Queensland

Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 27 NOVEMBER 1917

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LEGISLATIVE COUNCIL.

TUESDAY, 27 NOVEMBER, 1917.

The PRESIDENT (Hon. W. Hamilton) took the chair at half-past 2 o'clock.

PARLIAMENTARY BILLS REFERENDUM ACT.

SUBMISSION OF COUNCIL'S AMENDMENTS IN REFERENDUM.

HON. P. J. LEAHY: I beg to move, without notice—

"1. That, in the terms of section 4 of the Parliamentary Bills Referendum Act of 1908, the Legislative Council formally request that, in the case or cases of any Bill or Bills which during the present session of Parliament may, under the provisions of the said Act, have been 'lost,' and which may hereafter be submitted by referendum to the electors, the Home Secretary shall cause to be published in the 'Gazette,' together with the Bill or Bills, such amendments thereto as in each case may have been made by the Legislative Council.

"2. That a copy of the foregoing resolution be forwarded by the Clerk of the Council to the Home Secretary."

I may say that this motion is similar to motions proposed by myself on previous occasions in connection with Bills that have been declared "lost."

Question put and passed.

MOUNT MOLLOY RAILWAY EXTENSION.

PLANS, ETC., RECEIVED FROM ASSEMBLY.

The PRESIDENT announced the receipt of a message from the Assembly forwarding for the approval of the Council the plan, section, and book of reference of this railway.

The SECRETARY FOR MINES moved—

"1. That the plan, section, and book of reference of the proposed railway extension of the Mount Molloy Branch, in length 8 miles, be referred to a Select Committee.

"2. 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, viz.:—Mr. Leahy, Mr. Nevitt, Mr. Hodel, Mr. Purnell, and the mover."

Question put and passed.

STATE PRODUCE AGENCY BILL.

MESSAGE FROM ASSEMBLY, No. 1.

The PRESIDENT announced the receipt from the Assembly of the following message:—

"Mr. President,—

"The Legislative Assembly having had under consideration the message of the

Legislative Council, of date 14th November, relative to the State Produce Agency Bill, beg now to intimate that they—

"Do not insist upon their disagreement to the amendments in clause 2, page 2, lines 5 to 12, contingent upon the Legislative Council being willing to accept the following amendment, viz.:—

"After the word 'eggs' on line 5, page 2, insert the words 'bran, pollard, linseed and the products thereof, rice and the products thereof, rubber, sisal hemp, copra, cocoanuts, oilcake, nuts, bird-seed, seeds, honey, beeswax, lime, artificial manures.'

"In which further amendment they invite the concurrence of the Legislative Council, and

"Do not insist upon their disagreement to the other amendments in the Bill upon which the Legislative Council have insisted.

"In now accepting these amendments, the Legislative Assembly desire respectfully to assert their strong belief that the amendments materially affect the usefulness of the measure, and seriously restrict the possibility of its due administration.

"Nevertheless, it being desirable that the principle of a State produce agency should be established, they are willing to give the Bill, in its restricted form, a fair trial, in the hope that the Legislative Council will, in the future, assist in remedying defects which, it is feared, will disclose themselves at an early period of its administration.

"W. McCORMACK,
"Speaker.

"Legislative Assembly Chamber,
"Brisbane, 26th November, 1917."

The SECRETARY FOR MINES: I beg to move—That the message be taken into consideration in Committee forthwith. It will facilitate business if we take the Bill now, as most of the amendments have been accepted by the Assembly.

HON. E. W. H. FOWLES: I do not want to delay the Council for one minute, but I believe the Hon. Mr. Thynne is ill this afternoon, and as most of the amendments are in his name, I would not like the Bill to be taken in his absence.

The SECRETARY FOR MINES: They have all been accepted by the Assembly.

HON. E. W. H. FOWLES: I have no objection to taking the Bill into consideration forthwith if they have been accepted.

Question put and passed.

CONSIDERATION OF MESSAGE IN COMMITTEE.

(*Hon. W. F. Taylor in the chair.*)

Clause 2—"*Interpretation*"—(Definition of "Produce")—

The SECRETARY FOR MINES moved—

"That the Committee agree to the further amendment proposed by the Legislative Assembly in clause 2, page 2, line 5, after the word 'eggs,' to insert the words—'bran, pollard, linseed and the products thereof, rice and the products thereof, rubber, sisal hemp, copra, cocoanuts, oilcake, nuts, bird-seed, seeds, honey, beeswax, lime, artificial manures."

The amendment was consistent with the opinions expressed by hon. members when the Bill was before them on a previous occasion. The Hon. Mr. Leahy, the Hon. Mr. Fowles, and others suggested that, if the Government would enumerate the articles they desired to deal with under the Bill, it would be acceptable to them. The Assembly had agreed to all the other amendments made by the Council, so he thought hon. members might accept the Assembly's amendment.

HON. E. W. H. FOWLES: Did the amendment leave in the words which the Council complained about before:—

> "and any other article or class of articles which the Governor in Council by Order in Council may from time to time declare to be produce for the purposes of this Act?"

The SECRETARY FOR MINES: No. The word "any" was omitted, and the word "no" inserted in its place.

HON. T. J. O'SHEA: Will you read the definition of "Produce" as it will be if this amendment is made?

The SECRETARY FOR MINES: The definition would read—

> "Produce"—Cereals, grain, vegetables, potatoes and other edible roots and tubers, fruit, hay and chaff, and all dairy produce: the term includes live or dead poultry and game, and eggs, bran, pollard, linseed and the products thereof, rice and the products thereof, rubber, sisal hemp, copra, cocoanuts, oilcake, nuts, bird-seed, seeds, honey, beeswax, lime, artificial manures, and no other article or class of articles, but the Governor in Council by Order in Council may from time to time, upon the passing of a resolution by both Houses of Parliament approving of the inclusion of any other article or class of articles within the term 'produce' as defined by this Act, declare such other article or class of articles to be produce for the purposes of this Act."

HON. P. J. LEAHY: He was not opposing the Minister at all, but still, it struck him as rather peculiar that lime should be included amongst the products mentioned. The Bill was supposed to be a Bill for the purpose of selling farmers' produce. He did not know that lime was a farmer's product. There were several other things mentioned which could not be called farmers' products. For instance, there were bran and pollard. He was glad that the Government had been wise enough for once to adopt the suggestions made by hon. members.

The SECRETARY FOR MINES: Perhaps the present was an opportune time to explain the reason for including lime. The Secretary for Agriculture intended to supply farmers with lime; sugar-growers particularly required it. They had some very fine deposits in Queensland, and it was intended that the department should, at the expenditure of about £500, have a small travelling plant that would crush the lime and supply it to the farmer as fertiliser. (Hear, hear!)

Hon. T. J. O'SHEA: Will you explain regarding rubber?

The SECRETARY FOR MINES: He did not know anything about rubber. (Laughter.)

Question put and passed.

The Council resumed. The CHAIRMAN reported that the Committee had agreed to the further amendment proposed by the Assembly, and the report was adopted.

The Bill was ordered to be returned to the Assembly with the following message:—

"Mr. Speaker,—

"The Legislative Council having had under consideration the message of the Legislative Assembly of date 26th November, relative to the State Produce Agency Bill, beg now to intimate that they—

"Agree to the further amendment proposed by the Legislative Assembly in clause 2, page 2, line 5."

PAPER.

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

The Venereal Diseases Regulations of 1917.

SUSPENSION OF STANDING RULES AND ORDERS.

REGULATION OF SUGAR CANE PRICES ACT AMENDMENT BILL.

The SECRETARY FOR MINES, in moving—

"That so much of the Standing Rules and Orders be suspended as would otherwise preclude the passing of the Regulation of Sugar Cane Prices Act Amendment Bill through all its remaining stages in one day,"

said: My object in moving the motion is to facilitate the business of the House. (Hear, hear!)

Question put and passed.

CLOSER SETTLEMENT ACT AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR MINES moved—That the Bill be now read a third time.

HON. P. J. LEAHY: I mentioned something about some possible point of order with regard to this measure a day or two ago. I think the matter is still debatable, but as it is not of much importance I do not intend to press it.

HON. E. W. H. FOWLES: In this matter it is purely the Government's own mistake, if there be a mistake at all, and we have done our duty in pointing out the possibility of error. If I might do it without being called to order, I might point out that there is already a Bill coming up to amend the Clermont Flood Relief Act. We pointed out last year that there was a possibility of error, and here is the Bill coming up. Also last session there was a Bill to amend the Factories and Shops Acts, and we pointed out the possibility of error in regard to that, but the Government, stubbornly and one-eyedly, went on with the programme, and then had to come along with an amending Bill.

Hon. R. SUMNER: A pity you do not amend your own ways.

HON. E. W. H. FOWLES: The Government might show an example in that matter. It would be refreshing and unique. However, the Government have had this pointed out to them, and if they bring in an amending measure next year, no doubt the Council will do its duty with regard to it.

Question put and passed.

The Bill was passed, and ordered to be returned to the Assembly by message in the usual form.

[3 p.m.]

REGULATION OF SUGAR CANE PRICES ACT AMENDMENT BILL.

RESUMPTION OF COMMITTEE.

(*Hon. W. F. Taylor in the chair.*)

On clause 12—"*Amendment of section 12*"—on which Mr. Fowles had moved by way of amendment that on page 11, line 27, there be inserted the following words:—

"The Minister shall pay to the owner of such mill, works, lands, buildings, and other property of whatsoever description so seized a sum equal to 8 per centum interest and 4 per centum by way of depreciation on the capital value thereof, and shall after the conclusion of the season pay and reimburse the owner all costs, charges, and expenses incurred or rendered necessary for the purpose of overhauling or maintaining or repairing such mill, works, buildings, plant, tramways, machinery, equipment, goods, and chattels whatsoever so seized as aforesaid, in order to place and reinstate the same in as good a state of condition and repair and efficiency as the same were in before being so seized."

Question stated—That the words proposed to be inserted be so inserted.

HON. E. W. H. FOWLES: He would suggest to the Minister the advisability of postponing this item on the programme till about 3.30 p.m. It would expedite business to do so, and they could have one or two second readings between then and half-past 3.

The SECRETARY FOR MINES: If it would meet the convenience of the Committee he was quite willing to agree to the suggestion. Hon. members considered his convenience at times, and if it would facilitate business he would act upon the suggestion of the hon. member. He moved—That the Chairman leave the chair, report progress, and ask leave to sit again.

Question put and passed.

The Council resumed. The CHAIRMAN reported progress, and the Committee obtained leave to sit again at a later hour of the sitting.

CHILLAGOE AND ETHERIDGE RAILWAYS BILL.

SECOND READING.

The SECRETARY FOR MINES: Hon. members will remember that this Bill was under consideration previously.

Hon. P. J. LEAHY: A somewhat similar Bill—not this Bill.

The SECRETARY FOR MINES: Yes, a somewhat similar Bill; there is a difference between the two measures, and I will point out that difference. The previous Bill

proposed to ratify a provisional agreement between the Queensland Government and the trustees of the Chillagoe debentures. The company were opposed to the measure; and the moratorium regulations were opportunely published making the proposed action of the trustees impossible without the leave of the court. The House is now asked to ratify two agreements, one of which has for its signatories the trustees of the Chillagoe debentures, the Etheridge debenture trustee, the four Chillagoe companies and the liquidator of the Chillagoe Company Limited, and the Secretary for Railways; and the other of which has for its signatories the Chillagoe Company Limited and the Treasurer of Queensland. All the parties concerned have now arrived at an agreement.

Hon. A. G. C. HAWTHORN: Except the unfortunate taxpayer.

The SECRETARY FOR MINES: The Queensland Government is representing the taxpayer in this agreement. The hon. gentleman's interjection is quite out of place. The Queensland Government, as far as this Bill is concerned, is representing the people, who are the taxpayers. The concurrence of the Chillagoe Company, which we did not have before, removes one ground that might formerly have been taken for opposing the measure.

Hon. G. S. CURTIS: Are they agreeable now?

The SECRETARY FOR MINES: Yes, the debenture holders and the country.

Hon. G. S. CURTIS: I mean the mortgagors.

The SECRETARY FOR MINES: Yes, all parties are now agreeable, as the agreement indicates.

Hon. E. W. H. FOWLES: Could we have the full history of the squeeze?

The SECRETARY FOR MINES: If at any time anyone had any shadow of suspicion that the companies were being oppressed or unfairly treated, that suspicion is removed. Besides the difference of parties, there is a difference in the terms of the present agreement. Instead of taking over the Chillagoe mines and railways subject to the Etheridge debentures, for £450,000 cash, the Government is now agreeing to take all the assets freed and discharged from all incumbrances, and to pay to the vendors £1,000 in cash and £475,000 in 4½ per cent. debentures bearing interest from 1st January, 1917, and free of all Queensland taxes, and to pay to the Etheridge debentures trustee on 1st March, 1921, the principal sum payable under these debentures, not exceeding £225,000, with interest at 4½ per cent. per annum, payable half-yearly. The companies are forthwith to discharge their liability in respect of the Einasleigh debentures, £25,000. The £1,000 put down is intended to cover the legal and other professional costs incurred by the vendors in arriving at the agreement. The big advantage to the State in paying in debentures instead of cash is apparent enough to hon. members at a time like this, and that point need not be debated. Hon. members will see in the first schedule to the agreement what the Government is getting, and will be able to appreciate the excellent bargain that is being made on behalf of the State. The Secretary for Railways estimated that the rails alone on the Chillagoe and Etheridge lines are worth £300,000. I venture the opinion that that is a very moderate estimate. I suppose that estimate is based on the pre-war price of steel rails.

Hon. A. G. C. HAWTHORN: They would not be worth much if you had to take them up.

The SECRETARY FOR MINES: They would be worth a great deal if you had to take them up. This line is part of a trunk line that will be of very great advantage some day to the State. The Commissioner for Railways estimated last year that it would cost £498,902 to build a similar line. The Chillagoe Company in their last balance-sheet valued the Chillagoe Railway (110 miles) at £335,000, and the Etheridge Railway (145 miles) at £463,000, and their total assets at about £1,304,657. That is to say, for the mere value of the rails the Government are to get two working railway lines, an up-to-date complete smelting and metallurgical treatment plant, rolling-stock, etc., and leases. I contend that this is good business.

The PRESIDENT: There is a very loud conversation going on on the left side of the Chamber, and I would ask hon. gentlemen to moderate their tones, as the speaker can hardly be heard.

The SECRETARY FOR MINES: I contend that this is good business for the State. Personally, I have been opposed to syndicate railways, and I am in favour of this Bill because it takes back from a syndicate that which should belong to the State.

Hon. T. M. HALL: The State would have made the same big loss as this company has.

The SECRETARY FOR MINES: The Chillagoe Company have made a profit, as a matter of fact, on the railway. It should have been built years ago by the Government. Not only are we getting the railway, but we are getting a very valuable asset in the smelting and metallurgical treatment plant, which is included in the bargain.

Hon. A. G. C. HAWTHORN: What would happen if we did not take it over—would they still go on running?

The SECRETARY FOR MINES: I think it is rather unfortunate for the Chillagoe Company that they closed down, although there may be many reasons given for it. It has been said that the mines were very much overmanned, and that there were more bosses than men, and that through want of proper management the mines had to close down. Perhaps it was unfortunate for the Chillagoe Company that they had to close down when metal was very low in price. Metal is a very much higher price to-day, and likely to remain so for very many years. Members who know the North of Queensland know that there is mining development going on in the North, and if we can open up, as we propose to do, two copper smelters at the Chillagoe Company's works, and one lead smelter, we can not only smelt the ore taken out of the Chillagoe Mine, but the ore from a very large radius. Probably one of the best copper mines in Queensland is the Empress Mine, about 1½ mile from Herberton, and if the Chillagoe smelters were open, the owners of that mine would smelt at Chillagoe. Of course, they cannot possibly take their ore overland to the Cloncurry smelters. As a matter of fact, the owners of the Empress Mine send their ore down to Port Kembla.

Hon. R. BEDFORD: The State loses the smelting.

The SECRETARY FOR MINES: The State loses the smelting, and the owners, of

course, lose through the high cost of transport. I have an extract here from the "Daily Mail" of 21st November, 1917. It reads—

"FINDS IN CHILLAGOE DISTRICT.

"Cairns, Tuesday.

"Mr. W. H. Clelland has arrived in Cairns from the Chillagoe district with about 12 tons of carbonate copper ore and 2½ tons of native copper, which latter, he states, is found in the form of nuggets weighing up to between 1 ton and 25 cwt. This copper comes from the ground with 17 per cent. assay value, and is from the Griffiths Mine and the abandoned claim of the Mungana Company, which Mr. Clelland and party took up as an ordinary claim almost five months ago. Since then the four men have been working it, and they estimate the value of the product in that time as between £600 and £700. They have one shaft 60 feet down, from which this rich ore has come, and another shaft 20 feet down, which has exposed a big body of low-grade ore going 13 per cent. There is a lot of low-grade stuff, but nothing under 20 per cent. is any good to them so long as everything is eaten up by the distance expenses, though if the smelters were going in Chillagoe this stuff would give a profit of £6 or £7 a ton.

"The Government, remarked Mr. Clelland, is going to take over the line, but it will be a bad bargain unless they open the smelters, in which case the line should pay handsomely. I am at variance with the view expressed in the House and elsewhere, that there is not ore in the district, for I am convinced there is any amount of low-grade ore on the field, but unless it can be treated locally it will simply continue to lie waste"

That is the position in North Queensland. The Empress Mine has been tipping 9 per cent. ore over the tip because it is too low a grade to send to Port Kembla. That would be a valuable ore if there was a smelter in the district. If there was a smelter erected at Chillagoe or in any other part of the district this 9 per cent. ore, instead of being thrown over the tip, would be highly payable. As a matter of fact, mines near Mount Morgan are paying handsomely with 6 per cent. ore. Yet the Northern mines have classed 13 per cent. ore as low-grade ore because of the distance from a smelter. Not only would we be conferring a considerable benefit on the State of Queensland by taking over this proposition, but we would be doing something that would be very beneficial to the large number of mines in that district and the many other shows that will, no doubt, be discovered in the district. Moreover, by this deal the Government will be in a position to develop a very valuable mineral district other than that in the vicinity of Chillagoe. The geologists' reports on the Chillagoe district all go to show that it is possessed of vast wealth.

Hon. H. TURNER: How far distant from the smelters is the nearest supplies of coal?

The SECRETARY FOR MINES: Mount Mulligan is the nearest coalmine, but it is a question whether the Mount Mulligan coal will make coke for smelting.

Hon. B. FAHEY: Yes, it will.

Hon. E. W. H. FOWLES: You are spending £90,000 on the experiment.

The SECRETARY FOR MINES: It will be necessary to produce the coke from Mount Mulligan to smelt the ore. As a matter of fact, unless this Bill passes the other agreement will be of no value; the two must go together. The Government are going to open up the Bowen coalfields and they will get further supplies of coke from there if required, but possibly the shipping difficulty would obtain so far as the Bowen coke is concerned, because the Bowen coalfield can supply the Cloncurry district. Coke will have to be shipped from Bowen to Cairns if we are to supply the Chillagoe smelter with coke from Bowen. This deal will also be a good thing for the State, as it will give a splendid supply of coal for our Northern railway system, and from that coal we propose to make coke. No doubt coke of a sufficient value to smelt copper can be obtained from that coal, and I think coke can be produced from the Mount Mulligan coalmines to serve other smelters if they are established in the district. I am not going to delay the Council further than to say that I hope this Bill will be passed, because it will have the effect of getting back to the State a certain mileage of railway that will form a link of a main line to the Gulf country. It would be unwise for the State to build a railway at the other end of that line towards the Gulf and thus have one section a syndicate railway and another section a State railway. That would not be a satisfactory position at all, and the day has now arrived when something should be done for the vast North; and when we should try and populate it to a greater extent. We want more people there, and if our resources are to be developed we cannot do it better than by the extension of railways and the opening up of mineral areas, and encouraging the mining industry to such an extent that people will go out and prospect and discover new mineral fields. The discovered mineral wealth in that district warrants the Government in opening up smelters there, and the cheapest and best way we can assist the mining industry in the North is by accepting this offer; take over the railways and the smelters for the State, and open them up to immediate use, so that we can produce the copper that we require so much in this country. I beg to move—That the Bill be now read a second time.

HON. P. J. LEAHY: This Bill came before us last session. We were not bound to refer it to a Select Committee because it was not a new railway, but notwithstanding that—I think it was on my own motion—the Bill was referred to a Select Committee and a great deal of evidence was taken with regard to the mines, with regard to the railway, and with regard to other matters. I have a very clear recollection, without looking up the evidence, of what that evidence was. The committee—I think it was a unanimous report with the exception of the representative of the Government—were of opinion that it was bad business for Queensland to acquire the line, and unless there is some material alteration in the new Bill, as compared with last year's Bill, I do not think that we would be justified in passing it, because clearly the evidence obtained last year did not warrant us in passing that Bill. I only see two points of difference between the two Bills. Last year the money had to be paid in cash, and this year the money has to be paid in debentures, but there is an amount added to last year's purchase

money to cover any difference there may be between the value of debentures and cash. To all intents and purposes the price is exactly the same as it was last year. The Minister referred to the fact that the Chillagoe Company are parties to the present agreement, and that they were not last year. Some people were of opinion last year, because the Chillagoe Company were not parties in the agreement, and because it was made over the heads of the company, that that influenced some hon. members in voting against the Bill. I wish to say right here and now, so far as I am concerned, that objection never once received the slightest consideration from me. I do not think it did from the other members of the committee or from hon. members who opposed the Bill. My position is very clear. I was opposed to the Bill then; I am opposed to the Bill now. I am not a bit influenced by the fact that the Chillagoe shareholders have come into this agreement.

[3.30 p.m.] To my mind there is only one thing that we ought to consider with regard to this Bill or with regard to any other Bill, and that is whether the proposal is or is not a good one for the State of Queensland. If it can be shown conclusively—which it certainly was not last year—that it is a good thing for Queensland, it needs no further recommendation. But we certainly were not shown last year that it was a good thing for Queensland, and there is not much further information since beyond what the Minister said in his speech. The only other difference between this Bill and the Bill of last year is that in clause 3 of this Bill the Government are authorised to lend £90,000 to the Chillagoe Company, I suppose, for certain developmental and other work. If that proposal stood alone, and if this were a Bill authorising the Government to lend £90,000 to the company, and the company were offering reasonable security for the money to develop their mines, I do not think there could be any objection to it. But whatever may be said in favour of the £90,000, the fact that the advance is incorporated in this Bill does not neutralise the objections that were taken to the Bill of last year. The Select Committee had evidence from mining experts and from railway experts. In fact we covered the whole ground. The present position is that, under their Act, the Chillagoe Company are bound to run the railway under a heavy penalty, and, if they do not run it, the Government have the right of running the line. Then, what do they want to buy the line for?

Hon. T. NEVITT: It will help the mining industry.

HON. P. J. LEAHY: Indirectly, it may; but here is a railway that is being run, and that must be run. What, then, is to be gained by passing this Bill? As regards the Etheridge Railway, I know that something like £200,000, more or less, will have to be paid for it, but that is not till 1921. I should hope that we can get money a great deal cheaper in 1921 than we can get it now, unless the present Government remain in power, and I do not believe in anticipating evil. (Laughter.) We can, therefore, dismiss the Etheridge busines from consideration, because we are not called upon to buy that railway at the present time, and the strong probability is that we shall be able to get money at a lower rate of interest in 1921 than we could get it now, so that we come back to the Chillagoe proposition.

Hon. R. BEDFORD: You don't know anything about it. You are only dealing in "Supposes,"

HON. P. J. LEAHY: If the hon. member were only to talk about things that he knows something about he would be silent all his life. We took the evidence of mining experts such as Mr. Ball, the geologist. As nearly as I can recollect, we had no evidence that there was a sufficient quantity of payable ore in the district, and we had no evidence that the known lodes, if developed, would supply sufficient traffic to make the railway payable, and that is an additional reason why we do not want to take the railway over. If the Government want the mines to be worked, and if they want to lend £90,000 to the company to develop the mines, I would not oppose the proposition, providing proper security is forthcoming; but I object to our being asked to spend, roughly, half a million, excluding the Etheridge business, merely for the sake of enabling the Government to lend £90,000 to the company to develop mines when we could lend the £90,000 without having to take over the railway. We took other evidence with regard to the mines and their possibilities, and we came to the conclusion that there was no satisfactory evidence regarding the permanency of the lodes or their quality that would justify us in recommending the Council to pass the Bill, and the Council adopted the recommendation of the Select Committee and threw out the Bill. I do not know any material argument that can be brought forward now in favour of the Bill this year that could not have been brought forward last year.

Hon. R. BEDFORD: Metal prices.

HON. P. J. LEAHY: Even the Hon. Mr. Bedford knows that metals are dearer than they were two or three years ago.

Hon. R. BEDFORD: A lot you know about it.

HON. P. J. LEAHY: I know something about metals.

Hon. R. BEDFORD: Type metal.

HON. P. J. LEAHY: When I see quotations for copper I know what they mean. We know that copper and other metals are very much dearer now than they were before the war. It is true that I do not know very much about copper. I certainly yield to the Hon. Mr. Bedford in one thing—I acknowledge that he knows very much more about brass than I do. (Hear, hear! and laughter.) Everybody knows that, when the war is over, the prices of all commodities, including metals, will go down. It is quite likely that in a year or two after the war is over they will be down to pre-war prices.

Hon. R. BEDFORD: Have you ever heard of reconstruction?

HON. P. J. LEAHY: I have, and it is a great pity that the principle of reconstruction could not be applied to the hon. member.

Hon. R. BEDFORD: You ought to be in the kindergarten.

The PRESIDENT: Order!

HON. P. J. LEAHY: That is only a rude remark. Probably a year or two after the war is over metal prices will go down to what they were before the war. I was interested recently in reading the opinion of

Mr. F. T. Parkinson, who knows the Chillagoe district very well, and I think his statement is worthy of serious consideration.

Hon. W. J. RIORDAN: That man was never in Chillagoe. I was there all the time he was warden at Herberton.

Hon. R. BEDFORD: He was sacked by this Government, so everything they do is wrong in his opinion.

HON. P. J. LEAHY: This is what he says about this proposal—

"GAMBLING AT CHILLAGOE.

"To the Editor.

"Sir,—I was warden of the Walsh and Tinaroo mineral field, which included Chillagoe, for four years, and I visited the latter centre once every month, and it was part of my duty to observe and report on this portion of the district, consequently I took a great interest in its welfare. During my regime the present Treasurer lived somewhere in the district, before he became a member of the Assembly. When referring to the Chillagoe Railway and mines in the House he is reported to have said that the Chillagoe district had not been scratched over, and that its potentialities were enormous. It is a pity that there was not some member in the House that knows more of the real facts than the Treasurer; at any rate, one who would give a faithful account of the actual prospecting work that has been faithfully done by the Chillagoe Company. I have never seen any company in this State that endeavoured to exploit its field more thoroughly than did the directors of this company.

"In the Mungana Mine, about twelve miles from their smelters, an enormous amount of work was done by competent managers. The mine itself, which I often visited, was well worked, but was a most expensive proposition to handle. Thousands of tons of ore were taken out of the mine, and in the mine were millions of feet of timber; the water was terrific. Enormous plungers were erected and worked well, but the water continued to flow. A 'creep' in the mine practically ended operations. A railway line from the mine to the smelters conveyed the ore, which was treated by the very latest machinery, under the skilful management of one of the hardest working men I have come across (Mr. James Horsburgh). He had the full confidence of his directors, who constantly visited the works. Quite close to the works a silver-lead mine was worked by the company, and numerous other mining properties in the district were worked in a systematic manner, the ore from which was brought by rail to the works. Wherever the directors had offered to them a property that was considered worth developing it was given a thorough trial.

"No company could have done more for the district than the Chillagoe Company, but it has had to shut down, which is much to be regretted, for the directors spent an enormous amount of capital in endeavouring to work at a profit, but failed. They were deserving of better luck.

"For the Treasurer to tell the country that the mines of this district had only been scratched over is not in accordance with facts, for the whole district has been well prospected, and found not payable. What hope has the present Treasurer got of working these mines, and why bring the country into further indebtedness when we ought to be saving to help the war? The proper and business way of doing would be to get three thoroughly disinterested, qualified, and experienced men to inspect and report what has been done in the district. It is monstrous that we should be further taxed by running blindfold into an experiment of this kind and wasting the people's money.

"I am, Sir, etc.,

"F. P. PARKINSON.

"Maryborough, 16th November."

Last year we also had some evidence from a man who was the mining inspector of the district. I think his evidence was in the nature of correspondence, and that he expressed an opinion which was not favourable to the mine. I do not wish to take up the time of the House at any considerable length, as I understand that this Bill was proceeded with to-day in order to enable the Hon. Mr. Nielson to be present when we considered the Regulation of Sugar Cane Prices Act Amendment Bill. In view of that fact, and in view of the fact that we are very anxious to finish this week, I do not propose to continue at greater length.

Hon. R. BEDFORD: You have said all you don't know.

HON. P. J. LEAHY: I have said all I do know. If the hon. gentleman only said what he knew he would never speak at all. I shall recapitulate what I have said. I think I have shown that last year we had no proper proof as to the quantity or richness of the ore in these mines, and that we have no additional evidence this year; that there is no need for the Government to buy this line, because the company have to work it, and if they do not work it, the Government can run the line without paying any compensation to the company; that there is no urgency to acquire the Etheridge property, and that we can probably secure it a great deal cheaper in 1921, when we shall be able to borrow money on more favourable terms than we can at the present time; and that, if the Government want to lend the company £90,000 for the purpose of developing the mine, they may do so. The fact that the company is a party to the arrangement this year and was not last year does not affect my opinion in the slightest, and I do not think it will affect the opinion of other hon. members. Our duty is to consider whether this is good or bad business for the country, and to vote accordingly.

HON. R. BEDFORD: It seems to me that under this measure we are about to acquire 103 miles of line and its connections, with a very valuable quantity of equipment, for practically the price of scrap iron, considering the price of metals to-day. The cost of building the Chillagoe Railway was somewhere about £450,000. The prices of rails, fastenings, sleepers, and other material were so much below the present cost of such materials that, even allowing for the depreciation which has taken place since, the fact remains that we are getting the rail-

way at cost price, with the smelters thrown in. The fact that this company and the various reconstructions of the company have made large failures in the past is largely due to the circumstance that they started off on the wrong foot. Still, the fact remains that the State holds a tremendous quantity of unalienated land in the district, and that a railroad is practically the only thing to give that land value. There is not one smelter working in the hinterland of Cairns to-day. The trouble in the beginning was that the O.K. and many other mines ran their own individual smelters, which was a tremendously extravagant procedure. There was no railway in those days, and the smelters were run in the wet season when the cost of transport was high. Copper was then £60 per ton, coal £3 per ton, and coke £4 per ton. It is not more than thirteen years ago that the Broken Hill Proprietary started to make their own coke. We started making coke at Ipswich, having acquired a mine sufficiently long ago for us to work with the bad ovens at that time and to produce coke for £1 5s. per ton. The Broken Hill Proprietary were so satisfied with the business that they said, "You are very good boys; we will now put up our own ovens." Copper is now £100 per ton. It is a metal which does not degenerate, and the work of reconstruction will call for more of the economic metals than the actual destruction of war has done, so that we are safe in saying that copper is going to stay at the £100 per ton mark for many years. Coal is as dear as it ever was, but coke will never see the £4 per ton mark again. The Chillagoe Railway Company opposed the Bill which was before the House last year because it hated to quit, and because the mortgagees were taking control of the whole thing and putting the shareholders in the background.

Hon. G. S. Curtis: They objected to the price, too.

Hon. R. BEDFORD: Yes, they wanted £900,000, and a section in this House, I was told, turned down the bargain because the price was not £900,000, but was £450,000. This railway carries out the generally expressed railway policy of the State. Every ton that goes along it will help the Mareeba-Cairns section of the line. I may as well give hon. members some information which has a very important bearing on this question—

> "For the last twelve months of working (ended 20th March, 1914) the smelters treated and produced, approximately:—Ore, 51,507.12 tons; copper, 1,950.82 tons; lead, 2,472 tons; silver, 264,260.92 oz.; gold, 2,376.79 oz.
>
> "The average price of these metals for the year 1914 was as under:—Copper, £60 10s. 4d. per ton; lead, £19 15s. 3d. per ton; silver, 2s. 1d. per oz.; gold, £4 4s. 11 5/11d. per oz.
>
> "At the above prices the average value of these metals produced at Chillagoe during the year ended 20th March, 1914, was as under:—Copper, £118,057; lead, £48,853; silver, £27,527; gold, £12,219. Total, £206,656.
>
> "The London price of these metals in January, 1917, was as follows:—Copper, £130 5s. per ton; lead, £30 10s. per ton; silver, 3s. per oz.; gold, £4 4s. 11 5/11d. per oz."

Here we have a railway which is fed by 20,000 square miles of country. We have been told that many of the mines on Chillagoe have proved elusive, that many of them are mines which have been heavily under water, and that the very bad luck of the big fire in the Lady Jane held up work for two or three years. That fire still remains one of the big losses of the Chillagoe Company. But the country is one of mining surprises, and it is competent for any man who knows his job and takes his luck in his hand to go out and strike one of the many blind ore bodies which from time to time are discovered in that region. Here we have some of the richest ore that has ever been seen in Australia. I have already stated that the Chillagoe Company is apparently not desirous of quitting, and that the shareholders still wish to continue, as they believe there is a chance of pulling something out of the mud. The general policy of the Government in regard to railways is that every trunk railway should be self-contained as far as equipment and other necessaries are concerned. In the early days, the Government had to get coal and coke from the South, and they are now able to get their supplies from Ipswich. The Government believe in the policy of decentralisation, and that is now the settled policy of the country. The Hon. Mr. Curtis has always been a very ardent separationist, a very ardent believer in self-government, and no better self-government can be given to Cairns than to run out a railway to the Gulf and establish coke ovens to supply all the coke needed for that railway and the mines. For the reasons I have given I ask the House to support the second reading of the Bill. It is getting a railway for practically nothing, and the railway will mean a great deal to the well-being of the people in that part of the country. Every ton of ore taken away from the hinterland of Cairns and sent down South to be smelted means money out of the pockets of the miners. Hon. members must see that in passing this Bill we are only doing a fair thing to the people who will be particularly affected by it.

Hon. A. A. DAVEY: While we have to approach with care a question which involves the expenditure of a considerable amount of money, I think there are cases in which such expenditure is justifiable. The money that will be required for taking over this railway is not to be invested in a new enterprise or some new trading concern. The matter is one which concerns very largely a part of Queensland which is probably one of the richest portions of the State and which has a big future before it. The continuation of the railway service in the locality concerned is necessary, not only for the maintenance of a very large number of people who are settled there and who are worthy citizens and pioneers who have scratched for tin and hunted for copper, but also of storekeepers and other settlers in the district. They have their interests there, and it is the duty of the Government to protect those interests, and not do anything which would be a discouragement to people to go out into the backblocks and develop the wonderful recources of the country. The last time the Bill was under consideration I strongly advocated the purchase of the line on the terms proposed. The terms are slightly better now than they were at that time, and I think that if this Government or any other Government

allowed that portion of the country to fall into disuse, they would be guilty of a crime. There are a number of towns which are concerned in this matter—Chillagoe, Biboohra, where they have a large meatworks, Wolfram Camp, Mungana, Kingsborough, and Thornborough. The railway runs through one of the most valuable mineral districts in the State or in the Commonwealth. I travelled up and down that district for a number of years before the Chillagoe railway was built, and I can remember people telling me that there was no copper in the country, and all that kind of tommy-rot. We know now from the amount of ore that has been gathered in the district and has been treated by the company that such a statement is not correct. There is very valuable ore there, and the Treasurer, in this respect at any rate, was perfectly correct, that as far as that country is concerned, it has merely been scratched at the present time. That is one of the districts in Queensland that has a big future before it, and a future based upon the production of metals which will be valuable to the State, valuable to the Commonwealth, and valuable to the Empire; and the price for which this undertaking can be obtained now is a very low one. The Hon. Mr. Leahy mentioned something about the possibility of the company not being able to carry on, and if the company cannot carry on, that the Government can take the thing over. I suppose if the Government did take the thing over that they would take it over on something like just terms, and they could not expect to obtain it at anything like the price that is being asked for it now. There is a very important matter which has to be considered in connection with this proposal. As I stated in a speech delivered here previously, the Government in the past built a railway as far as Mareeba, over almost impossible ground at an enormous cost, and then left it there. It was utterly impossible for that line ever to pay, and, in my opinion, the Government made the greatest mistake in its life when it did not continue that railway. But it did not do so. At that particular time the finances were rather low, and there were some people in the State who went so far as to suggest that it would be a good thing to sell the Government railways. The Government should have built this railway at the very start, and now that they have an opportunity, without doing any injustice to the Chillagoe Company, to take over the whole proposition at a reasonable price, they would be failing in their duty if they did not do so. I hope hon. members will give this matter careful and reasonable consideration, and will vote for the passage of this Bill. If it were proposed to expend this money on some new enterprise, it would not have my support under present conditions no matter how good that enterprise might be. In Cairns we have a magnificent port. Hon. members were talking about Gladstone the other day, but I doubt very much if there is any port on this coast equal to what the port of Cairns could be made with the expenditure of very little money. You have a magnificent agricultural district surrounding Cairns, and you have all the possibilities of a big city in Cairns as years go on, and at the back of that town some of the richest mineral country in Australia. At any rate, if it is not the richest, it is the most extensive, and that amounts to the same thing. If anyone watches the papers they can see what is going on from day to day. In the Herberton district and round about there, people are coming upon claims that have been dropped because they were considered to be no good, or they are making new discoveries, and anyone who has travelled over that district must be convinced that it is full of the greatest mineral possibilities. Therefore the Council would not be justified in voting against this proposal. I believe it is a good proposal. I believe it is a sound proposal, and we are already committed to take over the Etheridge Railway. If the Chillagoe Railway is shut down, it will mean the closing up of the whole of that district, and a very great injustice will be done to the large number of people who are settled there. If we were only asked to agree to this proposal in the interests of the settlers in the district—that surely deserves very great consideration—perhaps that would not be a sufficient reason unless it was backed up by strong convictions that there are in the district possibilities not yet even dreamed of. That is what I believe of the district. With regard to the company having spent a lot of money, and not having made a success of the business, I pointed out before what my experience was and I have no hesitation in saying that when I got there you could find everbody else in Chillagoe except a working man. How you are going to make a great mining district pay with all officers, I do not know. I travelled up there twice within the space of six months, and I did not see a worker there at all. I saw an enormous number of officers, and I saw that an enormous amount of money was being spent. It is no business of mine how the Chillagoe Company managed their affairs, but I venture to say that at the start there was a great deal too much money spent, and there was a lot of money wasted there. It has been pointed out that the Chillagoe Company did not lose anything on the railway. If the Government took over the railway it would pay, and if we can get the smelters and all those other things that are there for the price named in this Bill it out before what my experience was and I know the district well. I am not a mining speculator or anything of that kind. I am just a plain, ordinary business man with a little common sense, and if hon. members were conversant with the possibilities of that district, and with the reasonable requests of the people already settled there, I do not think any one of them would be found voting against this Bill. I hope the Council will pass the Bill, because it is very evident that the Chillagoe Company cannot carry on the railway. I do not think we, in this Council, want to be a party to anything that will take advantage of the Chillagoe Company or any other company that finds itself in financial difficulties. I opposed the railway for all I was worth when it was granted as a private railway. It seemed to me a most absurd thing that any Government should spend an enormous amount of money in constructing a railway over the Barron Gorge and then stop there, and having stopped there to allow a private company to carry on what the Hon. Mr. Bedford has said is really a trunk line to open up the Gulf country. No amount of talking on my part, I suppose, will influence hon. members. I think the Council will be wise in passing this Bill, and that they will be doing the fair thing by the large number of people settled in that district. By the acquisition of the smelters, the Government will be placed in a position to make

remunerative the services of the thousands of people who will go round looking for new shows, and working mines in a small way if they are treated properly. I feel very strongly on this question. It is a question on which a number of people in the district seem to have a disagreement, but as we learned the other day in regard to the sugar industry, you cannot expect everybody in a particular industry to think the same way. We have either to allow the whole thing to be closed up or else take it from the Chillagoe Company at some price.

Hon. E. W. H. FOWLES: Cannot we help them without buying them out?

HON. A. A. DAVEY: They cannot be helped. They have spent an enormous amount of money on the concern, and whether they have mismanaged it or managed it properly is their own concern. The evidence suggests that it has been mismanaged. I think that from the very initial stages it was grossly mismanaged. I only wish to see the country developed, and I am perfectly certain that that country cannot be developed without the Government taking over that line or else constructing another line. It is not likely that the Government is going to construct another line, and hon. members ought, therefore, to support this Bill. By doing so they will confer a very great benefit on the people in that district.

HON. T. M. HALL: 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 to-morrow.

REGULATION OF SUGAR CANE PRICES ACT AMENDMENT BILL.

RESUMPTION OF COMMITTEE.

(*Hon. W. F. Taylor in the chair.*)

On clause 12—"*Amendment of section 12*"—

Question stated—That on clause 12, page 11, after line 27, the following words be inserted:—

> "The Minister shall pay to the owner of such mill, works, lands, buildings, and other property of whatsoever description so seized a sum equal to eight per centum interest and four per centum by way of depreciation on the capital value thereof, and shall after the conclusion of the season pay and reimburse the owner all costs, charges, and expenses incurred or rendered necessary for the purpose of overhauling or maintaining or repairing such mill, works, buildings, plant, tramways, machinery, equipment, goods, and chattels whatsoever so seized as aforesaid, in order to place and reinstate the same in as good a state of condition and repair and efficiency as the same were in before being so seized"—(*Mr. Fowles's amendment.*)"

HON. E. W. H. FOWLES: On further consideration of the proposal, it appeared that the proposition for 8 per cent. and 4 per cent did not meet with unanimous approval. Some hon. members wished it to be 10 per cent. and 6 per cent. and some would like it 6 per cent. and 4 per cent. It seemed to him that they had an excellent precedent established in a Bill which commended itself to the wisdom of the whole country and not merely to one House of Parliament. He asked leave to withdraw the amendment with a view to inserting a provision that the Government, if they took over any sugar-mill, should take it over on just terms. That was the same as the amendment inserted in the Meatworks Bill. The proposal was that the Central Board should decide the rates, and, if anybody disagreed with the finding of the board, there should be an appeal to a Supreme Court judge, whose decision should be final. That would make provision for two other vital points. In

[4.30 p.m.] the first place, it was impossible to fix any uniform standard such as 8 per cent. and 4 per cent. that would suit the varying conditions of all the mills in Queensland. One mill might be making 3 per cent. and would be glad to get 6 per cent. Another might be making 12 per cent. and would object to being dropped to 8 per cent. If they provided that it should be "on just terms," the Central Board would take into consideration the conditions applicable to the particular mill. Another point was that he hoped this would only be a policeman clause, and that it would never be brought into operation. There was just the danger that, if they fixed the rates at 8 per cent. and 4 per cent., one or two of the mills that were not earning 8 per cent. and 4 per cent. at the present time would decide to sit quiet and let the Government run their mills. He did not say they would do that, but it was desirable that there should not be any temptation for them to do it. If they provided that the Central Board should grant "just terms," then the board would come to a decision after investigating affairs of the mill concerned. In the Meatworks Bill the matter was to be decided by the Land Appeal Court and there was an appeal from their decision to a Supreme Court judge. In the matter of a local award, it was of great importance to the grower and the miller that the award should be settled and that there should be no appeal proceedings going on for two or three years; but in the matter of compensation for the use of a mill there was no immediate hurry, and, therefore, there was not the same objection to an appeal.

HON. C. F. NIELSON: The Hon. Mr. Fowles would get himself into a tangle if he moved the amendment he indicated. Before the Central Board could make an award, under section 12 of the principal Act they had to take into consideration the value of the assets, the tonnage of cane to be crushed, the estimated c.c.s. of the cane, the cost of production of the cane, the selling price of sugar, and so forth; and on that they were supposed to make an award which would give the millowner a reasonable percentage of interest. Under the clause they were discussing, if a millowner refused to start his mill because, in his opinion, the Central Board had not made a reasonable allowance for interest, the Government could take over and work the mill, but it was futile to appeal to the Central Board, which had already had the matter under consideration, once if not twice. Under the circumstances an appeal to the Central Board would be simply a waste of time.

Hon. E. W. H. FOWLES: Then cut out the Central Board and grant the appeal direct to the Supreme Court judge.

HON. C. F. NIELSON: He did not agree that the insertion of the words "on just

terms" was a sensible amendment, because he did not see any way of fixing what were "just terms." It would be much better to fix the rates in the Bill, as they had done in the Hon. Mr. Beirne's Gas Act.

Hon. T. C. BEIRNE: You want to offer a premium to mills not to start work.

Hon. C. F. NIELSON: No hon. member has yet suggested that a millowner should be asked to work his mill at a loss. If the Government took over the mill and used the plant, they should surely pay for the use of the plant, and for that reason it was advisable to fix a minimum rate. Surely the original proposition that the rates should be 8 per cent. and 4 per cent. was little enough. Four per cent. for depreciation was not as much as was provided in the Gas Act by a long way. Under the Gas Act the companies were entitled to 7½ per cent. on the sale of gas and all they made out of the by-products, which in some countries, they were told, were so valuable that the gas companies gave the gas away for nothing and made their profit out of the by-products. The Gas Act also allowed for depreciation, so that the rates allowed in that case were a great deal more than 8 per cent. and 4 per cent. They should certainly fix some rates in order to avoid the expensive litigation which was nearly certain to take place if they merely provided that the Government should take over a mill "on just terms." When the Central Board were taking evidence at Bundaberg, Mr. Cattermull, a canegrowers' representative, openly stated that he did not think 8 per cent. was sufficient for a mill, and he suggested 10 per cent. There was no comparison between the risk run by a gas company in Brisbane or South Brisbane with the risk run by a sugar-mill. The fluctuations in the sugar industry were very great, not only from the economic point of view, but with regard to the turnover of a particular mill. From year to year the miller did not know where he was. Only last year the Government appointed a Royal Commission to inquire into the advisability of establishing further central mills in Queensland, and in the report of the commission it was stated that in the Bundaberg district the average supply of cane was only equal to 52 per cent. of the milling power. In other words, on the average, millers were short with respect to turnover. That was not so with a gas company in cities like Brisbane and South Brisbane. His idea in fixing the rate was to let the Minister know what he would have to pay before he took over a mill and to let the miller know what he was entitled to receive for the use of his mill if his property was worked by somebody else.

Amendment (*Mr. Fowles's*), by leave, withdrawn.

Hon. E. W. H. FOWLES moved the insertion, after line 27, page 11, of the following:—

> "The Minister shall pay to the owner of such mill, works, lands, buildings, and other property of whatsoever description so seized a sum equal to eight per centum interest and four per centum by way of depreciation on the capital value thereof, and shall after the conclusion of the season pay and reimburse the owner all costs, charges, and expenses incurred or rendered necessary for the purpose of overhauling or maintaining or repairing such mill, works, buildings, plant, tramways, machinery, equipment, goods, and chattels whatsoever so seized as aforesaid, in order to place and reinstate the same in as good a state of condition and repair and efficiency as the same were in before being so seized."

[4.30 p.m.]

The SECRETARY FOR MINES: He really did not see the necessity for the amendment.

Hon. E. W. H. FOWLES: Would you prefer the 8 per cent. and 4 per cent.?

The SECRETARY FOR MINES: Certainly not. This was an improvement on the other amendment moved by the hon. gentleman last week and withdrawn to-day, but he did not see any necessity for it. There was no need for a miller to refuse to crush, and it was only in the event of a miller refusing to crush that the Central Board might recommend the Government to take over the mill.

Hon. E. W. H. FOWLES: Supposing you run the mill at a loss and ruin the man, aren't you going to compensate him?

The SECRETARY FOR MINES: There was another amendment to be moved, which dealt with that question, and they could deal with the hon. gentleman's remark then. The miller had to take the risk whether he would crush or not.

Hon. E. W. H. FOWLES: If you depreciate his machinery, you should put it back in the same condition as it was when you took over the mill.

The SECRETARY FOR MINES: He did not think the Government should take the whole of the risk in that matter, because there was no need for any miller to refuse to crush. He did not believe that would happen in a single case.

Hon. P. J. LEAHY: When speaking on the original amendment on Friday night, he expressed the opinion that the clause as it stood was unfair, and that the amendment providing for the payment of 8 per cent. and 4 per cent. was also unfair, and he said that he was opposed to both the clause and the amendment. There was no need to bring forward any additional argument to show that the clause was unfair. It was bad enough to take a man's mill over and run it, but it was a great deal worse to charge him with the loss which might accrue from running the mill, and judging from their experience of the way the Government ran things, there was a very big chance that there would be a loss. Since Friday last he had considered what was the position of a mill which did not start crushing, and what the position ought to be if the Government took over the mill. What would the owner lose by the Government taking over his mill? They must remember that if a millowner, probably for good reasons, did not run his mill, his property would be lying idle, and would be subject to depreciation, and that he would get no interest on the capital invested in the mill and machinery. He understood that a mill depreciated just as much when it was idle as when it was working. If the Government ran the mill, the very least they should do would be to put the mill back into the condition it was in when they took it over. The Committee could not, perhaps, provide for that in direct terms, but he thought the Hon. Mr. Fowles's amendment would permit

of that being done, and he would be glad if the Minister would accept the amendment, because it was a reasonable proposal.

The SECRETARY FOR MINES: Let it go.

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

HON. E. W. H. FOWLES: Paragraph (iv.) was the provision which said that if any loss accrued from the Government running a mill, that loss should be borne by the owner. He moved that all the words after the word "Minister" on line 50 down to the end of the paragraph be omitted.

Hon. P. J. LEAHY: The Minister will recognise that this is a consequential amendment on the one we have just passed.

The SECRETARY FOR MINES: He did not regard this amendment as a consequential amendment on the one the Committee had just agreed to. He thought it was wise to retain this provision in the Bill. Personally, he had no hesitation in expressing the opinion that the occasion would never arise for the Government to take over a mill, but if a millowner was so stubborn that he would cut off his nose to spite his face, as the saying was, there should be some penalty, and the penalty here proposed was that he should bear any loss which occurred in connection with the running of the mill.

HON. G. S. CURTIS: With regard to the doctrine enunciated by the Minister, that in case an owner of a mill was unreasonable and would not work his mill, and the Government took over the mill, the owner should bear any loss accruing therefrom because of his assumed obstinacy and unreasonableness, he would point out that there was an important principle involved in the matter, and that was the rights in connection with the ownership of private property. It might be a matter of opinion or dispute as to whether it was reasonable or not. It seemed to him that if the Government took the mill over—it should be quite optional for the owner to work it or not—then the Government were bound to compensate him and indemnify him.

HON. T. J. O'SHEA: It seemed to him that the Minister had made a very poor case. If there were no better reasons for the omission of the words than that the Government of the day, in negotiating with the Federal authorities with regard to the price of sugar—in which the State of Queensland got a very considerable concession, or, he might say, valuable consideration—made a promise that the Bill if introduced again would not be materially altered, he would consider that that reason was sufficient.

The SECRETARY FOR MINES: Where has that been stated?

HON. T. J. O'SHEA: There was a definite promise, which should be kept. He had no time for the man who would not stand up to his promise, even if he had made a bad bargain. In this case Queensland had made a good bargain, and should stick to it. The clause they were dealing with was not in the Bill at the time of those negotiations. It was interpolated by one of the "tail-ends" of the Ministerial party, and the Ministry of the day had not the courage to say, "No, we made this promise and we will fulfil it."

The SECRETARY FOR MINES: Do you know that the agreement applies only to this year's crop, and this Bill does not apply till next year?

HON. T. J. O'SHEA: He knew that if the provision were a good one for all concerned he would not vote for it; because the Government promised they would not put it in. He was sorry that Queensland should be—should he say—so degraded as not to fulfil its promise? But apart from that altogether, the provision was vicious. It was inequitable. It was not honest. If a man came to the conclusion that he could not run his mill at a profit, that running it might mean insolvency and defrauding his creditors, it was his duty as a man to say, "I stop." Then, if the Government or anybody else stepped in and worked it, it was not just to say afterwards, "If we are not capable of working this thing at all we will penalise you for the loss"—because he did not consider any Government were capable of running a mill to anything like the advantage to which a private company or millowner could run it. Of course, the amendment was consequential, but still the Minister battled against it. Perhaps he had to put up a fight for something he did not want. The forces behind him sometimes put him in a position which he would not occupy of his own free will. He thought the present was one of them. The provision should not be allowed into the Bill on general principles.

HON. A. G. C. HAWTHORN: He was rather surprised that the Minister did not accept the suggestion that the lines should be knocked out, because it was an unreasonable position in which to put a millowner. What had been the result of the carrying on of the central mills by the Treasurer or the Government? They had invariably yielded to pressure and given money away when they should not have done so. They found in the report of Dr. Gibson, the General Manager of Government Central Sugar-mills—

> "It is refreshing to note the action of the Isis Central Mill Company, Limited, and it may be commended to other mills, including mills under Government control. By way of illustration, the suppliers of the Mount Bauple Mill (a mill under Government control) demanded at the commencement of the 1916 season that they be paid £1 7s. per ton of cane, and threatened the refusal of cane deliveries unless their request was granted. The mill offered a tentative price of £1 3s. per ton, leaving the matter of a final price to the Central Board for adjustment. This offer was made prior to the Dickson award. The value of the cane delivered, as per analysis, averaged 17s. 5d. per ton, resulting in an overpayment on the mill's tentative offer amounting to £4,787 14s. 1d. on the season's deliveries. The Mount Bauple Mill does not contribute anything from the mill's earnings to the consolidated revenue, and the losses are borne by the general taxpayers of the State."

That was the exact position in which the unfortunate millowner might be put by the action of the Government in running one of the mills taken over, and it was in order to avoid losses made by over payment by the Government, through weakly acceding to the requests of the growers, that the provision was inserted. That position might arise at any time with respect to the millowners, and instead of the general taxpayers being saddled with the loss, the mill-

owner would be saddled with it. The whole thing was certainly not honest. It was not fair. Then, they found that the Auditor-General, in his report on the Government central sugar-mills, said—

> "If the Treasury is to continue financing mills under those conditions, it is apparent that eventually a large amount now standing as an overdraft in trust account or in loan fund will have to be made good from consolidated revenue."

That would be the position probably if a mill got into such a position that the owner declined to carry on. He was not likely to decline if it was going to be a paying proposition, and if he knew that he could not carry on as a paying proposition it was absolutely certain that the Government could not do so.

HON. B. FAHEY: Ever since the abolition of the bonus and excise duty system in connection with the growing of sugar-cane, there had been misunderstanding and disagreements continuously between those more largely interested in the industry. Various Governments in the past had created various systems of legislative machinery with a view to settling differences between the growers and the millers, but somehow or another, whether because of the weaknesses of human nature or from business causes, or in some other way, they did not seem to have been successful. He could only say that the miller always had the thick end of the stick.

Hon. A. GIBSON: He has his rights.

HON. B. FAHEY: He had his rights, by all means, and there were millers and millers. There were millers who were fair and honourable men. He knew some of them. There were others who bled the growers to the very last shilling. He looked upon the Bill as the best attempt made in the history of the industry in Queensland to bring about an amicable settlement between the grower and the mill-owner on a fair and just basis, but it had a blemish in it—a blemish with which it should not have been allowed to leave the other Chamber, a blemish worthy of anarchy. It was the duty of the Council to remove that blemish, and do it equitably and fairly to both parties. The loss which he believed was sustained by the Mount Bauple Mill last season was due, he understood, to the Dickson award. That was an unreasonable award. The question now was whether the miller should be compelled to crush the cane unless he was assured by the grower of payment in full of his demand in return for his work. For a long time the growers in Queensland had been complaining that they had not received a fair share of the profits derivable from the industry, and the Bill was introduced with a view of removing their grievance. It was capable of doing that, and with the exception of the stain on it to which he referred, it would be a good Bill without any amendments by that House at all. The Bill provided that, if the millowner were not prepared to crush on the conditions arrived at by the Central Board, the Government could step in, take the mill and work it. Well, if the Government wish to take that risk and the miller was

[5 p.m.] stubborn and said he could not work his mill at a fair profit under the terms of the award of the Central Board, well and good. If they took full possession of a mill, and worked it, then they ought to do it at their own risk, and the miller should not be compelled to pay any loss that might be sustained. On the contrary, the miller should be indemnified against any loss that he was likely to sustain when the season was over. The Government must do those things on equitable grounds, and not in any high-handed manner at the instance of those sitting behind them. Every citizen of Queensland had rights, and those rights should always be recognised. If it was found by the Government that the miller could afford to crush in certain districts for the remuneration assigned by the Central Board, then the Government had a perfect right under the Bill to take over the mill, but, if they did so, they must do it at their own risk. He did not think such high-handed conduct as that contemplated in the clause would be tolerated by the Council or by any body of honest men.

The SECRETARY FOR MINES: The Hon. Mr. Fahey had not stated the case quite correctly. The hon. gentleman stated that if a miller found it would not be profitable to himself, or for other reasons could not crush cane profitably, that it would be a very wrong thing for the State to take over that mill and work it for him, and then, if there was any loss, to saddle the miller with the loss. If the hon. gentleman read the clause carefully he would see that these words appeared—

> "If the Central Board are satisfied, upon application in that behalf by any canegrower or canegrowers, that the owner of the mill in breach of the award has failed, without reasonable excuse, to take delivery of sugar-cane."

"Without reasonable excuse." He took it that if a mill was in such a state that the miller could not crush profitably unless by the expenditure of further money, that that would be a reasonable excuse that he could not possibly do it.

Hon. A. G. C. HAWTHORN: The board in that case can decide finally. There is no appeal.

The SECRETARY FOR MINES: It had been stated that the Government wanted to force the millers to crush. The mill might not be in a fit state to crush, and that would be a reasonable excuse. However, the amendment was in the hands of hon. members. He rose to deny that the Government had committed any breach of faith. Anybody who knew the transactions that took place between the Queensland Government and the Commonwealth Government knew very well that there was an agreement somewhere down in Melbourne at the present time under which the Commonwealth Government would fix the price of sugar for this season; and they knew very well that the Bill did not apply to that. It did not matter how they amended the Bill it could not possibly interfere with this season's crop. The price was only fixed from year to year. However, hon. members had the assurance of the Government that nothing in the Bill would apply to that agreement. They had heard a lot about a breach of faith and a scrap of paper, and he wanted to point out that there had been no breach of faith, and the growers knew that there had been no breach of faith. It was purely imaginary, but some people, for political purposes, had said there had been a breach of faith.

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

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,, F. Courtice	,, T. Nevitt
,, W. R. Crampton	,, G. Page-Hanify
,, W. H. Demaine	,, I. Perel
,, A. J. Jones	,, E. B. Parnell
,, H. Llewelyn	,, W. J. Riordan
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Teller: Hon. T. Nevitt.

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Hon. T. C. Beirne	Hon. T. M. Hall
,, F. T. Brentnall	,, A. G. C. Hawthorn
,, C. Campbell	,, J. Hodel
,, J. Cowlishaw	,, P. J. Leahy
,, G. S. Curtis	,, C. F. Marks
,, A. A. Davey	,, E. D. Miles
,, A. Dunn	,, C. F. Nielson
,, B. Fahey	,, T. J. O'Shea
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,, A. Gibson	,, W. Stephens
,, G. W. Gray	,, R. Turner
,, H. L. Groom	,, A. H. Whittingham

Teller: Hon. T. C. Beirne.

Resolved in the negative.

HON. C. F. NIELSON moved the insertion, at the commencement of subclause (9), of the words, "Except where the mill shall have been taken possession of by the Minister." That amendment was practically consequential on the amendment already made. That was to say, that if the Minister took possession of the mill then, of course, the owner would not have to pay.

The SECRETARY FOR MINES: No doubt, the amendment was consequential on the amendment already carried, but he was sorry that the previous amendment had been agreed to. The amendment should have been circulated beforehand, so that some consideration could have been given to it.

Amendment agreed to.

HON. T. C. BEIRNE moved the omission, on lines 8 and 9, page 12, of the words—

> "at least ninety per centum of the base price,"

with a view to inserting the words—

> "the interim minimum price."

The amendment was consequential on the amendment on page 10, line 12, where they had inserted the words "not exceeding 75 per centum of the estimated value of such sugar-cane." Having provided a margin of 75 per cent. of the estimated value of the sugar-cane as the interim minimum price, it would be impossible for the board to order too high a payment for the cane, and in that case it would be almost impossible for the Government to work any mill taken over by them at a loss.

Amendment agreed to.

HON. P. J. LEAHY: It appeared to him that the words "to a higher amount or," on line 15, page 12, should be deleted, in view of the amendments already made. Those words seemed to conflict with the amendments previously made in the clause.

HON. C. F. NIELSON: The Hon. Mr. Leahy was quite right in drawing attention to those words, which were quite unnecessary. The Hon. Mr. Beirne said that, if Parliament fixed a basis which it was not possible for somebody else to alter, the board could not award too high an amount. There was nothing at all impossible about it because it had already been done in the case of Babinda. The board awarded £1 5s. per ton on delivery, which turned out at the end of the season to be 3s. 10d. per ton more than the cane was worth. That loss was due to the fact that the board fixed the interim price too high.

Hon. T. C. BEIRNE: They will not be able to do that under this.

HON. C. F. NIELSON: Of course, they could. Supposing that at Babinda the board had fixed the price at the beginning of the season at £1 10s. per ton, 75 per cent. of £1 10s. was £1 2s. 6d. If the board awarded £1 2s. 6d. as the interim minimum price, that would still have been more than should have been paid at Babinda. Every month or every fortnight, according to the custom of the mill, the mill paid out whatever the board told them to pay, and it was only at the end of the season that they knew what the cane they had received during the season was actually worth, therefore the margin allowed should be substantial. At the present time there were any number of awards under which cane was delivered on the group system, under which there was an interim payment to each member of the group, according to the tonnage delivered by him, and at the end of the season the total tonnage and the average c.c.s. of the cane were computed, and that became the basis on which the cane was paid for over the whole season. If an overpayment had been made, a deduction had to be made. If there was a balance, it was divided among the members of the group according to the tonnage supplied by each. It was possible for the board to make an interim award which was more than the actual value of the cane supplied by the group. It was to be hoped that the margin was sufficiently wide, but certainly the words "to a higher amount or," on line 15, should be omitted.

HON. E. W. H. FOWLES: Why not delete the whole of the last sentence—

> "But nothing herein shall be construed to affect the provisions of any award prescribing payments for sugar-cane so taken delivery of to a higher amount or at more frequent intervals than hereby prescribed."

HON. C. F. NIELSON: While some mills paid for their cane monthly, there were others that not only paid their wages fortnightly, according to the award, but they paid for cane fortnightly, and at no place that he knew of had there been any objection on the part of the millowner to continuing his system of payment, whether it was fortnightly or monthly. When the Central Board gave an award for a particular mill they generally made their award provide that the mill should pay for cane on the usual pay days of the mill. In the case of a mill situated right alongside a town there was no difficulty in getting to a bank, so that they did not mind paying fortnightly. Other mills might pay monthly, and there was no reason why the custom that had existed for years should not be continued. If they omitted the last line—"at more frequent intervals than hereby prescribed"—all mills would have to pay monthly. He moved the omission of the words "to a higher amount or," on line 15, page 12.

HON. F. COURTICE: He thought an injustice might be done to some sugar growers if those words were deleted. The 75 per cent. provision applied to those growers who were paid on the group system, and there was no reason why those who supplied their cane and were paid on individual analysis should not receive the full amount of the award, but if those words were deleted they would get only 75 per cent. of the award rates.

[5.30 p.m.]

HON. C. F. NIELSON: There was nothing in the Bill to prevent a miller paying more than 25 per cent. of the award, and several mills which need only pay part of the award at the present time were paying the full amount.

HON. P. J. LEAHY: He did not know whether it would not be as well to omit the whole of the sentence.

The SECRETARY FOR MINES: Throw out the Bill altogether.

HON. P. J. LEAHY: The Minister surely understood that he was not trying to throw out the Bill, but it seemed to him that those words were a contradiction of something higher up in the clause, and that they should be omitted.

HON. A. G. C. HAWTHORN: The Minister might show the Committee some reason why the words should be retained. They had already agreed to an amendment inserting on page 10, line 12, after the words "sugar-cane" the words "not exceeding seventy-five per centum of the estimate value of such sugar-cane." That provided for an interim minimum price for sugar-cane, which would be paid until the final award was made by the board.

HON. A. GIBSON: For the last three months they had been told that the millers got £15 per ton for their sugar instead of £21 per ton. The millers had been getting only £15 per ton, and the growers and the workers would not accept any part of the risk or liability, but it all fell on the mill-owners. In the Bundaberg district at the present time there were probably 14,000 tons of sugar in the stores. For the quantity that was sent out the Colonial Sugar Refining Company paid £15 per ton, but all that large quantity the millers had stored at very great risk in order to ensure that they would get the £21 per ton. To put that sugar into the stores cost, in many cases, 2s. per ton, and the owners had also to pay heavy insurance premiums. To take it out again and put it into wagons would cost another 2s. per ton. Bundaberg was supposed to be the port from which he and other millers should ship their sugar, but they could not get room enough on the steamers to take the sugar, as there was not sufficient shipping. All this added to the cost of storing the sugar, and the millers in some cases held that the growers should stand part of the risk until the sugar was disposed of. When he was paying 33s. a ton for cane he could easily have stopped his mill, and neither the Government nor anybody else could have gone in and started the mill, because there were no ships to take the sugar away. The mill-owners called the sugar growers together and said, "We will give you £1 per ton for your cane now, and will let the balance stand until we get the money for our sugar." A few of the growers agreed that that was a very fair proposition, but the bulk of them said, "No, we want our money." They had to get the Cane Prices Board to agree to any alteration in the payment for cane, but because the growers wanted the whole of their money, and would not carry any of the risk, the millers could not approach the Cane Prices Board. He would not be surprised if the sugar for which they had paid the farmers did not go out of those sheds before March. It was stored there at the risk of going off in quality and quantity, and of injury by fire, flood, or anything else. The season had been so favourable that the millers had done fairly well, but the trouble was that owing to the recent strike no shipping was coming into the port. He had a telegram in his pocket which said that the Government would take away some of the sugar from their own mill and carry it to Urangan. The sugar could be taken from Gin Gin to the Government wharf at a cost of 5s. per ton, but it would probably cost 15s. per ton to take it to Urangan. At the present time, if a miller was not a grower of cane himself he could not pay the award price of cane to the men who grew the sugar-cane. The facts which he had stated should receive the consideration of the Committee.

The SECRETARY FOR MINES: He would ask the Committee to beware that they did not inflict an injustice on certain sections of canegrowers by accepting the amendment. The Hon. Mr. Beirne had secured an amendment fixing the interim minimum price for sugar-cane at an amount "not exceeding seventy-five per centum of the estimated value of such sugar-cane." That applied to those growers who supplied cane to the mills on the group system, and the miller need not pay them more than 75 per cent. of the value of the sugar-cane. But there were certain sugar growers who were paid on individual analyses of their cane, and if they altered the clause as proposed they would inflict an injustice on those growers who were paid on individual analyses, and who might receive the full amount for their cane straight away. Clause 12 read—

> "Such award shall determine an interim minimum price for sugar-cane, not exceeding 75 per cent. of the estimated value of such sugar-cane, and shall in addition provide for increases in such price."

He thought it was not a thing the Council should press. It would go back to the Assembly, where the sugar experts had not suggested it as a necessary amendment.

HON. E. W. H. FOWLES: If we leave it as it is, the award can override the 75 per cent.

The SECRETARY FOR MINES: Oh, no. It was provided—

> "But nothing herein shall be construed to affect the provisions of any award prescribing payments for sugar-cane so taken delivery of to a higher amount or at more frequent intervals than hereby prescribed."

The minimum price was fixed. The Bill provided that a minimum price should be fixed until the end of the season. Hon. members ought to be careful before they accepted the amendment.

HON. C. F. NIELSON: The Minister had given the best of reasons why the amendment should be accepted. He pointed out, and correctly so, that the Committee had already

accepted an amendment in clause 12, by which the award was to determine an interim minimum price for cane. They had amended that provision, on the motion of the Hon. Mr. Beirne, so as to specify that at least 75 per cent. was to be paid, and now they wanted to prevent a board or any other body from interfering with the minimum for which the amendment of the Hon. Mr. Beirne had provided. That was the very reason why the amendment was before them. It was a minimum only. The Minister had pointed out that some growers were entitled to be paid in full, but no grower had the right to be paid in full under the Bill after they had passed that amendment, but every grower was entitled to a minimum payment. He might get more than the 75 per cent.; the millowner could not give him less. In many cases the mills did pay more as an advance than had been ordered by the boards.

Hon. E. W. H. FOWLES: You need to cut out those last four lines.

HON. C. F. NIELSON: He would not cut out the last line because some mills paid fortnightly and some monthly, and the boards invariably made awards adhering to the existing practice in each district. Therefore only the words affected by the amendment should be scored out in order that no other authority should interfere with the minimum fixed by the Bill

Amendment agreed to.

The SECRETARY FOR MINES moved the insertion of the following new subclause, to follow line 16, page 12:—

> "(10.) The owner of a mill shall not remove any part of any tramway which has been or is being or may be used by any canegrower for the conveyance of sugar-cane, except by the express permission of the Central Board previously obtained."

He thought that was a very reasonable amendment. Hon. members had made a lot of amendments in the Bill, and if for no other reason than in order to allow him to secure one they might pass the one he proposed. (Laughter.)

Hon. A. GIBSON: It is very unreasonable.

The SECRETARY FOR MINES: It was very unreasonable to have a line of tramway torn up so that growers could not get their cane to the mill. The very wording of the amendment showed that it was reasonable.

HON C. F. NIELSON: It was a very important amendment, but he had heard no sufficient reason for it. They must understand the sugar industry in order to know how to deal with it. If he took as an illustration the district nearest to Brisbane, perhaps it would come home to hon. members. Those who knew the Nambour district twenty years ago and knew the same district to-day, would know that although the mill was in the same position, the area supplying the mill fifteen or twenty years ago was not under cane to-day.

AN HONOURABLE MEMBER: The Central Board will decide.

HON. C. F. NIELSON: Too much was put on the Central Board. As a matter of fact, it seemed the desire that the Central Board should manage the mill in detail, order the greasing of the engines and so on, if necessary.

The SECRETARY FOR MINES: What about the Owens Creek district, where they took up a tramway?

HON. C. F. NIELSON: The Pleystowe Company arranged with a number of farmers at Owens Creek to put down a tramline from the district to the Government's railway line, not to the mill at all. They did so, he thought, at a cost of £5,000. Immediately those settlers got that line, instead of keeping up the tonnage or the areas they promised to the company, they arranged to sell their cane to some other mill—to the Marian Central Mill. The result was that the tramline could not pay interest in the ordinary way, and there were other districts which had developed, where a tramline was a great necessity. He believed that consequently there had been a proposition or suggestion that they would take up the old tramline and send it somewhere else, and that the whole of the Owens Creek settlers should send their cane to the Marian Mill if they wished. Why should there be any interference with the mill in that district? The business of every mill was to get as much cane as possible, and it supplied facilities for that purpose.

HON. A. GIBSON: He did not know how the amendment would work because the various mills owned many miles of portable tramway for the purpose of removing cane from the fields. Those tramways were taken up and shifted about the district until the whole of the cane was harvested. There might be some permanent tramways along the roadways that were never lifted, but the temporary tram lines were carried about for miles round the different districts, and when the cutting was finished those tram lines were put on the side of the road or at the end of a field, painted or tarred, and improved with a view to having them ready for the following year. If those tramways could not be lifted the cane could not be taken off the fields, and the mills would have to stop work immediately.

HON. C. F. NIELSON: As he had explained to the Committee the Pleystowe Mill, at the request of a number of people settled at Owens Creek, connected that settlement with a Government railway line on the promise that so many acres of cane would be cultivated and that so many tons of cane would be supplied yearly. Immediately afterwards a number of the Owens Creek settlers decided to send their cane to the Marian Central Mill, and others followed suit, with the result that the tonnage of cane from the Owens Creek settlers was not sufficient to recoup the Pleystowe Company for the interest on the capital expended in constructing that tramway.

Hon. A. G. C. HAWTHORN: Did not they have any agreement?

HON. C. F. NIELSON: No. In the meantime several other centres were opened up, and the Pleystowe Central Mill was asked to take cane from those centres. They therefore removed part of the Owens Creek tramline, and he believed they were considering the question of removing the whole of the Owens Creek tramline. It must be borne in mind that that tramline was not connected with the Pleystowe Mill at all. It was an isolated branch tramline connecting the Queensland railways with the Pleystowe settlement. That was the only case that he knew of where a permanent tramway had been shifted, and he knew the industry from the Mossman, which was the mill furthest north, right down to Nambour in the south. He had not the slightest doubt that that

wonderful gentleman, Mr. Dunworth, had drawn the attention of the Government to that matter.

Hon. T. C. BEIRNE: How do you know it was Mr. Dunworth?

HON. C. F. NIELSON: He did not know, but that gentleman seemed to be the pivot on which he and the Hon. Mr. Beirne seemed to revolve round the only constellation in the firmament.

Hon. T. C. BEIRNE: I will give you something about that presently.

HON. C. F. NIELSON: The hon. gentleman could not give anything to his discredit.

Hon B. FAHEY: It is an insult to the Government to call it a constellation.

HON. C. F. NIELSON: Well, he would call them a minor lot of luminaries, or what they called in Ireland "farthing dips."

Hon. B. FAHEY: You seem to know more about Ireland than I do.

HON. C. F. NIELSON: He knew some things about Ireland, and he had learned them from the hon. gentleman himself. It was the business of every mill to get as much cane as the mill could treat. The Hon. Mr. Hawthorn had quoted from the report of the general manager of central sugar mills, in which he pointed out that the Bauple Central Mill was being under-supplied with cane. Of course it was, and the Moreton Central Mill had to go away and open up new districts because the original cane lands were being put under pineapples.

Hon. B. FAHEY: He pointed out that the Bauple Mill made a loss because of the Dickson award.

HON. C. F. NIELSON: The hon. gentleman did no such thing.

Hon. B. FAHEY: That was the inference I drew.

HON. C. F. NIELSON: It did not matter what inference the hon. gentleman drew; he drew a blank. Mr. Troy, a Government official, stood up before the court at Maryborough and pointed out that by the award of the Central Board the Bauple Mill had been forced to pay 2s. 7d. a ton more than it could afford to pay. When the Pleystowe Central Mill shifted a portion of the Owens Creek tramline to another district, they suggested that the whole of the Owens Creek suppliers should send their cane to the Marian Central Mill, as some of the farmers had already done. That was not only in the interests of the mill, but it was in the interests of the suppliers to the Pleystowe Mill, because the greater the number of suppliers they could get the better could the miller afford to pay a decent price for cane, and other people were prepared to supply cane to the Pleystowe Central Mill if the Owens Creek people were not. At Nambour areas growing cane fifteen or twenty years ago were not growing a stick of cane to-day. They were under pineapples and bananas. He remembered being at Nam-

[7.30 p.m.] bour when Mr. Story, the brother of their worthy Under Secretary for Education, gave evidence, and he showed that he had made a profit of something like £15 per acre growing cane, but he said he was going out of cane and putting his land under bananas because he could make more out of bananas. He was only one of a great many who had done that. Where would be the sense in leaving a tramline system for one or two suppliers only? Where was there any principle involved in going into the details of the management of a concern and authorising others to usurp the management of the business in detail? What had happened in connection with the Owens Creek tramline would not justify them in giving the Central Board power to dictate to every millowner whether a tramline was to be shifted or not. They might as well say where every millowner should purchase his oils or what kind of machinery he must instal.

Hon. E. W. H. FOWLES: Doesn't he take up tramlines at the end of the season and stack them?

The SECRETARY FOR MINES: You are stonewalling.

HON. C. F. NIELSON: He was not stonewalling, but he had a right to state his objections to the amendment. As the Hon. Mr. Fowles said, there were miles of tramline taken up at the end of the season, but he did not think the amendment referred to portable tramlines but only to the permanent tramline system. In connection with the Gin Gin Central Mill 500 acres had gone out of cane owing to the action of the Government in altering the basis on which cane was to be paid for. If that were so, why should not the mill management be able to take up their tramline, and put it into an area where they could get cane? He thought the amendment should not be passed.

HON. T. C. BEIRNE: Right through the discussion on the Bill two things seemed to have got on to the Hon. Mr. Nielson's nerves. One was the Gas Act, and the other was Mr. Dunworth. Last year the Hon. Mr. Nielson seemed to be the only hon. member who knew anything about sugar. This time other hon. members knew a little more about the subject than they knew last year. He did not know that he ought to say that last year the Hon. Mr. Nielson deliberately misrepresented the sugar position in that Chamber.

HON. C. F. NIELSON rose to a point of order. Was the hon. member in order in saying that he deliberately misrepresented the position last year?

The CHAIRMAN: The hon. member is not in order in saying that the Hon. Mr. Nielson deliberately misrepresented the position.

HON. T. C. BEIRNE: Then I withdraw.

The SECRETARY FOR MINES: I have a telegram to prove it.

HON. T. C. BEIRNE: The Hon. Mr. Nielson in his second reading speech said something about Mr. Dunworth and Mr. Powell that he ought not to have said, and he (Mr. Beirne) would like to correct some of the hon. member's statements. At page 2726 of "Hansard" the hon. member was reported to have said in criticism of his (Mr. Beirne's) speech—

> "I am pleased he does not know Mr. Dunworth, and I want to tell him a little bit about that gentleman's nature and character. Last year, when the Dickson award was on, Mr. Dunworth and other farmers formed what they called a protective society at Mackay, and practically proclaimed a lockout against the Dickson award at Mackay. They said that any man who employed a workman at the Dickson award rates must

first of all get a permit from the society, and that if he did not the society would deal with him. A farmer wrote to Mr. Dunworth, or his association, for a permit to employ a man to do some work that he wished to have done forthwith, and this is the reply he received."

He would not read the letter, which would be found on pages 2728 and 2729 of "Hansard." Then, in criticism of the letter, the hon. member said—

"I am not going to ask the Hon. Mr. Beirne whether he is proud of his newfound friend, but I am going to extend to him my sympathy. The facts are, that at this time, in the Mackay district, they received subscriptions from anybody and everybody, whether they were canegrowers or not, or members of their association or not. They put their names on the roll, and swelled their numbers up, and then Mr. Dunworth told us that they had 900 members. A couple of months afterwards they held a general meeting and Mr. Turner, who was present, stated that he regretted they did not have 900 members. They had the names, but they were not financial members, as they had not paid up. Another gentleman who has been filling up the Hon. Mr. Beirne with information is a gentleman named Powell. Mr. Powell, in 1911, had a farm, 'given to him'—I think he termed it—at £7 an acre, and this year he refused £5,000 for it. That is a 90-acre farm."

Hon. C. F. NIELSON: I have a letter showing that he asked for £7,000.

Hon. T. C. BEIRNE: He (Mr. Beirne) had received the following telegram that day from Mr. Powell—

"Note Nielson's remark 'Hansard' relative my private business stating my farm purchased certain figure containing certain acreage that I refused five thousand pounds same. I challenge him prove his statement and will give fifty pounds repatriation fund if he can do so provided he gives ten pounds if he fails. His statement re Turner's remarks membership United Cane Growers' Association also false. Turner never has been president neither did association take any part in strike as alleged. Mr. Dunworth's letter read by yourself House puts growers' position exactly and I challenge Nielson or any of his colleagues to disprove it.

"T. A. POWELL, President."

He had received the following letter from Mr. Dunworth that day:—

"Sydney street, Mackay,
"24th November, 1917.

"The Hon. T. C. Beirne,
"care of T. C. Beirne and Company,
"The Valley, Brisbane

"Dear Sir,—

"I have just received copy of 'Hansard' containing Mr. C. F. Nielson's speech on the second reading of the Regulation of Sugar Cane Prices Act Amendment Bill.

"In the first place, Mr. Nielson states that he is pleased Mr. Beirne does not know Mr. Dunworth, and he wants to tell you a little of my nature and character. In reply to this, my character will stand all the test that he wishes to put to it, both publicly and privately.

"With regard to a letter which I observed in 'Hansard,' written by me during the sugar crisis last year and dated 26th September, 1917, I wish to place the exact circumstances before you, and I want you in turn to put the position right before the Council.

"On 26th August, 1916, a mass meeting of millers and canegrowers was held to consider the position brought about through the incidence of the Dickson award. There were some 900 growers present, as well as the local millers. After deciding that operations could not be continued under the impossible conditions imposed, an advisory committee was appointed to take charge of all proceedings until redress had been secured. This committee was selected by this mass meeting, and neither the United Cane Growers' Association nor the Pioneer River Farmers' and Graziers' Association, Limited (which is the Mackay branch of the United Cane Growers' Association) had anything whatever to do with it.

"The personnel of that committee was as follows, viz.:—Messrs. J. McDonald (director of Racecourse Central Mill) who was appointed chairman of the committee, W. Jackson (director, North Eton Central Mill), T. Hodgett (director, Cattle Creek Sugar Company), W. Pratt (director, Marian Central Mill), R. A. McKie (director, Plane Creek Central Mill), F. J. Stevens, H. E. Hawkins, J. McKay, and J. Galvin. You will thus see that five out of nine on this committee were directors. I was appointed secretary of this committee.

"I want you to be emphatic on the point that our association had no jurisdiction over this committee. And everything done during the crisis was authorised by this committee, who laid down its own policy and worked accordingly.

"The letter in question was written by me by direction of the committee, and our association in no way interfered with the policy laid down nor yet did the association seek their aid to secure members. What was done in this respect was the action of the committee done voluntarily.

"Mr. Nielson's references to the 900 membership is at variance with facts, which policy he is being noted for. It is also false to say that we swelled our membership by placing the names of non-growers on our roll, because they subscribed to the fund. Now, in turn, I would ask you to extend our sympathy to him for his weak and false statements in the endeavour to so establish his case.

"As my time is limited, I am reluctantly compelled to draw to a close, but should Mr. Nielson require a few more facts I will be only too happy to supply them. In the meantime fight on, because, without fear of contradiction, you have the majority of Queensland canegrowers with you.

"Yours faithfully,
"P. T. DUNWORTH."

He might inform the Hon. Mr. Nielson that the amendment was not prompted by Mr. Dunworth.

Hon. C. F. NIELSON: How do you know?

HON. T. C. BEIRNE: He knew it was not. He was not going to support the amendment, and he did not think it would be carried. In fact, he did not think the Minister would press it.

HON. A. DUNN: The Minister had not given any reason why they should prevent the owner of a mill from moving his tramways if he found it advantageous to his business to do so. As the amendment was worded, it would apply not only to fixed tramlines but also to movable tramlines that were laid down in the fields when harvesting the crop. Surely the Minister did not mean the amendment to apply to movable tramlines! There was not the slightest fear of a miller moving his fixed tramlines so long as he was conveying payable traffic for his mill over those lines. If the amount of cane being carried over the lines did not justify his keeping them where they were, no one should have the right to prevent him lifting them and putting them where they would best serve his mill. If the Minister could show reason to the contrary, he (Mr. Dunn) had an open mind in the matter.

The SECRETARY FOR MINES: It was not his intention when he moved the amendment to make it apply to movable tramlines, and he was prepared to insert the word "permanent" before the word "tramway" in the amendment, if that would meet the wishes of hon. members. If, as was stated by the Hon. Mr. Dunn, no miller was likely to move a permanent tramline, then the amendment could do no harm.

Hon. C. F. NIELSON: They have been moved in many districts.

The SECRETARY FOR MINES: He could get permission from the Central Board if he wished to move them. Would hon. members accept the amendment if he inserted the word "permanent"?

HONOURABLE MEMBERS: No.

The SECRETARY FOR MINES: Why not?

Hon. P. J. LEAHY: Why don't you confine this to the mills that the Government have taken over? You don't want to go beyond that.

The SECRETARY FOR MINES: The Government were not likely to injure the grower. However, the Committee had the amendment before them, and he hoped it would be carried after it was amended by inserting the word "permanent" before the word "tramway." With regard to the statement of the Hon. Mr. Nielson that Mr. Dunworth had prompted the amendment, he might say that he did not know Mr. Dunworth, and that the Government were entirely responsible for the amendment. He did not think it was worthy of hon. members, in discussing an important measure like this, to cast reflections on men who were engaged in the industry, and who were not present to defend themselves; but that was a matter that every hon. member could please himself about.

The CHAIRMAN: Is it the wish of the Committee that the word "permanent" be inserted before the word "tramway"?

HONOURABLE MEMBERS: Hear, hear!

HON. A. G. C. HAWTHORN: He did not think it mattered whether the word "permanent" was inserted in the amendment or not, as that would not make the objection to the amendment any the less. The main function of the Cane Prices Board was to fix the price of cane as between the millowner and the grower, and they should not be in a position to dictate to the millowner where he should put his tramlines, whether permanent or portable. The millowner was the best judge as to what was the best for the miller and the growers in regard to that matter, and he should be allowed to say where his tramway should be laid. This Bill was before the House last year, and it was a strange thing that there was no proposal of this kind made then. As the Hon. Mr. Leahy interjected, the amendment might be made to apply to cases in which the Government had taken over the mill, but the Government were absolutely empowered to take over the mill, tramways and everything else. If they took over the mill they must take over all the accessories. Under all the circumstances he thought it was unnecessary to give this power to the Cane Prices Board.

HON. I. PEREL: In listening to the debate on this measure it struck him as very peculiar that on every question that was brought before the Council they had to listen to the opinions of a large number of persons who knew comparatively little about the subject.

Hon. P. J. LEAHY: Aren't we listening to that now?

HON. I. PEREL: The Government would not propose an amendment of this sort unless there was some occasion for it. There was not the slightest doubt in his mind that since this Bill had come before the House the Government must have received some communication to the effect that their privileges or their interests were being interfered with by the removal of tramways. The Hon. Mr. Nielson said one thing and the Hon. Mr. Gibson said another. How were hon. members as sensible men to pass an opinion upon any subject when they had to listen to differences of opinion from hon. gentlemen who were interested in the present state of affairs?

Hon. C. F. NIELSON: I am not interested.

HON. I PEREL: He had never heard a greater champion for any industry than the hon. member had been for this industry, and, while he gave the hon. member credit for the highest motives and for doing what he was doing without any hope of fee or reward, he thought he must be interested in the industry. He had known instances in which men had been injured very much by the action of millowners in lifting tramways in the early days and making growers cart their cane for miles. If there were ten growers in one place and they had a tramline to take their cane to the mill, and there were twenty growers in another place, the millowner would look after those twenty growers. Sugar experts in the Lower House who had studied the question all their lives had gone through this measure and had sent it to the Council, and those sugar experts knew as much about the business as either the Hon. Mr. Nielson or the Hon. Mr. Gibson. They had only one expert on that side of the House, and he was a newly appointed member who had to put his wits against those of the clever men he had mentioned. It would be a very good plan for some experts in the Lower House to meet in Committee and place the Bill before the Council in the manner that would suit them, and then leave to the Council the onus of

passing or rejecting the Bill. Really, he did not think that the members of that Chamber were possessed of such a large amount of intelligence as would enable them to legislate on anything and everything that came before them, and to pose as experts.

HON. C. F. NIELSON: The Hon. Mr. Hawthorn put his finger on the right spot when he pointed out that the business of the Cane Prices Board, whether local or central, was to fix the price of cane. The proposed amendment was in the nature of a further stretching of the interpretation of section 12, paragraph (*f*), of the principal Act, where the board were enjoined to take into consideration other local conditions. The Government desired that the Central Board should be clothed with power to run a mill down to the buying of grease for the rollers and the engine bearings. That was not the object for which boards were established. They were established to fix the price for cane. The Hon. Mr. Perel said he knew of instances several years ago in which the millers lifted tramlines, and the farmers had to cart their cane to the mill. If the farmers had to cart their cane to the mill, the Central Board made provision to meet such a case, as hon. members would find by referring to the "Gazette" of the 25th May, 1917, where they would find a number of awards set out. In the award on page 1674 of that "Gazette," paragraph 8 in the left-hand column, there was this provision—

> "Every grower carting cane to the mill shall be allowed an extra price of 6d. per ton for every half-mile or part thereof the cane is carted to the mill."

A similar provision would be found in other awards. Tramlines were usually laid with 25-lb. rails, and at the present time those tramlines were worth £800 per mile in material. As a matter of fact, the material was almost unprocurable. Why should a mill, because it had laid down a tramline some years ago at the request of certain people who made certain promises that they had not kept, not be allowed to lift that tramline when there were others calling for a tramway somewhere else? Why should the Central Board say to the millowner, "You must leave that tramway there, and must not remove it until we give you permission," when the board had already made provision for an allowance to be made in cases where growers had to cart their cane to the mill? Why should the board interfere with the detailed management of the mill? The thing was perfectly ridiculous. The Minister mentioned that the suppliers along the Gargett-Owens Creek tramline had had that line pulled up. He had given the history of that, and their grievance was not worth three penn'orth of gin, because they gave their promise, but never kept up to the stipulated quantity, on which the mill spent £5,000 in providing a tramline.

[8 p.m.]

HON. A. G. C. HAWTHORN: Why did they not have an agreement?

HON. C. F. NIELSON: It was a matter of trust. Those were the facts, and he defied anybody to dispute them.

HON. A. G. C. HAWTHORN: The Hon. Mr. Perel said he looked upon it as impertinence on the part of hon. members to venture to speak on matters of which they did not know as much as men engaged in the industry. How were they going to give an intelligent vote if they did not take an intelligent interest in matters coming before them? That was the only way in which they could use their faculties and arrive at a decision. Certainly, they would all admit that there were two hon. members who were particularly well versed in regard to sugar—the Hon. Mr. Nielson and the Hon. Mr. Gibson.

The SECRETARY FOR MINES: And the Hon. Mr. Courtice?

HON. A. G. C. HAWTHORN: Yes, as a grower, he had given them a lot of information, too. Those were the three men who knew all about the industry, but was that any reason why they should remain mum and not get information and cast a vote without knowing what they were going to vote upon? The Minister had given them no reason why they should give the Central Board the power to interfere as he proposed with the millowners' business.

The SECRETARY FOR MINES: He has given one or two cases in support of his amendment. There was the Owens Creek case.

Hon. A. G. C. HAWTHORN: Where the growers did not carry out their agreement.

The SECRETARY FOR MINES: They had no evidence of that.

Hon. A. G. C. HAWTHORN: It has been asserted and not contradicted.

The SECRETARY FOR MINES: They did not know; many statements had been made in the House since the Bill had been before them.

Hon. T. J. O'SHEA: Your want of knowledge does not justify the introduction of an amendment.

The SECRETARY FOR MINES: He said he did not know that the sugar-growers in that district broke their agreement. He was not prepared to accept the statement that the growers broke their agreement, because, in the course of a week or so, they would probably get a telegram or a letter proving that it was not a fact.

Hon. C. F. NIELSON: Mr. Henry, of the board, whom you are consulting all the time, knows the facts. They were put to him at Mackay in my presence.

The SECRETARY FOR MINES: If they could, by any amendment, assist the grower and protect him from hardship which might occur if a tramline were taken up by a miller when it should be left there to get his cane to the mill, they should do so. That was the reason why the Government proposed the amendment. At the present time he only knew of one case, but he was not saying that there was not the other suggested case in the Bundaberg district.

HON. B. FAHEY: He did not exactly subscribe to the philosophy of the Hon. Mr. Hawthorn as to the reasons why hon. members should come to conclusions. A judge on the bench knew nothing about the case that came before him. He was guided entirely by the evidence. The Hon. Mr. Hawthorn said that they should be guided by the evidence and knowledge of hon. members who knew something about the sugar industry. It had been indicated there that evening—he believed truthfully—that one of those hon. members was in the habit of drawing extensively on his imagination. If that were

so, they had only the Hon. Mr. Gibson and the Hon. Mr. Courtice to rely upon. If they were to be guided by hon. members who came into the House and dealt with a question of that kind in which they were interested—and the sugar-growers were not as well represented in the Council as they ought to be—what were they to do? They must exercise their own common sense and their own knowledge of things as well and come to a rational and, he hoped an equitable decision. With regard to the raising of the tram rails, the boards were established for a certain purpose.

Hon. W. J. RIORDAN: Are you in favour of planting ratoons?

HON. B. FAHEY: The hon. member would know what he was in favour of before he sat down. The hon. member was too much in the habit of making his speeches sitting. He was not in the House for that purpose. He understood that certain of the sugar-growers were great socialists, great agitators, and it was quite possible that the miller might get what was commonly called a "down" on those people and take up the rails with a view to doing them an injury. He would not for one moment suggest that the Hon. Mr. Gibson would lend himself to anything of that kind. He believed his plantation was a model plantation, and there was not in the southern hemisphere a better conducted plantation, nor was there a man in the whole of Australia probably more respected than the Hon. Mr. Gibson, and that spoke very well for his honour and his treatment of his men. But he was quite convinced that there were millers in Queensland who would do what he had suggested. Most of the growers were poor men. The other day they did them an injustice by depriving those who were only cultivating 5 acres of a vote. Those were the men who were the backbone of the country—honest, honourable men, who tried to improve their conditions, not men who earned their 14s. or 15s. a day and left it at the public-house at night. Those were the good citizens whom they ought to encourage. But he was afraid that by reason of the drastic amendments which had been inserted —some of them were too cumbersome—the Government would not accept the Bill. If the Government should decide not to give the Bill life, the Council would be saddled with the responsibility. The Bill was brought in to do that modicum of justice to the sugar-growers of Queensland for which they had been asking, and which had been denied to them for reasons he had stated for years past. Other Bills had been so mutilated that they had been dropped and lost, but he hoped that this one would not be lost, because it was the first promising attempt of which he knew to do justice to the growers, and so far as he was concerned he would do his best to see that their grievances were redressed.

Question—That the words proposed to be inserted (*Mr. A. J. Jones's amendment on clause* 12) be so inserted—put; and the Committee divided:—

CONTENTS. 14.

Hon. R. Bedford	Hon. L. McDonald
,, F. Courtice	,, E. McDonnell
,, W. R. Crampton	,, T. Nevitt
,, W. H. Demaine	,, G. Page-Hanify
,, B. Fahey	,, I. Perel
,, A. J. Jones	,, E. B. Purnell
,, H. Llewelyn	,, W. J. Riordan

Teller: Hon. W. J. Riordan.

NOT-CONTENTS, 20.

Hon. T. C. Beirne	Hon. J. Hodel
,, C. Campbell	,, P. J. Leahy
,, J. Cowlishaw	,, C. F. Marks
,, G. S. Curtis	,, E. D. Miles
,, A. A. Davey	,, C. F. Nielson
,, A. Dunn	,, T. J. O'Shea
,, A. Gibson	,, A. H. Parnell
,, H. L. Groom	,, W. Stephens
,, T. M. Hall	,, H. Turner
,, A. G. C. Hawthorn	,, A. H. Whittingham

Teller: Hon. A. Dunn.

Resolved in the negative.

HON. C. F. NIELSON moved the insertion, after line 29, of the following words:—

"In subsection five of section twelve of the principal Act, the words 'local board or any party' are hereby repealed, and the words 'any millowner or by the majority of canegrowers bound by the award who supplied sugar-cane to such mill during the year then last past' are inserted in lieu thereof.

"After subclause five of section twelve of the principal Act, insert the following words:—

For the purpose of this subsection 'canegrower' shall be deemed to mean a canegrower who supplied not less than two hundred tons of sugar-cane to such mill to which the award applied, or was the owner of not less than twenty acres of land assigned to such mill cultivated with sugar-cane in the year in respect of which the award was made.

"An application under this subsection shall be made not later than fourteen days after the close of the crushing season in respect of which the award was made."

The amendment meant that when a local board had given an award an appeal could only be made either by the miller concerned or by a majority of canegrowers bound by the award, and "canegrower" was interpreted to mean "a person who had supplied either 200 tons of cane the previous year or had cultivated 20 acres with cane on land assigned to the mill." The object of the Bill was that the local board should make an award. Under the existing Act any party aggrieved by an award—that meant any one grower—could institute an appeal from the local board to the Central Board. Under the amendment it took a majority of growers to make an appeal. The latter part of the amendment provided that in order to have finality any application for an appeal must be made within fourteen days after the season was closed, as otherwise the growers would have to wait indefinitely before they could get a final settlement on the season's operations.

The SECRETARY FOR MINES: The Hon. Mr. Nielson had moved a similar amendment on clause 8, but had subsequently withdrawn it.

Hon. C. F. NIELSON: That is so.

The SECRETARY FOR MINES: The Committee should make the Bill uniform.

Hon. P. J. LEAHY: We cannot stultify ourselves.

The SECRETARY FOR MINES: The hon. gentleman should therefore withdraw his amendment and make the clause uniform with clause 8.

HON. C. F. NIELSON: He had no objection to the suggestion of the Secretary for

Mines, but, at the same time, he would point out that although the Committee asked for uniformity, the thing was not on the same footing. In clause 8 they asked for a certain majority to form a board, and the amendment dealt with the question of an appeal from the local board.

The SECRETARY FOR MINES: It should not require twenty growers to make an appeal.

Hon. C. F. NIELSON: Why not?

The SECRETARY FOR MINES: If three or four growers suffered an injustice, why should they not have the right of appeal? What was wrong with leaving the amendment out altogether as there was no necessity for it? It would be absurd to say that there must be twenty dissatisfied growers before an appeal could be made, and that if ten growers suffered an injustice they would have no right of appeal.

Hon. C. F. NIELSON: It is not a question of getting justice; it is a question of getting harmony.

HON. P. J. LEAHY: If he remembered rightly, the first place where they inserted those words was in connection with the creation of the Central Board, and it seemed to him that there was no difference in principle between a minority wanting a board to be established and a minority [8.30 p.m.] wanting the right to appeal. He thought they ought to adopt the same principle in this instance as they had adopted in clause 8, though the amendment might have to be put in different words.

HON. C. F. NIELSON asked leave to withdraw his amendment with a view to inserting an amendment to meet the wishes of hon. members.

Amendment, by leave, withdrawn.

HON. C. F. NIELSON moved the insertion, after line 29, page 12, of the following:—

> "In subsection five of section twelve of the principal Act, the words 'local board or any party' are hereby repealed, and the words 'any millowner or by the canegrowers bound by the award to the number following, namely—if the total number of such canegrowers supplying cane to a mill is less than sixty but not less than one-third of such canegrowers, and in other cases by not less than twenty such canegrowers' are inserted in lieu thereof.
>
> "After subclause five of section twelve of the principal Act, insert the following words:—'For the purpose of this subsection "canegrower" shall be deemed to mean a canegrower who supplied not less than two hundred tons of sugar-cane to such mill to which the award applied, or was the owner of not less than twenty acres of land assigned to such mill cultivated with sugar-cane in the year in respect of which the award was made.
>
> "An application under this subsection shall be made not later than fourteen days after the close of the crushing season in respect of which the award was made."

The SECRETARY FOR MINES: Under the Railways Act one man might appeal and get redress. If the appeal were frivolous the case was dismissed. In the same way, if one grower had a grievance he should be allowed to appeal. If his appeal was frivolous, it would be dismissed by the Central Board. If half a dozen growers had a grievance they should be allowed to appeal, and they should not fix the proportion at one-third of the total number of growers, because the half dozen might not be one-third of the total number of growers. He thought the Committee would not be wise to accept the amendment, and he was sure the Assembly would not accept it.

HON. F. COURTICE: Every facility should be given to growers to appeal to the Central Board if they thought they had a grievance. It would not take a great deal of time for the Central Board to deal with an appeal. He hoped that the hon. member would not press the part of the amendment which provided that an application should be made not less than fourteen days after the close of the crushing season in respect of which the award was made. They did not always know at the end of the crushing season what the price of raw sugar was going to be, and he suggested that the time should be extended beyond fourteen days.

HON. C. F. NIELSON: The fixing of the price of sugar had nothing at all to do with an award. In every award the Central Board based the price of cane on a selling price of £18 per ton of sugar with an additional schedule showing how much per £1 of rise or fall in the price of raw sugar was to be paid for cane, so that it would not matter whether the price of sugar was £21 per ton or £27 10s. The Central Board had already provided for that by fixing the basis on which the calculation was to be made. Further than that, every award specified that it was to remain in force until the 31st day of March in the following year. The limiting of the time for lodging an application to fourteen days after the end of the crushing season was due in the interests of the grower, so that the mill could make its final payment. If no such limit were inserted, in the case of canegrowers who supplied under the group system one or two disgruntled growers might want to appeal, and the rest would have to wait for their money. He did not know whether they were to take the Minister seriously when he talked about the rights of minorities. The Bill introduced the principle of collective bargaining in connection with the relations between millers and canegrowers, and that was a principle of which they heard a great deal from the Minister and his friends. He now wanted to give one or two growers who were not satisfied with a bargain the right to appeal whenever they liked. The main consideration was £ s.d. It was not likely that men would appeal with regard to the details of an award; and, if the Central Board gave an award with which the majority of the growers were satisfied, why should one or two growers who were dissatisfied be given the right to lodge an appeal? He did not think it wise to extend the time beyond fourteen days as no final payment could be made until the time had elapsed within which an appeal must be lodged. As it was provided that one-third of the growers could apply for a board, it was not too much to ask that they should require one-third of the growers to apply for leave to appeal.

HON. P. J. LEAHY: He wished to get a little more information, if he could, before he voted on this amendment. Some hon. members contended that a single individual should have the right to appeal. Was there any particular clause in this measure which gave a single grower that right?

Hon. C. F. NIELSON: No.

HON. P. J. LEAHY: If a single grower could appeal against an award, that might be inconvenient; on the other hand, if they only gave this right to a majority of the growers, a serious injustice might be done to the minority. The Hon. Mr. Nielson proposed in his amendment that a grower should be deemed to mean a canegrower who supplied not less than 200 tons of cane to the mill or was the owner of not less than 20 acres of land assigned to such mill cultivated with sugar-cane in the year in respect of which the award was made. In a similar matter dealt with previously they made it 10 acres. It was a pity that the Hon. Mr. Courtice and the Hon. Mr. Nielson could not put their heads together and come to an agreement on this matter.

The SECRETARY FOR MINES: A single grower could make an application for a variation of an award, but under section 9 of the principal Act an appeal might be brought about by any owner of a mill or twenty canegrowers bound by the award. Anyone, in his opinion, should have the right of appeal. There were two distinct matters dealt with in the amendment. The last paragraph provided that application under the subsection should be made not later than fourteen days after the close of the crushing season in respect of which the award was made.

Hon. P. J. LEAHY: There are two distinct matters dealt with, and they should be put separately.

The SECRETARY FOR MINES: The Committee might be agreed as to the first two paragraphs of the amendment, but he was certainly not in favour of the provision of the last paragraph, because the mill might not know the price they might get for their sugar within that time. Would the Hon. Mr. Nielson delete the last paragraph or put it separately?

HON. C. F. NIELSON: He would deal with the two matters separately, and in order to meet the view of the Committee would withdraw the last paragraph for the present.

HON. B. FAHEY: He was under the impression that the age of tyranny was over.

Hon. P. J. LEAHY: It did not exist up to two and a-half years ago.

HON. B. FAHEY: If one man had a cause of action against one member of a company, according to the amendment, he would not be allowed to appeal to the Supreme Court for redress. The rights of minorities were acknowledged in all our activities.

The SECRETARY FOR MINES: The rights of the individual should be observed in this matter.

HON. B. FAHEY: Under the articles of association of a company, any three members could call a meeting of the whole of the members, whether the majority liked it or not. It was nothing short of cruelty and the grossest injustice to an individual suffering from a grievance to deny him the right to avail himself of every opportunity to redress that grievance, and he hoped the Committee would not pass such an amendment.

HON. T. J. O'SHEA: He took it that the Committee merely wanted to make this Bill operative, workable, and effective; and, if so, they should be consistent. This amendment should be put in a form which was in exact conformity with a previous amendment adopted by the Committee.

Hon. B. FAHEY: This is a different subject altogether.

HON. T. J. O'SHEA: The hon. member does not know what he is talking about if he says that.

Hon. B. FAHEY: I know what I am talking about just as well as you do.

HON. T. J. O'SHEA: The Hon. Mr. Nielson had stated that he was prepared to separate the two matters dealt with in the amendment. The first two paragraphs were in perfect conformity with the amendment already adopted by the Committee, and the Minister would be well advised if he accepted those two paragraphs, and took a vote on the third paragraph, if he thought fit.

The SECRETARY FOR MINES: He would let the first two paragraphs go, if the third paragraph was put separately.

HON. F. COURTICE: He would like to know whether the Hon. Mr. Nielson had altered 20 acres to 10 acres?

Hon. C. F. NIELSON: No.

The SECRETARY FOR MINES: The very words the Committee were now asked to insert in this clause were similar to those contained in the amendment the Hon Mr. Nielson proposed in clause 8, but he then withdrew the words relating to 200 tons of cane in his amendment in clause 8.

Hon T. J. O'SHEA: But 20 acres still remains.

The SECRETARY FOR MINES: No, that was altered to 10 acres, and the words "supplied not less than 200 tons of cane" were withdrawn altogether.

Hon. T. J. O'SHEA: The assistant clerk informed him that on line 45, clause 8, page 6, the word "twenty" was omitted and the word "ten" inserted.

The SECRETARY FOR MINES: The Hon. Mr. Nielson knew as well as he did that this amendment was word for word the same as the amendment in clause 8, and he was under the impression that the hon. gentleman was withdrawing the words relating to the tonnage of cane supplied.

HON. C. F. NIELSON: Where the confusion had taken place was that in clause 3, line 21, page 2, the word "five" was altered to "ten."

Amendment put and negatived.

HON. C. F. NIELSON moved the insertion of the following paragraph, to follow line 29, page 12:—

> "An application under this subsection shall be made not later than fourteen days after the close of the crushing season in respect of which the award was made."

There must be some limit to the time within

which an appeal could be made, otherwise there could be no finality. The award would state a date on which the award [9 p.m.] expired, and it was necessary to have some data on which there would be finality, in order that there could be a settling up.

The SECRETARY FOR MINES: The amendment dealt with an appeal from a local board, which under the principal Act could be brought within twenty-one days, not fourteen days.

HON. C. F. NIELSON: If he understood the intention of the Government rightly it was that local boards should make awards. That being so, he took it that the Government were anxious that they should really be able to settle those matters. The Minister for Agriculture, when speaking in another place, said he could not understand why two representatives of the growers and two representatives of the millers, with an independent chairman, could not come to a decision as to the price to be paid for cane. But the Central Board were going far beyond that. They were going into such detail that police magistrates of high standing had told him that they would not venture to make an award, because they had not the assistance of an expert accountant and chemist such as the Central Board had. Assuming that the local board made an award, there must come a time when the award would be final, and he suggested that the time should be fourteen days after the season was finished, and if nobody had appealed then all chances of appeal had gone. He had lengthened the time in the principal Act, which was twenty-one days after the local board had made the award, and provided that appeals could be made up to fourteen days after the crushing season had finished.

HON. E. W. H. FOWLES: Had an alteration been made in clause 12 of the original Bill? He was afraid that if they left it as they had at present any local board or party—which meant any single individual—could appeal against the award. He understood that the Hon. Mr. Nielson had moved his amendment on clause 12, but it was thrown out. That left them with the phrase, "Any local board or any party."

Hon. C. F. NIELSON: I thought the Chairman gave it for the amendment, but it does not matter very much.

HON. E. W. H. FOWLES: He would suggest that they should provide that an appeal might be made by one-third of the growers. The proposition that was defeated was for a majority of the growers.

Amendment negatived.

Clause, as amended, put and passed.

Clause 13—"*Central Board may rescind or vary any of its acts*"—put and passed.

On clause 14—"*Amendment of section 16—Return by growers and millowners*"—

HON. E. W. H. FOWLES: Clause 14 dealt with the secrecy of the information given to the Central Board. The Act was working perfectly well, but the Bill said that the Central Board, if they liked, could divulge any information. It started off—

> "Unless the Central Board otherwise determine in any particular case or class of cases, each such return shall be treated as confidential, and the contents thereof shall not be divulged."

He thought it was very important to observe the secrecy or confidential nature of confidential information.

Question—That clause 14 as read stand part of the Bill—put; and the Committee divided:—

CONTENTS, 18.

Hon. R. Bedford	Hon. P. J. Leahy
,, T. C. Beirne	,, H. Llewelyn
,, F. Courtice	,, L. McDonald
,, W. R. Crampton	,, F. McDonnell
,, W. H. Demaine	,, T. Nevitt
,, B. Fahey	,, G. Page-Hanify
,, T. M. Hall	,, I. Peryl
,, A. J. Jones	,, E. B. Purnell
,, H. C. Jones	,, W. J. Riordan

Teller: Hon. L. McDonald.

NOT-CONTENTS, 17.

Hon. C. Campbell	Hon. J. Hodel
,, J. Cowlishaw	,, C. F. Marks
,, G. S. Curtis	,, E. D. Miles
,, A. A. Davey	,, C. F. Nielson
,, A. Dunn	,, T. J. O'Shea
,, E. W. H. Fowles	,, A. H. Parnell
,, A. Gibson	,, H. Turner
,, H. L. Groom	,, A. H. Whittingham
,, A. G. C. Hawthorn	

Teller: Hon. A. H. Whittingham.

Resolved in the affirmative.

HON. C. F. NIELSON moved the insertion, after clause 14, of a new clause, as follows:—

> "(*a*) After the word 'agreement,' on the first line of subsection one of section fifteen of the principal Act, the following words are inserted:—'not being a contract or agreement combined with a contract or agreement relating to the sale or lease of lands.'
>
> "(*b*) After the second subsection of the principal Act, the following new subsection three is inserted:—'Notwithstanding anything contained or implied in this Act, it shall be competent for any millowner and the majority of canegrowers supplying sugar-cane to the mill of such millowner to enter into agreements (such agreements being made in the same terms as to period of time, price, and general conditions) for the supply of sugar-cane to such mill; and thereupon such agreements shall be binding upon each and every canegrower supplying sugar-cane to such mill in the same manner as if each and every canegrower had entered into the same agreement:
>
> "'Provided that nothing in this subsection shall be deemed to mean and include a canegrower who has entered into any contract or agreement combined with a contract or agreement for the lease or sale of any lands:
>
> "'Provided further that for the purpose of ascertaining the majority mentioned in this subsection a canegrower shall be deemed to mean a canegrower who supplied not less than two hundred tons of sugar-cane to such mill during the year then last past, or was the owner of not less than twenty acres of land assigned to such mill cultivated with sugar-cane within the period of one year prior to the date of the making of such agreement.'"

A similar amendment to that was agreed to

by the Council last year. He would point out that there was a great number of tenant farmers being driven off the land by the operations of the Cane Prices Boards. To his knowledge forty tenants at one place and twenty-seven at another place were driven off the land for that reason. Those leases were all for improved cane farms, and the men taking the leases agreed to pay a fixed price by way of royalty for every ton of cane raised on the land. When the Cane Prices Board came along an application was made to the board to confirm the leases, including the price paid for the cane, but the board refused to do so, with the result that when the leases expired they were not renewed, and the owner of the plantation cultivated the land himself and was doing so to-day. When other leases expired the same thing would happen, and he did not think in cases where the price of cane was fixed by agreement in conjunction with a lease and including the purchasing price of the land, that it should be under the operations of the board. The second paragraph of the new clause was based on the fact that the Council agreed to a similar amendment last year by reason of the evidence given before the Select Committee appointed by the Council, and because of the number of petitions lodged in the Council asking that a provision be made allowing for agreements for a term of years between the growers and millers. In the North in particular they were very strong on the question of the growers having liberty to make agreements for a term of years. The whole scheme of the Cane Prices Boards Act was to have the prices fixed on a twelve-monthly basis, but the amendment provided that where a majority of canegrowers were desirous of making agreements that they should be allowed to do so.

The SECRETARY FOR MINES: He would like the Chairman's ruling as to whether the amendment was in order or not, as he considered it was entirely outside the scope of the Bill. Under Standing Order No. 144 the Committee "shall consider such matter only as has been referred to it by the Council." The matter referred to the Committee by the Council was a Bill to amend another Act in certain particulars, and the amendment sought to amend subsection (1) of section 15 of the principal Act.

Hon. P. J. LEAHY: Is that section amended by anything in the present Bill?

The SECRETARY FOR MINES: No, and therefore it was outside the scope of the Bill. "May" laid it down that—

> "Amendments are out of order if they are irrelevant to the Bill or beyond the scope of the Bill."

The amendment was entirely beyond the scope of the Bill. On the 27th September, 1899, Sir Arthur Morgan, the late Speaker of the Legislative Assembly, dealing with a similar case, said—

> "The view that leave having been given and a Bill introduced to amend a particular provision of a general law, a clause may be introduced in Committee amending another section of such a law is, in my opinion, a mistaken one and one that ought not to be encouraged."

Hon. P. J. LEAHY: But the Council can give an instruction to the Committee?

The SECRETARY FOR MINES: He submitted that the amendment was entirely out of order, because it was not within the scope of the Bill. All the previous amendments had been within the scope of the Bill.

HON. C. F. NIELSON: With the exception of, perhaps, the first paragraph, there could be no question about the amendment being within the scope of the Bill, because they had previously dealt with [9.30 p.m.] the subject-matter of subclause (*b*) on three previous occasions. It dealt with the question of majority rule, which had already been incorporated in clauses 3, 8, and 12. The argument of the Minister must therefore be confined to the first paragraph of the amendment.

The SECRETARY FOR MINES: You propose to amend section 15 of the principal Act.

HON. C. F. NIELSON: The first paragraph proposes to amend section 15, but the second paragraph did not apply to that section at all. It certainly could not be argued that it was not competent for a millowner and canegrowers to enter into an agreement, seeing they had already made provision for that in three previous clauses. In order to save time, he was quite prepared to withdraw paragraph (*a*), but before doing so he desired to inform hon. members that his reason for submitting the paragraph was that men were being hunted off the land through the operation of the principal Act. In one place over forty leases had been cancelled, and in another place twenty-seven were to be cancelled on 31st December next. Some of those men were known to him personally.

Hon. T. C. BEIRNE: The amendment may be excellent, but is it within the scope of the Bill?

HON. C. F. NIELSON: He was prepared to drop the first paragraph, but before doing so he wished to point out his reason for moving it.

The SECRETARY FOR MINES: None of the sugar representatives in the other Chamber asked for this amendment.

HON. C. F. NIELSON: The amendment had never been submitted to another place. Any system which would drive seventy tenant farmers out of the industry was bad.

The CHAIRMAN: The title of the Bill is—

> "A Bill to amend the Regulation of Sugar Cane Prices Act of 1915 in certain particulars."

The "certain particulars" are embodied in the various clauses of the Bill. Apparently, section 15 of the principal Act is not mentioned in the Bill, but I would point out to hon. members that our Standing Orders allow a considerable amount of latitude with respect to amendments. For instance, Standing Order 170 says—

> "Any amendment may be made to a clause or other part of a Bill, or a new clause or schedule may be inserted, provided that the same is relevant to the subject-matter of the Bill, or pursuant to an instruction, and is otherwise in conformity with the Standing Rules and Orders of the Council; but, if any amendment is made which is not within the title of the Bill, the Committee shall amend the title accordingly, and report the amendment specially to the Council."

That appears to me to give the Committee a

very wide discretion. Strictly speaking, one might say that the first paragraph of the amendment is not within the scope of the Bill, but, as the hon. member is prepared to withdraw that paragraph, I will not give any decided opinion about it. So far as the rest of the amendment is concerned, I think it is within the scope of the Bill. Is it the pleasure of the Committee that the first paragraph of the amendment be withdrawn?

HONOURABLE MEMBERS: Hear, hear!

Paragraph (*a*) withdrawn accordingly.

HON. T. C. BEIRNE: This was the most dangerous of all the amendments which the Hon. Mr. Nielson had proposed. It gave power to a majority of the growers to bind all the others. A great many of the growers were merely dummies or tenants.

Hon. C. F. NIELSON: I have told you there are not 100 tenant canegrowers in Queensland altogether.

HON. T. C. BEIRNE: Those men had not the same status as the other growers, and it was not right to allow a majority of them to bind the others to a certain agreement. Some of the majority might be shareholders in the mill, and it would be to their interest to agree to a reduction in the price of cane, although it would be to the detriment of the minority, who were not shareholders. He hoped the Minister would oppose the amendment all he could.

HON. F. COURTICE: He also hoped the Committee would turn down the amendment, which was a very dangerous one, and one that would act to the disadvantage of the grower, who could not possibly foresee the industrial conditions for even six months ahead. As he said when speaking on the second reading, they were under the Macnaughton award one day, and then the Dickson award came into force, and, if a grower made an agreement at the time the former award was in force, and he had to pay the increased rates prescribed by the Dickson award, it would certainly not be to his advantage. He was sure 95 per cent. of the growers in the Bundaberg district were opposed to the amendment, because it was impracticable. The Hon. Mr. Nielson said that tenant farmers had been obliged to leave their farms owing to the operation of the principal Act, but it was not fair that tenant farmers should be able to bind other growers to accept a price that was not a fair thing. He trusted that hon. members would leave the matter, to the Central Board, as they were familiar with the business.

HON. P. J. LEAHY: On two previous occasions they had something to say on the question of majorities and minorities. It seemed to him that the majority under the amendment could be used to a far more dangerous extent than on either of the other occasions. If fifty-one growers wanted to make an agreement and fifty did not want to make that agreement, the fifty-one growers could absolutely bind the fifty. He wished to know whether the amendment would include as growers men who were financed by the mills, and who might have bought land from the mills?

Hon. F. COURTICE: Yes.

HON. P. J. LEAHY: Then, he was most decidedly opposed to the amendment.

Hon. C. F. NIELSON: I am prepared to accept an amendment to exclude them.

HON. B. FAHEY: He was opposed to the amendment for another reason than those given by previous speakers, who regarded it as a very dangerous amendment. He was against it because it was a contribution to the plan of campaign against the Bill, and he was as certain as he was there that it would never be accepted in another place. It was brought forward simply to wreck the Bill.

HON. W. J. RIORDAN: He was against the amendment very strongly, because he was of opinion that, if the amendment were carried, it would render the Act absolutely useless, for the reason that strong companies and millowners would be able to tyrannise over the farmers by swinging the axe over them; and, if one or two more growers were necessary to give a majority, they would find means of getting those one or two extra votes.

The SECRETARY FOR MINES: This was one of the most undemocratic amendments it was possible to move. As the Hon. Mr. Leahy pointed out, it would give a slight majority of growers the power to bind all the other growers. He was against the amendment, because it was not in the interests of the growers generally. They must make a measure of this kind of general application to the whole of the growers, and not legislate for one district or a few persons. He would like to know whether the Hon. Mr. Nielson knew of any such agreements which were already in existence?

Hon. C. F. NIELSON: Any amount; all wiped out by the Regulation of Cane Prices Act—agreements for ten years.

The SECRETARY FOR MINES: He was not going to labour the question, but he sincerely hoped that the Committee would not carry the amendment. They had spent a long time over the Bill, and he thought that they might deal with some of the clauses almost without any discussion.

HON. C. F. NIELSON: This was not a matter to be lightly dealt with and brushed to one side. Petitions had been sent in by persons representing over one-fourth of the canegrowers in Queensland asking for this legislation. He had received correspondence from various individuals and associations in favour of it, and other hon. gentlemen were in possession of similar correspondence. In some districts the petitioners practically represented 95 per cent. of the canegrowers. The first question they had to consider in dealing with the amendment was whether it was a reasonable democratic proposal, and the second was whether it would benefit the industry. The industry was not confined to Bundaberg or Mackay. If the industry was to expand, it must expand in the North, and canegrowers would have to go on to virgin land. The people who went on such land would want to do more than hold up their heads; they would want something more than a yearly award; they would want some fixity with regard to prices, so that they might know what they were doing. The cane prices board might not always be in existence, and in any case he had no hesitation in saying that in his opinion they were a calamity to the industry. He knew millowners who were paying £2 an acre to grow cane on for themselves.

Hon. W. J. RIORDAN: That is because we have cane prices boards

HON. C. F. NIELSON: He knew men in his own district who paid £3 an acre for cane land.

The SECRETARY FOR MINES: Tenant farmers?

HON. C. F. NIELSON: Yes, but not tenant farmers belonging to a mill, but men who had leased land from private owners. A fear had been expressed by the Hon. Mr. Leahy that men who had shares in central mills, or were tenants of millowners, or were under financial obligations to millowners, might coerce the other canegrowers in the district. He was prepared to eliminate all those canegrowers from the operation of the amendment, and not allow them to vote. He was not concerned about how the votes might go at the next election, nor was he concerned even about the majority of the growers in a district: what he was concerned about was the future of the industry.

The CHAIRMAN: Order! Will the hon. member confine himself to the question before the Committee?

HON. C. F. NIELSON: He had been drawn off the track by interjections, but he would confine himself to the question. The Committee inserted an amendment similar to this in the Bill that was before them last year, and no argument had been brought forward to show that it should not be adopted on the present occasion. He had yet to learn that it was a beneficial thing for the industry to have to depend upon a twelve months' set of conditions. The very worst thing that had happened to the industry was that there were no settled conditions. The amendment would allow agreements to be made in the same terms as to the period of time, price, and general conditions, and if hon. members objected that it would allow shareholders in a mill, tenants of a mill, or growers who were under financial obligations to a mill, to decide the question as to whether they should enter into an agreement with a mill or not, he would insert a few words providing that such growers should not be allowed to vote on the question. He proposed that, after the word "lands" in the second paragraph of the amendment, the following be added:—

> "or canegrower who is a shareholder in the mill or a tenant of the millowner or indebted to the millowner upon the security of any deed or mortgage."

He took it that that took away the objection of the Hon. Mr. Leahy.

HON. P. J. LEAHY: It only rendered it less objectionable; it did not render it acceptable to him, for one. As he had pointed out, they were protecting the minority in the matter of appeals from the local
[10 p.m.] boards and in another case, and there was far greater need to protect the minority in the present case than in either of those cases he had mentioned. There was nothing so far as he could see to prevent a man from opening up new land. He might be subject to the Central Board, and so on, but there was nothing in the clause to say he should not do it. If they adopted the amendment, he took it it would mean not only making agreements with regard to the price of cane, but also as to the number of years it would last, the area of cane, and so on. It would allow a chance majority of one or two to commit the others to something to which they were entirely opposed, without appeal. He said it was highly objectionable. It was the most objectionable of the whole of the amendments, and he had not the slightest doubt that if it were carried the Bill ought to be lost, and would be lost.

The SECRETARY FOR MINES: In no other Act was similar power to allow people to contract themselves right outside its provisions altogether.

HON. C. F. NIELSON: People can contract themselves right outside any Act of Parliament unless they are specifically debarred from doing so.

The SECRETARY FOR MINES: They could make an agreement for a number of years, which he did not think was a wise thing. He thought that the Committee had made up its mind about the matter and they might go to a vote.

HON. A. DUNN: The amendment raised one of the most important matters in connection with the Bill. He was one of those who had had communications from various centres asking him to vote both ways, and it was exceedingly difficult to know what was best. In the Isis the growers were almost equally divided as to coming under the board and making contracts. The shareholders of the central mill, who supplied by far the greatest quantity of cane, had no desire to be interfered with by a board. The few from whom they bought cane desired, he believed, that they should come under the control of a board. Something like two-thirds or more of the suppliers to the Colonial Sugar Refining Company's mill desired to make contracts with the mill, and the others to be under the board, and it was surely unfair on the face of it that the majority should be controlled by the minority. How the difficulty was to be got over was another matter. It was not a matter of contracting themselves out of the Act, because in the first instance they had the option of coming under it, knowing that they had the court to appeal to if they so desired. It seemed to him that if the Bill could be amended so that those growers who so desired could make contracts extending over a number of years and those who so desired a yearly contract could come under a board, it would satisfy the growers all round.

The CHAIRMAN: Is it the wish of the Committee that the amendment be put in the amended form?

HONOURABLE MEMBERS: Hear, hear!

Question—That new clause (*Mr. Nielson's*) to follow clause 14 be agreed to—put; and the Committee divided:—

CONTENTS, 14.

Hon. C. Campbell	Hon. J. Hodel
,, G. S. Curtis	,, C. F. Marks
,, A. A. Davey	,, C. F. Nielson
,, A. Dunn	,, T. J. O'Shea
,, E. W. H. Fowles	,, A. H. Parnell
,, A. Gibson	,, W. Stephens
,, A. G. C. Hawthorn	,, A. H. Whittingham

Teller: Hon. J. Hodel.

NOT-CONTENTS, 20.

Hon.	R. Bedford	Hon.	H. C. Jones
,,	T. C. Beirne	,,	P. J. Leahy
,,	F. Courtice	,,	H. Llewelyn
,,	J. Cowlishaw	,,	L. McDonald
,,	W. R. Crampton	,,	F. McDonnell
,,	W. H. Demaine	,,	T. Nevitt
,,	B. Fahey	,,	G. Page-Hanify
,,	H. L. Groom	,,	I. Perel
,,	T. M. Hall	,,	E. B. Purnell
,,	A. J. Jones	,,	W. J. Riordan

Teller: Hon. H. Llewelyn.

Resolved in the negative.

On clause 15—"*Central Board may depute persons to take evidence, etc.*"—

HON. E. W. H. FOWLES suggested that that was a convenient break to report progress. They had started at 2.30 p.m. and they had done less work that day than probably on any other day. It was practically a wasted day.

A GOVERNMENT MEMBER: Finish the Bill.

HON. E. W. H. FOWLES: They could not finish the Bill, because they would have to recommit it to reconsider clause 12, because the Council had already decided that there should be an interim minimum price of 75 per cent., and there was nothing in the Bill which provided for an adjustment at the end of the season, nor any provision allowing a local board to make an elastic award at the beginning of the season. They had full provision allowing the Central Board to do that but not the local board. The wiser plan would be to report progress.

The SECRETARY FOR MINES: We have been reporting progress on this Bill ever since we started it.

HON. E. W. H. FOWLES: He did not want to make a promise, but if it was not finished at 6 o'clock the next day he should be inclined to start some other business himself.

The SECRETARY FOR MINES: Finish it tonight.

HON. E. W. H. FOWLES: He could finish it himself to suit all parties in half an hour, but he was afraid it would not be finished at midnight. The amendment just passed could not possibly stand. They were not going to allow one man to upset all the arrangements in a district. Probably the Committee in the end would decide that there must be at least ten dissatisfied growers before there could be an appeal to upset an award. Then, in regard to the question of making agreements, he would only read one telegram, out of many, as follows:—

> "Suppliers Hambledon Mill emphatically urge Council insert in amended Cane Prices Bill clause allowing three years' agreement or power make award lasting three years."

The SECRETARY FOR MINES: We have just dealt with that. Why not accept the verdict of a majority of this Committee?

HON. E. W. H. FOWLES: The wise thing to do was to frame an amendment that would meet the views of all parties. He was willing to stay there till 12 o'clock, but then they would not be a bit further on because they would have the third reading to-morrow. They were not going to send a higgledy-piggledy Bill like that to another place.

The SECRETARY FOR MINES: It is not a higgledy-piggledy Bill.

Hon. W. STEPHENS: It is not what the House intends it to be.

Hon. T. C. BEIRNE: It can be put right in twelve minutes.

HON. W. STEPHENS: He was told by the Minister and told by the Committee that under the Bill there would be an award at the end of the season when the accounts were all closed. Under the Bill before them there was no provision for an award at the end of the season. The local board had to make an award for the whole season, and if that was not objected to within twenty-one days after it was made it would stand, and there could be no adjustment if the canecutter or millowner were treated badly. That was not what they had been told. He was willing to stop till 12 o'clock to have it done, but let them make the Bill what the Committee intended it to be.

Clause put and passed.

On clause 16—"*Amendment of section 20*"—

HON. E. W. H. FOWLES: One must object to the wording of the clause because nobody could understand it without a reference to the principal Act. The clause said that the thousands of pounds levied under the principal Act from the various growers all over Queensland were now to be controlled, not by the Central Board, but by the Minister. It had been under the control so far of the Central Board, who knew the requirements of the industry and who were probably the best people to decide how it was to be spent. He might say that £1,500 of that sugar fund had been misspent by the Minister without the authorisation of anybody. On page 41 of his report, the Auditor-General said—

> "Included in the above expenditure are the expenses of delegates of canegrowers to two conferences held in Brisbane, called by the Minister for Agriculture and the Treasurer, respectively, to discuss the question of the prices to be paid for raw sugar for the ensuing season.
>
> "The first conference was held in February and March, 1917, at a cost of £530 8s. 5d., and the second on the 24th to 27th April, 1917, at a cost of £883 12s. 11d.; total, £1,414 1s 4d.
>
> "As I was not satisfied that this expenditure was properly chargeable against the sugar-cane prices fund I submitted the question to the Crown Law Department on 7th September last for an opinion in regard thereto, but, so far, I have not received a reply."

The SECRETARY FOR MINES: He was not satisfied. Is it not a good thing for the Government to have a conference of the growers?

HON. E. W. H. FOWLES: Exactly, but the Government should pay their expenses and not dip their hands into the sugar fund. The Minister wanted to get his hands on that fund merely to do what he liked with it, and he was brought up sharp by the Auditor-General. The Auditor-General wanted a Crown Law opinion in regard to that expenditure, but, so far, he could not get any reply, and he made a special statement in regard to it and refused to authorise that expenditure. He (Mr. Fowles) did not object to the delegates having their expenses paid, but let them be paid out of unforeseen

expenditure or anything else. He moved the omission, on lines 32 to 35, of the words—

"In subsections two and three of section twenty of the principal Act the words 'Central Board,' wherever they occur, are repealed, and the word 'Minister' is inserted in lieu thereof."

The SECRETARY FOR MINES: The amendment had been moved because the hon. member was of opinion that the expenses of two or three con-
[10.30 p.m.] ferences between the Minister and representatives of the cane-growers had been paid out of a certain fund.

Hon. E. W. H. FOWLES: The Auditor-General is of that opinion.

The SECRETARY FOR MINES: What better object could the money be devoted to than in conferences on matters affecting the interests of the sugar industry?

Hon. A. GIBSON: I was not asked. I was kept out.

The SECRETARY FOR MINES: He supposed the hon. gentleman would have been admitted.

Hon. A. GIBSON: No; I was refused.

The SECRETARY FOR MINES: They did not invite millers, and he supposed the hon. gentleman was regarded as a miller.

Hon. A. GIBSON: I am a grower.

The SECRETARY FOR MINES: He took it that the hon. gentleman was both a miller and a grower. However, the point was that the Government rightly paid the expenses of the conferences out of the sugar fund, and probably many thousands of pounds had been saved as a result of those conferences, through the expenditure of a paltry £1,500. If the Government had paid the money out of unforeseen expenditure, as the hon. member suggested, he would have been the first to question it.

Hon. E. W. H. FOWLES: Where did the Government pay the expenses of the strike delegates from—£26 to one man and £3 to about twenty others? Where did you get that money from? From the Works Department.

The SECRETARY FOR MINES: He had yet to learn that the strike delegates were paid from any fund or that they were paid anything. He was pretty sure they were not paid anything.

Hon. E. W. H. FOWLES: Why, you sacked three public servants for saying it, and you sacked another for not saying it, and then found out that he was not to blame.

The SECRETARY FOR MINES: The hon. member's remarks were quite out of order, as well as being foreign to him. He hoped the Committee would not accept the amendment. He wanted to finish the Bill that night, and he had also wanted to put the State Iron and Steel Works Bill through Committee.

Hon. W. STEPHENS: You will be ashamed of your Bill if you do.

The SECRETARY FOR MINES: They could recommit any clause. The Bill had been very fully discussed. They were promised that it would be put through two nights ago, and it was not through yet.

HON. C. F. NIELSON: If the expenditure of money could be defended on the ground that it was spent for a good purpose, then anything might be defended. He was of opinion that the money which was spent on the conferences to which reference had been made was illegally spent. The fund was raised for the specific purpose of administering the Act. The Government chose to invite certain selected persons to meet them in conference, but certain classes of people who had to contribute to the fund received no invitations to be present at the "shivoo." He had been told by some of those who took part in the conferences that they did not know what they came to Brisbane about, and he doubted if those who were sent to Melbourne knew what they went there for. In view of the fact that the Central Board was the chief body to administer the Act, it was only right that it should be charged with the duty of administering the fund. He intended to support the amendment.

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

CONTENTS, 15.

Hon. R. Bedford	Hon. L. McDonald
,, T. C. Beirne	,, F. McDonnell
,, F. Courtice	,, T. Nevitt
,, W. B. Crampton	,, G. Page-Hanify
,, W. H. Demaine	,, I. Perel
,, A. J. Jones	,, E. B. Purnell
,, H. C. Jones	,, W. J. Riordan
,, H. Lelwelyn	

Teller: Hon. L. McDonald.

NOT-CONTENTS, 17.

Hon. C. Campbell	Hon. T. M. Hall
,, J. Cowlishaw	,, J. Hodel
,, G. S. Curtis	,, P. J. Leahy
,, A. A. Davey	,, C. F. Marks
,, A. Dunn	,, C. F. Nielson
,, B. Fahey	,, T. J. O'Shea
,, E. W. H. Fowles	,, W. Stephens
,, A. Gibson	,, A. H. Whittingham
,, H. L. Groom	

Teller: Hon. H. L. Groom.

Resolved in the negative.

HON. E. W. H. FOWLES moved the omission of the words "the said" in line 36. The amendment was consequential on the amendment just agreed to.

Amendment agreed to.

HON. E. W. H. FOWLES moved the insertion, after the word "three," on line 36, of the words, "of section 20 of the principal Act."

Amendment agreed to.

Clause, as amended put and passed.

On clause 17—"*Amendment of s. 22*"—

HON. E. W. H. FOWLES: There was one line at the top of page 14 which said, "Subsection four of the said section is repealed." That subsection was the provision which gave either House of Parliament power to pass a resolution disallowing any regulation, and if it was repealed neither House would have that power. He moved—That the words be omitted.

Amendment agreed to.

Clause, as amended, put and passed.

On clause 18—"*Confirmation of awards, etc.*"—

HON. E. W. H. FOWLES: Would the Minister give any reason why this provision

was inserted in the Bill? The Government had made some regulations which were invalid, and this clause came along and whitewashed them. The clause said—

> "Moreover, the regulations made or purporting to have been made under the principal Act, and dated respectively the twenty-eighth day of January, one thousand nine hundred and sixteen, and the tenth day of February, one thousand nine hundred and sixteen, are and each of them is hereby declared to be and to have been, as from the respective dates thereof, valid, effectual, and binding for all purposes whatsoever."

Those regulations were invalid at the start. He moved—That all the words from line 19 to the end of the clause be omitted.

The SECRETARY FOR MINES: The hon. gentleman had not given any reasons why the words should be omitted, but had asked him to give reasons why they were there. The hon. gentleman should give reasons why the words should be omitted.

HON. T. J. O'SHEA: This was one of those tricks which were sometimes attempted to be played on the Council. Regulations which were groundless and could not be supported were to be made valid by this clause, and it was inserted in the hope that it would be allowed to slip through. This was an attempt to rule by invalid regulations, and when the Minister was asked to give a reason why the amendment was in the Bill he said he was not supposed to give reasons. Unless the Minister could give some reason for supporting such an absurd provision, it should go by the board without further debate.

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

CONTENTS, 15.

Hon. R. Bedford	Hon. L. McDonald
,, T. C. Beirne	,, F. McDonnell
,, F. Courtice	,, T. Nevitt
,, W. R. Crampton	,, G. Page-Hanify
,, W. H. Demaine	,, I. Perel
,, A. J. Jones	,, E. B. Purnell
,, H. C. Jones	,, W. J. Riordan
,, H. Llewelyn	

Teller: Hon. E. B. Purnell.

NOT-CONTENTS, 16.

Hon. C. Campbell	Hon. T. M. Hall
,, J. Cowlishaw	,, J. Hodel
,, G. S. Curtis	,, C. F. Marks
,, A. Dunn	,, C. F. Nielson
,, B. Fahey	,, T. J. O'Shea
,, E. W. H. Fowles	,, A. H. Parnell
,, A. Gibson	,, W. Stephens
,, H. L. Groom	,, A. H Whittingham

Teller: Hon. W. Stephens.

Resolved in the negative.

HON. T. J. O'SHEA moved the insertion of the following proviso, to follow the word "Act" in line 19, page 14:—

> "Provided that nothing in this section shall be deemed to prejudice or affect the rights of any person to prosecute any action or appeal in any court of law instituted, commenced, or lodged prior to the passing of this Act in respect to the subject-matter of this section, and such action or appeal may be continued in every respect as if this Act had not been passed."

The clause, as it stood, would have the effect of preventing the execution of justice in certain appeals which were pending. It had always been a principle of that [11 p.m.] Chamber, so far as he remembered it, that no legislation should be passed which would prejudice the rights of any litigant lawfully before the courts. He understood that an appeal was scheduled for hearing in the High Court, although it had not yet come on, and a case had been commenced that day in the North, both of which would have been affected if the section were passed as it stood. There was nothing unusual in the amendment.

The SECRETARY FOR MINES: He had read the amendment carefully, and so far as he could see there was no harm in accepting it, but it was rather difficult to understand amendments which were not circulated, when they had dealt with so many already.

Amendment agreed to.

Clause, as amended, put and passed.

HON. C. F. NIELSON moved the insertion of the following new clause, to follow clause 18:—

> "Nothing in this Act shall be construed to relate to any crops of sugar-cane harvested during the season of one thousand nine hundred and seventeen, nor to any award made in respect of such season."

There was no need to say much about it. It was merely to make quite certain that the Bill they were passing was not in contravention of the agreement with the Federal authorities, so that they would not have the price of sugar in jeopardy. He might say that the price of sugar had not yet been fixed by the agreement, but the understanding was that no legislation should be introduced which would affect the present crop. If the amendment were not agreed to, the Bill would affect 20 or 30 per cent. of the crop in some cases.

The SECRETARY FOR MINES: It was just as well to set out clearly the arrangement with the Federal authorities. When the Prime Minister communicated with the Premier of the State, he was told that the Government were pledged to the Cane Prices Bill, but no legislation other than that. The agreement only applied to this year's crop, but had not yet fixed the price of cane. It was still in Melbourne. The Government had already given an assurance that the Bill would not interfere with the present year's crop.

Hon. C. F. NIELSON: The Government can only carry out that assurance by withholding the assent to the Bill until the season is over, unless the amendment is accepted.

The SECRETARY FOR MINES: Then let the amendment go.

Amendment agreed to.

On clause 19—"*Amendments of schedule*"—

HON. E. W. H. FOWLES moved a consequential amendment providing for the omission of lines 30 to 31, page 14, with a view to inserting after the word "twenty" the words—

> "or one third if the whole number does not exceed sixty."

The SECRETARY FOR MINES: If the hon. gentleman said that it was con-

sequential on the other amendment he would take his amendment, but the previous amendment was defeated.

Hon. E. W. H. FOWLES: We carried the amendment a week ago.

The SECRETARY FOR MINES: Last week; but a similar amendment was defeated here to-night.

Hon. E. W. H. FOWLES: We agreed on twenty and a third. I think it is the same principle.

Amendment agreed to.

Clause, as amended, put and passed.

Clause 20 put and passed.

Schedule put and passed.

On postponed clause 2—"*Amendment of section 3 (Interpretation)*"—

Question stated—That the following words be inserted after line 23 (*Hon. Mr. Nielson's amendment*):—

> "The following words are added to the definition of 'Owner of a mill' in the said section:—
>
> Provided that this Act shall not be deemed to apply to the central mills known as Mulgrave Central Mill, Mossman Central Mill, Isis Central Mill, and Plane Creek Central Mill."

The SECRETARY FOR MINES asked the Chairman for his ruling on the amendment. He contended, for the reasons he advanced on the other amendment, that the amendment was entirely out of order. It did not come within the scope of the Bill, which sought to amend the Act "in certain particulars," and made another definition of the owner of the mill. The Bill did not seek to amend the Act in the particulars mentioned in the amendment.

HON. C. F. NIELSON pointed out that the Bill opened out the interpretation in section 3 of the principal Act. There were three new definitions put into the Act by this Bill. Section 3 dealt with definitions generally, and his amendment was an amendment of a definition in section 3. They were not confined to the definition of "check chemist, "crushing capacity," and "valuator."

HON. T. J. O'SHEA thought the Minister would be prudent if he adjourned the matter until to-morrow, when the two or three clauses which needed to be recommitted could be put through in a few minutes. He was anxious that this should be an effective Bill, and the Minister would be well advised if he gave members an opportunity of perusing the Bill.

The SECRETARY FOR MINES: Why not finish the Bill to-night?

Hon. T. J. O'SHEA thought his suggestion was a reasonable one.

HON. P. J. LEAHY: There was no doubt whatever that the Bill required to be gone over very carefully to see that everything harmonised. They had made several amendments, the effect of which was not quite easy to follow. He did not think that the revision would take very long, and it could be done before they met to-morrow. A great deal of time had been wasted, but it was only fair to say that the Minister had not been responsible for the waste of time. He suggested that the Minister should not proceed any further that night, on the distinct understanding that the whole thing would be finished within half an hour to-morrow. There had been too much waste of time, and they should certainly not waste any more time.

The SECRETARY FOR MINES: Surely the Committee could deal with that clause as they had got their minds made up as to whether it was in order or not. It was no use the Hon. Mr. Fowles getting angry. The hon. gentleman exaggerated when he said that he (Mr. Jones) had wasted time in taking divisions.

Hon. E. W. H. FOWLES: Get on with business.

The SECRETARY FOR MINES: The hon. gentleman thought he had a right to chastise him and say what he liked, and that he (Mr. Jones) was not going to retort. He wanted the Committee to understand that the Hon. Mr. Fowles was not going to control him. Only that afternoon he had delayed the Bill half an hour at the request of the hon. gentleman in order to allow his friend to discuss it, and yet the hon. gentleman was the first man to put the boot into him if he could.

Hon. P. J. LEAHY: We will finish it in half an hour to-morrow.

The SECRETARY FOR MINES: On those conditions he would agree to the Chairman reporting progress.

The CHAIRMAN: Regarding the question raised by the Minister. The amendment seeks to put certain mills outside the operations of this Bill, but it does not, in my opinion, go beyond the scope of the Bill in any way. It is a common practice for Acts of Parliament to restrict their applications in some instances, and this only seeks to do what is a common practice. Therefore I rule the amendment is in order.

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

BUNDABERG HARBOUR BOARD ACT AMENDMENT BILL.

FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

The second reading was made an Order of the Day for to-morrow.

ADJOURNMENT.

The SECRETARY FOR MINES: I beg to move—That this Council do now adjourn. The first business to-morrow will be the resumption of the Committee stage of the Regulation of Sugar Cane Prices Act Amendment Bill, then the second reading of the Chillagoe and Etheridge Railways Bill, the State Iron and Steel Works Bill in Committee, and the second readings of the Land Tax Act Amendment Bill and the Income Tax Act Amendment Bill.

Question put and passed.

The Council adjourned at thirty minutes past 11 o'clock p.m.

Hon. A. J. Jones.]