to the Minister for advances in aid of the construction of works by the company under this Act. Every such application shall be accompanied by a copy of the memorandum and articles of association of the company. A majority of the shares of the company shall always be held by persons who are producers of the primary products, or some of them, in respect of which the business of the company is to be carried on. It is provided, further, that no dividend greater than 4 per cent. per annum shall be paid until the advances made by the Government have been repaid. It shall not be competent for the company to alter these provisions.

The articles of association must [5 p.m.] also contain provision with respect to what are called “dry” shareholders. Clause 4 provides for every application to be submitted by the Minister to a valuer or valuers for report. Clause 5 provides that advances may be made by the

Minister out of moneys annually appropriated by Parliament for the purposes of such advances. Clause 6 provides that no advances shall be made to any company to an amount exceeding one-half of the cost of the works, nor unless nor until one-half of the capital of the company has been actually paid up by the shareholders. That is to give it some sort of a backbone by insisting that no company shall be trading on Government money on the aeroplane principle. Clause 7 allows advances to be made to a company in respect of works already constructed, provided that no such advance shall be made until it has been approved by a resolution of both Houses of Parliament. No advance is to be made except upon the security of a mortgage or mortgages to the Minister over the works in respect of which such advance is made, and upon such other security as to the Governor in Council may seem fit. The amount of the advance to a company shall be deemed to be a loan by the Minister to the company for a period of sixteen years from the 1st July next succeeding the date of the advance, and is to bear interest at the rate of 4 per cent. per annum. During the first two years no part of the principal money shall be repayable, and interest only is to be payable by the company during that period. During the remainder of the term of the loan redemption payments are to be made at the rate of £9 9s. 4d. per cent. per annum. The Minister may from time to time permit the company to pay off the whole or any portion of the moneys advanced at any time before they are due. The payment of the annual instalments is to be a first charge on the profits of the company. Power is given in clause 10 for the Minister to enforce the payment of arrears by putting in a receiver—I presume that is if there is anything to receive. The Minister is to be allowed credit for all sums advanced by him in pursuance of the Act. The Minister, on behalf of the company, is to be given power from time to time to take, purchase, contract for the use of, or otherwise provide any land which may be required for the works, or any tramway, wharf, or other work in connection therewith, and to acquire running rights over any tramway. The powers of resumption are to be exercised under the Public Works Land Resumption Act of 1906. In estimating the compensation to be paid on the resumption of land by the company, no allowance is to be made for any increase in the value of such land by reason of the construction, or proposed construction, or purchase, or proposed purchase of the works, or any other matter arising out of the exercise of powers under the Act. The company in whom any works are for the time being vested may, with the approval of the Governor in Council, construct, lay down, maintain, and work any tramway upon any road or land, and may use thereon any locomotives and rolling-stock, drawn or propelled by animal, steam, or other motive power. Power is given by the Governor in Council to make regulations. This is a Bill to assist co-operative enterprise. Co-operation seems to be the remedy for everything nowadays in connection with the manufacture and storage of primary agricultural products.

Hon. W. STEPHENS: I beg to move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for the next sitting of the Council.

BOONAH SHOW GROUND BILL.

SECOND READING.

Hon. A. H. BARLOW: This is a Bill to enable the trustees of the Boonah Show-ground to mortgage the land comprised in deed of grant No. 103853 for the sum of £2,000, for the purpose of erecting buildings and making improvements upon the show-ground, after payment of any existing liabilities in respect of the buildings or improvements already erected upon the ground. The Bill was referred to a Select Committee by the Assembly, which took evidence, and favourably reported upon the Bill, and the Bill was passed through the Assembly without amendment. I beg to move that the Bill be now read a second time.

Question put and passed.

COMMITTEE AND THIRD READING.

The Bill was passed through these stages without discussion or amendment, and ordered to be returned to the Assembly by message in the usual form.

MILES TO TAROOM RAILWAY (SECOND SECTION).

ADOPTION OF REPORT OF SELECT COMMITTEE.

Hon. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed railway extension from Miles to Taroom (second section) be now adopted.”

said: Some remarks were made on a previous occasion about these railway motions, and I can only repeat that all I can do is to read to hon. members what the Deputy Railway Commissioner says about them. Regarding this railway, Mr. Pagan says—

“REVENUE AND EXPENDITURE.—This railway forms the connecting link between Miles and Taroom, in the vicinity of which town there is a fair population. It will also serve a large area now under pastoral lease, which, however, is suitable for closer settlement, and I anticipate grazing will, to a very great extent, all be replaced by agriculture. From the latest stock return I observe that there are 70,000 cattle and 25,000 sheep in the district, so that a fair live-stock traffic may be expected. I estimate the revenue at £6,292, and the expenditure, providing for a train service of one train each way two days a week, at £4,652, leaving a net revenue of £1,640, equal to 13s. 4d. per cent. on the capital.

“RECOMMENDATION.—Although the net revenue is not sufficient to meet interest on capital invested, I have every reason to believe that in a few years, with the increased settlement the railway will bring, that this line will become remunerative, and I therefore recommend its construction.”

Question put and passed.

APPROVAL OF PLAN.

Hon. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed railway extension from Miles to Taroom (second section), in

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length 41 miles 76 chains, as received by message from the Legislative Assembly on the 1st December.

"2. That such approval be notified to the Legislative Assembly by message in the usual form."

Question put and passed.

MURGON TO PROSTON RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

"That the report of the Select Committee on the proposed branch railway from Murgon to Proston, also of proposed branch railway to Winderah, be now adopted,"

said: We examined several railway officials on this railway and on a number of other railways, and we unanimously recommend the construction of the railway. Mr. Pagan, the Deputy Commissioner, in his report, says—

"REVENUE AND EXPENDITURE.—The traffic to be obtained from the district traversed by these branches will consist of cattle, dairy produce, agricultural products, timber, passengers, and general merchandise, and, as a very large area is settled lands, I estimate that the revenue to be derived therefrom will be equal to £256 per mile, or £9,500 per annum. The expenditure (£6,086) allows for one train per day each way over both branches.

"RECOMMENDATION.—The district benefited by these two railways covers an area of 1,108 square miles; of this, 367 square miles are held as agricultural farms and 573 square miles as grazing farms. The Mondure Estate, which is 7 to 15 miles from Murgon, consists of 22,000 acres, and is being cut up into 144 farms. The total number of cattle (according to the latest stock returns) within the railway district is given at 31,000. Vacant Crown land—pastoral leases and reserves—totalling an area of 154 square miles is available for closer settlement. The soil throughout is generally good, and the maize industry is growing considerably: the crop raised is estimated at between 70 and 80 bushels to the acre. With the advent of a railway the whole district is likely to advance rapidly and become thickly populated. A quantity of timber is available. Although I do not anticipate that the revenue derived from these railways will for the first few years be sufficient to pay working expenses and interest on capital, I see no reason, when the district has had the advantage of a railway to open it up, why it should not prove as remunerative as other railways in the same district."

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

"1. That the Council approve of the plan, section, and book of reference of the proposed branch railway from Murgon to Proston, in length 26 miles 22 chains; also of proposed branch railway to Winderah, in length 11 miles 43 chains, as received by message from the Legislative Assembly on the 26th November.

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"2. That such approval be notified to the Legislative Assembly by message in the usual form."

Question put and passed.

ROCKHAMPTON TO ALTON DOWNS RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

"That the report of the Select Committee on the proposed railway extension from Rockhampton to Alton Downs be now adopted,"

said: The Deputy Commissioner for Railways gives the following certificate in reference to this railway:—

"REVENUE AND EXPENDITURE.—This line will pass through a rich agricultural and closely settled district. The traffic over the major portion of the line will not be heavy, but it is anticipated that a fair suburban traffic may be expected for the first few miles. The revenue derived from this line after its completion, with the prospect of additional settlement, will, I estimate, equal £4,550. The expenditure, allowing for a tri-weekly service to the terminus and two trains per day over the suburban area, may be set down at £3,542, giving a small net revenue of £1,008, which is equal to £1 13s. 6d. on the capital invested.

"RECOMMENDATION.—I do not anticipate that this line will be a paying proposition from the start, but, as it will open up a considerable area of Crown lands, and make available the rich agricultural country which is traversed by the line, further settlement will be encouraged; and, as the majority of those within the benefited area have expressed their willingness to meet any deficits, I recommend that the line be built."

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

"1. That the Council approve of the plan, section, and book of reference of the proposed branch railway from Rockhampton to Alton Downs, in length 17 miles 40 chains, as received by message from the Legislative Assembly on the 26th November.

"2. That such approval be notified to the Legislative Assembly by message in the usual form."

Question put and passed.

LANEFIELD TO ROSEVALE RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

"That the report of the Select Committee on the proposed branch railway from Lanefield to Rosevale be now adopted,"

said: The Deputy Commissioner for Railways in his report on this line says—

"REVENUE AND EXPENDITURE.—This line is purely an agricultural railway, and, from past experience of the earnings of lines through similar districts. I do not anticipate a very large revenue, and have set it down as equal to £160 per mile, making a total of £2,650 per

annum. As this line will be worked from Ipswich, I have allowed for one train each way per day; with this service, I estimate the expenditure at £2,295, leaving a net revenue of £355 per annum—equal to 9s. 6d. per cent. on the capital cost; but it is very possible that the traffic offering on this line may manage with three trains per week, in which case the expenditure will be less.

“RECOMMENDATION.—This railway will serve a very fine agricultural district, which is largely settled upon. The principal industry being agriculture and dairying, which is a low-class traffic, I do not, therefore, anticipate that the line for the first few years will pay more than working expenses, but, as it will provide railway facilities which will enable the settlers to more readily and conveniently reach the markets, it must in time improve; and, as the burden of meeting the interest rests with the ratepayers within the benefited district, I recommend its construction.”

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed branch railway from Lane-field to Rosevale, in length 16 miles 45 chains, as received by message from the Legislative Assembly on the 1st December.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

ENOGGERA TO TERROR'S CREEK RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed railway extension from Enoggera to Terror's Creek be now adopted.”

said: The Deputy Commissioner reports as follows:—

“REVENUE AND EXPENDITURE.—The district is not unlike the country traversed by the Dugandan, Crow's Nest, and Killarney lines, the revenue from which last year was £465, £283, and £373 per mile respectively. The charges per ton per mile on the Terror's Creek line will (owing to the shorter distance) be slightly higher, and after a few years it should earn as much as other farming lines, not to speak of the extension of suburban passenger traffic, which is sure to follow the railway. I have set down the earnings at £360 per mile, or £8,820 per annum.

“If two trains per day are required, I estimate the expenditure at £6,377 per annum, leaving a net revenue of, say, £2,443, which is equal to £1 6s. 11d. per cent. on a capital of £181,289, on which the interest has been calculated. Seeing that in a letter from the Prime Minister of the Commonwealth to the Premier of Queensland, dated 14th September, 1911, a promise was made that,

if a deviation of the route was adopted so as to pass close to the Enoggera Rifle Range and military area, his Government was prepared to ask Parliament to approve of the payment by the Commonwealth of a subsidy up to £4,000 towards the extra cost involved by the deviation in question, and this deviation has been provided for on the plans. The payment of this amount will reduce the capital cost so far as the ratepayers of the benefited area are concerned.

“RECOMMENDATION.—A great deal of settlement has taken place all along the route, with the exception of the first few miles, where the country is poorer, but it is capable of considerable expansion; and, after visiting the district, I am satisfied that rail communication would enable a large population to make a comfortable living. I was impressed with the fertility of the soil, and it appeared to me that a railway should convert this neighbourhood into a market garden for the metropolis. I do not think it is generally known that there exists such beautiful scrub country within 20 miles of Brisbane. Although the line may not earn sufficient to pay interest and working expenses for a year or two, the shortage to be made up by the residents will not be nearly such a heavy burden as they are now bearing owing to the want of the line, the construction of which I have much pleasure in recommending.”

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed railway extension from Enoggera to Terror's Creek, in length 24 miles 37 chains, as received by message from the Legislative Assembly on the 26th November.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

GATTON TO MOUNT SYLVIA BRANCH RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed branch railway from Gatton to Mount Sylvia be now adopted.”

said: The Deputy Commissioner in his report on the anticipated revenue and expenditure, says—

“This railway will serve settled country from which district the produce now comes to Gatton and Grantham. Taking the figures for this traffic on last year's basis, I do not consider it will exceed more than about £1,820 per annum at the start, and the expenditure, allowing for two trains per day, six days per week, I estimate will be £1,619, or £201 less than the revenue, which is equal to 7s. 11d. per cent on the capital invested.”

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He then makes the following recommendation—

“The traffic from this line will be principally dairying products and agriculture, with a few head of cattle and horses, which at present finds its way either to Gatton or Grantham. The construction of the railway will provide facilities in transit which certainly are very much needed, owing to the rough country over which a large portion of the present traffic has to traverse to reach the main line. The advent of a railway will, no doubt, induce settlers to put more land under cultivation, and it will throw open a considerable area of grazing country beyond Mount Sylvia which is now in the hands of the Crown. Although I do not anticipate that the line will pay for some time, still, in view of this and the fact that it will provide better means of getting their produce to market, and that they are prepared to defray any deficiency, I recommend the construction of the line.”

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed branch railway from Gatton to Mount Sylvia, in length 11 miles 30 chains, as received by message from the Legislative Assembly on the 1st December.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

GOONDOON TOWARDS KALLIWA (CREEK BRANCH RAILWAY.)

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed branch railway from Goondoon towards Kalliwa Creek be now adopted,”

said: The Commissioner (Mr. Evans) reports as follows with regard to this line:—

“The revenue derived from this railway will be sugar, general agricultural produce, dairying, and timber, and I estimate that an annual revenue equal to about £200 per mile may be expected. This would represent a total of £6,150 per annum. The expenditure, allowing for three trains per week each way, which I consider will be ample for some time to come, I estimate at £4,886, leaving a net revenue of £1,264 towards the interest on capital.

“The main feature in the construction of this line will be the opening up of country for closer settlement, and give access to a very large timber area. A central mill has been established, and a large portion of the country will be utilised for sugar-growing. The heavy cost of construction of the railway does not permit of its being a paying proposition at the start, and for some time I do not anticipate that it will much more than pay working expenses, but as it will

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be very much cheaper for the settlers to pay the necessary railway rate to cover any deficit than continue the present methods of transport, and, as the advent of a railway will throw open a considerable quantity of land for closer settlement, I am prepared to recommend its construction.”

Question put and passed.

APPROVAL OF PLAN.

At 5.30 p.m.,

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed branch railway from Goondoon towards Kalliwa Creek, in length 30 miles 60 chains, as received by message from the Legislative Assembly on the 2nd December.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

MUNDUBBERA TO NORTHERN BURNETT RAILWAY.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed railway extension from Mundubbera to the Northern Burnett be now adopted,”

said: The Commissioner for Railways reports—

“REVENUE AND EXPENDITURE.—This extension will serve a fair amount of closely settled land, and will open up large tracts of timber, dairying, and agricultural country. I consider that a revenue equal to £160 per mile per annum may be expected, which will return a gross revenue of £5,080 per annum. The expenditure, which provides for a daily train each way, I estimate at £4,679, leaving a net revenue of £401, which is equal to 5s. 4d. per cent. on the capital cost.

“RECOMMENDATION.—This line is an extension of the Gayndah-Mundubbera Railway for the purpose of opening up splendid lands in the Upper Burnett for closer settlement. The section is 31 miles 60 chains in length, and will terminate for the present $6\frac{1}{2}$ miles beyond Eidsvold. The route followed is practically the same as recommended by my officers in their report which was submitted to Parliament in 1910, and, as the railway is essential for the purpose of making available large tracts of rich land now held by the Crown, I recommend its construction.”

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed railway extension from Mundubbera to the Northern Burnett, in length 31 miles 60 chains, as received by message from the Legislative Assembly on the 2nd December.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

DIRRANBANDI RAILWAY EXTENSION.

ADOPTION OF REPORT OF SELECT COMMITTEE.

HON. A. H. BARLOW, in moving—

“That the report of the Select Committee on the proposed railway extension from Dirranbandi be now adopted,”

said: We cannot go wrong here. This is an extension of the border railway. The Commissioner for Railways says—

“REVENUE AND EXPENDITURE.—The revenue will be chiefly live stock and general supplies, and, on the basis of the traffic carried over the section between Thallon and Dirranbandi, I have set down the revenue of this extension at £160 per mile, which will return £8,320. The expenditure I estimate at £6,556, leaving a net revenue of £1,764 or 17s. 7d. per cent. on the capital cost.

“RECOMMENDATION.—The terminus of the South-western line at Dirranbandi is situated on the eastern bank of the Balonne River, and as there is no bridge over this river or over the Culgoa River 5 miles to the west thereof, and both these rivers are for months at a time uncrossable for vehicles, the traffic now won to the railway comes only from the north and south of the line, all traffic from west of this terminus passes over the Queensland border into New South Wales. This extension will secure to Queensland railways and ports its legitimate trade, and direct into its natural channel the South-western traffic. Although I do not consider that the revenue earned by this section will, at the start, be sufficient to cover both working expenses and interest on capital expended, I, for the reasons quoted above, strongly recommend its construction.”

Question put and passed.

APPROVAL OF PLAN.

HON. A. H. BARLOW moved—

“1. That the Council approve of the plan, section, and book of reference of the proposed railway extension from Dirranbandi, in length 51 miles 60 chains, as received by message from the Legislative Assembly on the 2nd December.

“2. That such approval be notified to the Legislative Assembly by message in the usual form.”

Question put and passed.

SPECIAL ADJOURNMENT.

HON. A. H. BARLOW: I beg to move that the Council, at its rising, adjourn until Wednesday. I am pleased to inform hon. members that the excursion to-morrow in the “Lucinda” will take place. The ladies of the Vice-regal party will be here, although the Governor-General has had to leave. The first business on Wednesday will be the resumption of the second-reading debate on the Co-operative Sugar Works Bill; then we shall resume the debate on the second reading on the Co-operative Agricultural Production Bill; and then take the motions connected with the Mount Edwards to Maryvale Railway.

Question put and passed.

The Council adjourned at twenty-two minutes to 6 o'clock.