

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**TUESDAY, 3 SEPTEMBER 1918**

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**LEGISLATIVE COUNCIL.**

TUESDAY, 3 SEPTEMBER, 1918.

The PRESIDENT (Hon. W. Hamilton) took the chair at half-past 3 o'clock.

## PAPERS.

The following papers were laid on the table, and ordered to be printed:—

Addendum to report on the investigation into the accounts and financial affairs of the South Brisbane Gas and Light Company, Limited.

Report of the Chief Protector of Aborigines for 1917.

Regulation, dated 22nd August, under the Insurance Act of 1916.

Award, dated 9th August, prescribing rates of pay and conditions of labour for certain employees of the Commissioner for Railways.

## BRISBANE TRAMWAY FARES BILL.

## SECOND READING.

The SECRETARY FOR MINES (Hon. A. J. Jones): In moving the second reading of a Bill to regulate the fares in respect of the traffic on the Brisbane Tramways, I would like to preface my remarks by saying that, had previous Governments in this State been fully seized of their responsibilities and obligations to the people, there would have been no necessity for me to introduce this Bill, or for the Bill to have been passed through the Assembly.

Hon. P. J. LEAHY: There is no proof of that statement.

The SECRETARY FOR MINES: There would have been no necessity, either, for a Bill to provide for the purchase of the Brisbane Tramways, which we will deal with at a later stage. It is a great pity that a private company should have been privileged to own and control an enterprise or utility that should either be under State or municipal control. In my opinion, the people created the whole of the business appertaining to the tramway, and the authority controlling a public utility should be an elective authority—either Parliament, which is elected by the whole of the people of the State, or a municipal council, which is also an elective body. I purpose now to deal briefly with the provisions of the Bill. In clause 2 we declare that the sections of the Tramways Acts of 1882 and 1890, which deal with fares, shall not apply to the Brisbane Tramways Company, Limited. Then, we provide that fares shall be charged at the rate of 1d. per section, each section being at least one mile in length. The division of the routes into sections is to be subject to the approval of the Governor in Council, and, if the company fails to divide up any route, the Governor in Council may divide it into sections. The through fares payable on 1st July, 1918, are to be retained. That is, neither the company, the Governor in Council, nor the judge of the Supreme Court, who is to be appointed to deal with the question, shall have power to prescribe fares which shall exceed the fares payable on 1st July last. On the application of the

company, the Minister, or a local authority through whose streets the tramway passes, the routes, sections, and fares shall be subject to revision by a judge of the Supreme Court. The judge is to regard as excessive any rates and fares which, in his opinion, would yield more than 5 per cent. profit on the value of the tramways.

Hon. P. J. LEAHY: Your Government cannot borrow money at 5 per cent.

The SECRETARY FOR MINES: Surely the hon. member will not object to a maximum of 5 per cent., when it has been asserted by counsel representing the company at the bar of this House that the shareholders in the present company have not received more than 5 per cent. profit?

Hon. P. J. LEAHY: They might pay better in the next two years.

Hon. W. STEPHENS: Would you invest money if you were sure that 5 per cent. would be the maximum that you could get?

The SECRETARY FOR MINES: I would like to have money to invest at 5 per cent.

Hon. W. STEPHENS: That is no answer.

The SECRETARY FOR MINES: Learned counsel at the bar, in endeavouring to make out a case for the payment for goodwill to the company—which I admit is a question that has to do with another Bill, and not with this Bill—

Hon. E. W. H. FOWLES: Goodwill is mentioned in clause 6.

The SECRETARY FOR MINES: In endeavouring to make out a case for the payment of goodwill, counsel quoted some very high authorities in connection with gas companies. While I admit that payment for goodwill may be permissive in an ordinary business like a grocery business—something that has been created by the individual effort of the owner of the business—I cannot admit that goodwill should be paid for in the case of any monopoly, especially in the case of a tramway, where the people create the whole business.

Hon. B. FAHEY: According to your theory, the goodwill in the case of a grocery business has been created by the customers.

The SECRETARY FOR MINES: The business of a tramway has been created by the collective effort of the people, by the establishment of industries, by the building up of businesses, and by the increase of population. It does not depend on the efforts of the company itself.

Hon. P. J. LEAHY: There can be bad management. It could run up a loss like your railways do.

The SECRETARY FOR MINES: The railway question is not now before the Council.

Hon. P. J. LEAHY: It is a fair comparison.

Hon. R. BEDFORD: The railway accounts are open to daylight.

The SECRETARY FOR MINES: Of course, there is a slight loss on the running of the railways.

Hon. P. J. LEAHY: Do you call a loss of £1,000,000 a year a slight loss?

The SECRETARY FOR MINES: It is a question of whether railways should be run to make a profit, or whether they should

be run in the interests of the people. After all, if there is a loss on the running of our railways, it is due to the fact that the Railway Department is not credited with revenue from land settlement and other things which would go to make a profit on the railways.

Hon. W. STEPHENS: Are you going to run the tramways at a big loss, and make the local authorities pay?

Hon. R. SUMNER: No State enterprise should be run for profit.

The SECRETARY FOR MINES: Counsel at the bar said: "This Bill is a preliminary, or a corollary, to a Bill to enable the Government of Queensland to take over the Brisbane Tramways." I contend that this Bill is absolutely necessary, irrespective of any other Bill. It really has no connection with the other Bill that is now before the Council, and that has been passed by the Assembly.

Hon. P. J. LEAHY: Do you expect us to believe that?

The SECRETARY FOR MINES: Certainly.

Hon. P. J. LEAHY: I don't believe it, for one.

The SECRETARY FOR MINES: This Bill is absolutely necessary in the interests of the people. It is the function of a Government to govern in the interests of the whole people. Hon. members, in arguing on another Bill the other day, argued in favour of "fair rents." It is the function of a Government to see that the people are allowed to travel on the tramways at a reasonable rate.

Hon. E. W. H. FOWLES: What fares are unreasonable?

Hon. R. BEDFORD: Fifty-chain sections for 1d.

Hon. W. STEPHENS: There are no 50-chain sections.

Hon. R. BEDFORD: The section from Customs House to North Quay is only a little over 50 chains.

The SECRETARY FOR MINES: I contend that this Bill is absolutely necessary. While I do not say that it is not a corollary of the other Bill and is not a preliminary to the other Bill which is before us, and while I do not anticipate a change of Government—as a matter of fact, the people at present seem to be so thoroughly satisfied with the Government that in all probability we shall reign for very many years to come—

Hon. B. FAHEY: For a century?

The SECRETARY FOR MINES: Yes.

Hon. A. G. C. HAWTHORN: The wish is father to the thought.

The SECRETARY FOR MINES: Probably so. Anyway, I am satisfied that that is so.

Hon. P. J. LEAHY: You would not last long if the people had the recall.

The SECRETARY FOR MINES: While I believe that, yet the unforeseen may happen and a pliant Government truly representative of the monopolistic company may come into office prior to 20th September, 1920, the date on which the franchise of the company ceases, or on which the Brisbane

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tramways may be purchased by the Government and handed over to the municipal authorities, and the people would then be deprived of the opportunity to own and control the tramways. In the event of that happening, it is quite necessary that we should have a Bill such as this. When learned counsel for the Tramways Company was addressing this House, at one period of his address I thought I was listening to a member of this Council, who is an opponent, not only of the Bill, but of the present Government. He said: "If I can show that, if passed, it will mean the repudiation of a solemn compact entered into by the Government of Queensland with the company, not one member will give a vote in favour of the Bill."

Hon. R. SUMNER: He never attempted to prove that.

The SECRETARY FOR MINES: I contend that he did not prove that. It was the same old charge of repudiation and breach of contract that we hear so frequently from hon. members opposite. It was the same old song sung in the same old way that we have heard from the beginning of this session, and I suppose we shall hear it to the end.

Hon. P. J. LEAHY: And it is the same old repudiation.

The SECRETARY FOR MINES: It is not the same old repudiation, as I will endeavour to prove. In my opinion, Mr. Feez failed to prove repudiation, or to prove that this Bill in any way means a breach of a solemn compact. He quoted section 8 of the Tramways Act of 1890, and he said that that section gave the company power which the original company had under the Tramways Act of 1882. I contend that it does not do so. Section 8 of the Act of 1890 took away from the Governor in Council the power that he had under the original Act of 1882. If I, as a layman, may be permitted to differ from the learned counsel, Mr. Feez, I think that is where he made a mistake. Counsel failed to quote one section in the original Act which I intend to quote. Section 8 of the 1890 Act reads as follows:—

"Except with the consent of the company in that behalf first had and obtained, the powers conferred upon the Governor in Council by the seventy-eighth section of the principal Act shall not be exercisable so as to reduce the fares which the company may lawfully demand for the conveyance of passengers upon its tramway as prescribed by the fifty-eighth section of the said Act."

As hon. gentlemen know, section 58 of the 1882 Act deals with fares, and reads thus—

"The company shall, pursuant to regulations from time to time made by them subject to the provisions of this Act, be entitled to charge for the conveyance of every passenger upon the tramway any sum not exceeding twopence per mile or fraction of a mile."

The learned counsel endeavoured to prove that the Bill which we have now before us takes away that power from the company, whereas the fact is that it restores the power which was given in the 1882 Act to the Governor in Council, and which was taken away from them by the 1890 Act. The 1882 Act gave an exclusive privilege to the

Tramways Company, and the 1890 Act gave them a further privilege. I shall now quote section 78 of the 1882 Act, which Mr. Feez did not quote. It reads—

"(1) Subject to the conditions prescribed in the next following section, the Governor in Council may, by regulations made in respect of any tramway or proposed tramway constructed under the authority of this Act, vary or suspend any or all of provisions of the under-mentioned sections, that is to say—

Sections twenty-eight to thirty-two, inclusive, and sections forty-nine to sixty-one inclusive.

"(2) Every such regulation shall, after publication in the "Gazette," have the force of law.

"(3) Every person who commits a breach of any such regulation shall be subject to the same penalties as are respectively imposed by this Act for breaches of the sections so varied."

Where is the repudiation there? What becomes of the charge of repudiation? In clause 2 of this Bill we simply restore to the Governor in Council the power which was given him in the original Act of 1882. Clause 2 provides—

"Sections fifty-eight, sixty-one, and seventy-eight of the Tramways Act of 1882 and section eight of the Tramways Act of 1882 Amendment Act of 1890 shall not apply to the tramway of the company."

Therefore, I think I have proved that all we are doing in this Bill with regard to that particular matter is to restore to the Governor in Council power which was given them in the original Act.

Hon. E. W. H. FOWLES: Was the company the same then as it is now?

The SECRETARY FOR MINES: The same in 1882 as it is now?

Hon. E. W. H. FOWLES: Yes.

The SECRETARY FOR MINES: No; certainly the conditions have altered, but the company has progressed since then. There was no need in 1890 for the Government of the day to amend the 1882 Act.

Hon. E. W. H. FOWLES: I mean, was it the same company as the present company?

The SECRETARY FOR MINES: It may not have been the same company. That is a matter on which we should like to have some further information, and before I sit down I shall probably be able to shed a little further light on the subject than we have received from counsel at the bar of the House. In 1890 the Government amended the 1882 Act for the benefit of the Tramways Company.

Hon. B. FAHEY: The present company was not in existence then.

The SECRETARY FOR MINES: That does not alter the fact that they amended the Act, shearing the Governor in Council of the power he possessed under section 78 of the 1882 Act. According to the argument of some hon. gentlemen opposite, any amendment of an Act spells repudiation. In view of the facts I have given, I ask what becomes of the charge of repudiation in this instance? The learned counsel at the bar of this House said: "If I can prove that

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this Bill means repudiation, a breach of a solemn compact, then, not one member of this Council should vote for it." He was quite justified in making that statement—justified in appealing to the honesty and good sense of members of the Council not to vote for the Bill if it is a breach of a solemn compact; but he failed to prove that it is a breach of a solemn compact. I think I can quote from some authorities to prove that there is no breach of a solemn compact. The learned Council in his address appealed to us from three standpoints. The first was that this Bill is repudiation, or a breach of contract. I think I have proved conclusively that there is no repudiation in the Bill.

Hon. P. J. LEAHY: Why, one of your members said last week that a certain Bill was repudiation, and he gloried in it. You will find that in "Hansard."

The SECRETARY FOR MINES: That does not prove anything.

Hon. P. J. LEAHY: He spoke for the party.

The SECRETARY FOR MINES: No, not for the party. I read that speech, and if I remember correctly what the hon. member in the Legislative Assembly said was that it might be repudiation, and that there was such a thing as justifiable repudiation. I take it that the hon. member refers to a speech made by Mr. Pollock, the hon. member for Gregory.

The PRESIDENT: Order!

The SECRETARY FOR MINES: Then, the learned counsel at the bar of the House regarded the matter from another point of view, and appealed to us to view the measure with disfavour on the ground that under clauses 4 and 5 of the Bill, a Supreme Court judge would have power to compel the company to charge less than 1d. per section, or per mile, as he put it. In no way can that be read into the Bill. I should like to strengthen my argument on this point by quoting the actual words of the clause. Clause 4 says—

"Each section shall be not less than one mile in length. Such division shall be subject to the approval of the Governor in Council, and the company shall be entitled to charge for the conveyance of every passenger upon the tramway a sum not exceeding one penny for each such section."

Clause 5 says—

"Upon the application of the company or the Minister or any council, the routes, sections, and fares hereinbefore prescribed shall be subject to revision by a judge of the Supreme Court. Upon such application, the judge shall prescribe routes, sections, and fares which in his opinion are fair and reasonable to the passengers and to the company."

The learned counsel stated that the Governor in Council, or a judge of the Supreme Court, might say that a section shall be a certain distance, and that the company shall charge ½d. per section. In no way can that be read into the Bill.

Hon. E. W. H. FOWLES: Yes; clause 5 says that.

The SECRETARY FOR MINES: Does it? We say it does not; we say that the company may charge ½d. per section if they choose. I think the interpretation given to

that particular clause is an exaggerated interpretation. The company will still have the power to charge a ½d. or a ¼d. per section, but they will also have the power to charge 1d. per mile. And what the company will do will be to charge the maximum fare which is fixed by this Bill.

Hon. E. W. H. FOWLES: It is not fixed; it is subject to revision by a judge of the Supreme Court.

The SECRETARY FOR MINES: On the application of the company.

Hon. E. W. H. FOWLES: Or the Minister, or any council.

The SECRETARY FOR MINES: I contend that the clause is necessary, because we must all admit that it would be impracticable to make sections of exactly 1 mile in length. The manager of the company might have before him a map of the tramway services and a map of the city, but it would be impracticable for him to divide the lines into sections of equal length.

Hon. W. H. CAMPBELL: Can he charge 5d. to go from Victoria Bridge to Clayfield?

The SECRETARY FOR MINES: No, the through fares, under this Bill, cannot be more than they are now. I think counsel at the bar of the House made a mistake regarding that particular service when he said that it was 7 miles from Clayfield to North Quay. I have not taken the trouble to find out the exact distance, but I think it is very little over 4 miles.

Hon. R. SUMNER: The longest section is the Kedron Park section, and that is 5 miles from the Roma Street Railway Gates to Kedron Park.

The SECRETARY FOR MINES: That is information for the House. The information given by counsel to the House was that at present the Tramways Company charged 3d. for 7 miles.

Hon. H. TURNER: He said that was his own estimate of the distance.

The SECRETARY FOR MINES: Just so. I think it was very unwise that this Council did not yield to the wishes of the Government and accept the motion that was moved—that counsel at the bar [+ p.m.] of this House should be cross-examined by counsel. Then we would have got fuller information than it was possible for the learned counsel to give without that cross-examination.

Hon. E. W. H. FOWLES: You can refer it to a Select Committee if you like.

The SECRETARY FOR MINES: A Select Committee of this House?

Hon. E. W. H. FOWLES: Yes, if you want a lot of information.

The SECRETARY FOR MINES: I am satisfied of this fact: that Mr. Feez, as counsel on behalf of the Brisbane Tramways Company, was putting the case for that company as a barrister would do in court, and he was acting purely on instructions, and probably as a shareholder, because, in the course of his address, we find these words—

"Of course, I cannot vouch absolutely for the accuracy of every word I say, but I am speaking from instructions which I believe to be correct."

Therefore, any information Mr. Feez gave at the bar of this Council was direct from the Brisbane Tramways Company, and he

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was not responsible for it, and protected himself by practically saying so in the words I have quoted. He further said—

“ I am giving you what I understand are actual facts.”

In criticising the learned counsel's address at the bar of this Council, we must deal with it from that standpoint, because he is not here in person to answer anything that we may say. But, certainly, he was the representative of the company here, and he had taken his full instructions from the company, and the Tramways Company, I suppose, is directly responsible for any inaccuracies that appear in his address. Something has been said regarding the earnings of the Brisbane Tramways Company, and I would like to quote from the Official Year Book from the years 1901 to 1916, showing the earnings and profits, etc., of the Tramways Company. I will not quote the whole of the years. In 1901—

Gross revenue ...	£111,483
Working expenses ...	64,701
Profit ... ..	£46,782—79 cars.

1911—

Gross revenue ...	£253,971
Working expenses ...	129,235
Profit ... ..	£124,686—124 cars.

1912—

Gross revenue ...	£254,838
Working expenses ...	162,305
Profit ... ..	£92,533—129 cars.

1913—

Gross revenue ...	£316,244
Working expenses ...	191,935
Profit ... ..	£124,308—149 cars.

1914—

Gross revenue ...	£348,406
Working expenses ...	194,960
Profit ... ..	£153,446—154 cars.

1915—

Gross revenue ...	£372,383
Working expenses ...	233,751
Profit ... ..	£138,622—161 cars.

1916—

Gross revenue ...	£364,745
Working expenses ...	216,607
Profit ... ..	£148,138—172 cars.

For the last year the learned counsel at the bar of the House quoted the profits at £95,000—a good deal less than the year before, or the year before that. That there is an air of mystery attaching to this undertaking or this company is proved by this fact: the capital is stated to have been £450,000 in the year 1895, and is now about £1,500,000. We would like to know, and I suppose, as a whole, this Council would like to know, how it grew—whether it was properly subscribed or artificially inflated. Further than that, to prove that there is some mystery about this company, I will quote the remarks of the Hon. Mr. Brentnall, which were quoted in the other House. The Hon. Mr. Brentnall, as reported on 27th March, 1913, said—

“ There was too much mystery and not

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enough public knowledge about the Tramways Company and its rights and limitations.”

The learned counsel, at the bar of the House, also created that impression. The Brisbane Electric Tramways Investment Company, Limited, with headquarters in London, practically bought out the Brisbane Tramways Company or the whole of the shares. I have in my hands the last balance-sheet of the Brisbane Electric Tramways Investment Company, Limited, and the learned counsel could tell us very little about the profits in the way of dividends which go to the London shareholders and which remain in this State. He certainly quoted the profits for last year correctly—£95,000, and Mr. Feez also said that the reserves were £31,000, invested in war loans. That is proved also to be correct by this balance-sheet. Then he said there were £15,000 cash in hand. The learned counsel, Mr. Feez, was certainly correct in those figures, as the balance-sheet I have shows investments at cost £31,562 15s. 9d., and cash in hand in Brisbane and London £15,023 6s. 1d. The total amount of reserves, he said, was £46,000, yet in the balance-sheet which I have in my hand are these words—

“ In placing to the credit of a fund for renewals (bringing it up to £165,000) £15,000. . . ”

Therefore the reserve fund, evidently, including the £15,000 that were placed to the credit of the fund for renewals last year, is £165,000, and not £46,000 as Mr. Feez stated. The balance-sheet also proves that the Brisbane Electric Tramways Investment Company, Limited, with headquarters in London, purchased a number of shares last year, or practically the whole of the shares of the Brisbane Tramways Company, Limited. The balance-sheet shows—

“ By cost of acquisition of 149,893 shares of Brisbane Tramways Company, Limited, £1,639,970 8s. 4d.”

So that the number of shares left in Queensland, or left in the old Brisbane Tramways Company, is 107, and the amount distributed to the 107 shares in the year 1917 amounted to £63 6s. 8d., and by dividends on shares of the Brisbane Tramways Company, Limited, held by the Investment Company, Limited, £94,956 13s. 4d.

Hon. W. H. CAMPBELL: Do you know what the shares were worth in London in 1906?

The SECRETARY FOR MINES: No.

Hon. W. H. CAMPBELL: I will tell you—£1 10s.

Hon. R. BEDFORD: Ordinaries?

Hon. W. H. CAMPBELL: Yes, the ordinary shares.

Hon. R. BEDFORD: Yes, and the ordinaries were watered.

The SECRETARY FOR MINES: I think I have proved that we did not get the whole of the information, even from counsel at the bar of the House, and I particularly want to point out that instead of £46,000 being the amount of the reserve fund, it is £165,000.

Hon. E. W. H. FOWLES: No, no; one is for renewals, which is a very important thing in a tramway franchise.

The SECRETARY FOR MINES: That is the only way you can read it.

Hon. R. BEDFORD: There have been half a dozen renewal reserves, and they have all disappeared.

An HONOURABLE MEMBER: Because of the strike.

The SECRETARY FOR MINES: The strike did not affect them very much, because in that year they made £92,135, and last year, when there was no strike, they made £95,000; so, evidently, the strike did not affect their profits. With regard to the other point—I think it is clause 8 of the Bill that deals with the amount of profits—the representative of the Tramways Company, Mr. Feez, endeavoured to read into this Bill or to create an impression in the minds of hon. gentlemen and others that the judge of the Supreme Court would have the power of deeming 3 per cent. or any profit less than 5 per cent. as a sufficient profit. In no way can that interpretation be read into this Bill. Certainly the judge of the Supreme Court has certain powers, but it is stated in the Bill that the profit shall be 5 per cent. For a considerable length of time the learned counsel endeavoured to impress this Council with the fact that only 5 per cent., and nothing more than 5 per cent., profit was made by the Tramways Company.

Hon. F. T. BRETNALL: Not in one year. He took the whole period of the Tramways Company's existence. It is an average of 5 per cent.

The SECRETARY FOR MINES: He did not say one year; but in answer to my question he quoted a good deal less than 5 per cent. as being the profits. If the Tramways Company was only earning 5 per cent., why be afraid of limiting the profits in this Bill to 5 per cent.?

Hon. E. W. H. FOWLES: Your Government gave the gas companies 8½ per cent. as a fair thing.

The SECRETARY FOR MINES: I think it was pointed out in the Assembly that the 5 per cent. is on the actual value of the tramway, and it is quite possible that shareholders may get more than 5 per cent. even under this Bill. There are certain other provisions in the Bill, such as provisions dealing with extensions and improvements, and the maintenance of adequate services, and penalties, all of which may be dealt with in Committee. Just a word or two, before I sit down, on subclause (2) of clause 9. The subclause reads—

“In the event of neglect or failure to observe such direction, the company shall, on the complaint of the Minister or any council, be liable for each such offence to a penalty not exceeding one thousand pounds.”

I think Mr. Feez exaggerated that subclause; £1,000 is the maximum penalty. Mr. Feez said that, if there was not a car available at a certain time, the company might be fined £1,000.

Hon. E. W. H. FOWLES: They might be fined that amount for every passenger who could not be carried.

The SECRETARY FOR MINES: In dealing with that provision Mr. Feez also reminded me of speeches made by hon. members opposite on the Wages Bill and other Bills before the Council, where a maximum

penalty was mentioned. He did not tell us that the court would have power to impose a penalty of less than £1,000. I hope the second reading of the Bill will be carried, and that it will not be seriously amended in Committee—amended in such a way as to make it useless.

Hon. A. G. C. HAWTHORN: Are we to treat this as a money Bill?

The SECRETARY FOR MINES: The Government have introduced the Bill in the interests of the people, to provide the people with a reasonable mode of travelling, at reasonable fares, for reasonable distances.

Hon. P. J. LEAHY: It is a wonder you did not bring it in three years ago.

The SECRETARY FOR MINES: There is no necessity for me to compare the Brisbane Tramways Company and the fares charged by them with the tramways in Sydney and other places and their fares. I have actually heard it said that we have the best tramway service in the world. Why, the Sydney tramways are far before the Brisbane tramways.

HONOURABLE MEMBERS: No.

The SECRETARY FOR MINES: The fares are more reasonable than on the Brisbane tramways.

Hon. H. TURNER: No, they are not. They charge 1½d. per section in Sydney now.

Hon. P. J. LEAHY: They have four times our population.

The SECRETARY FOR MINES: Very often in Brisbane you do not pay for a seat, but for a stand-up.

Hon. A. G. C. HAWTHORN: So you do in Sydney. I have done it myself often.

Hon. P. J. LEAHY: You have to do it in the Queensland trains sometimes, too.

The SECRETARY FOR MINES: Probably you may at certain hours of the day in all places. (Hear, hear!) Why an exclusive privilege was granted to a monopolistic company to compete with our railway lines I could never understand. I hope the day is not far distant when the other Bill will be passed by this Council, and the tramways will be owned and controlled by the municipal authorities or by the State in the interests of the people.

Hon. W. H. CAMPBELL: They will make a mess of the business if they control them.

The SECRETARY FOR MINES: They are not making a mess of the railways.

Hon. P. J. LEAHY: The Government are making a mess of the railways.

The SECRETARY FOR MINES: The Glasgow tramways are an example of what can be done with municipal trams.

Hon. A. G. C. HAWTHORN: That is not Government control.

The SECRETARY FOR MINES: It is municipal control. We believe in municipal control. I have not gone thoroughly into the other Bill, and I would be out of order in discussing the provisions of that Bill, but I believe that the principle of that Bill is for the Government to take over the trams and hand them over to the municipal authorities.

Hon. C. F. NELSON: You have not got a lot of Scotch aldermen here the same as they have in Glasgow.

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The SECRETARY FOR MINES: Well, we have had one or two Scottish Premiers in Queensland who favoured the taking over of the tramways when the time came. The Hon. Mr. Leahy asked me why we did not do this three years ago. You cannot do everything in one session of Parliament, and we are now very near the time when the franchise will expire.

Hon. P. J. LEAHY: Then, all the less reason for doing it. That is a reason against you.

The SECRETARY FOR MINES: I have more respect for the Council than to think that there is a majority of hon. members who believe in tramways being controlled by private ownership rather than by the municipal authorities.

Hon. A. A. DAVEY: That is not the question.

The SECRETARY FOR MINES: I know it is not the question now before the Council, but the argument is in favour of either State or municipal control. I have much pleasure in moving—That the Bill be now read a second time.

Hon. A. G. C. HAWTHORN: Is it a money Bill?

Hon. R. BEDFORD: As a protagonist of this Bill, I think it will be only necessary, for me to make my case good, to review the ridiculous matter offered to us by counsel who appeared for the Brisbane Tramways Company the other day. This Bill, at least, helps to, expose the mystery which from its inception has shrouded all the operations of the Brisbane Tramways Company. It was a mystery so deep that even the Hon. Mr. Brentnall was forced to admit that there is too much lack of public knowledge about the affairs of this company. In the light of that admission we have hopes for him as one of the watchdogs of the people.

Hon. F. T. BRENTNALL: He speaks the truth when he speaks.

Hon. R. BEDFORD: The "Telegraph" took up a different position the other day to that taken up by the Hon. Mr. Brentnall. It said, "The Legislative Assembly distinctly lost in not hearing counsel for the Tramways Company." It certainly lost a great deal in not hearing special pleading. It certainly lost a great deal in not having heard statements which were meant to sidestep any attempt to get at the capital of this company. I propose to show, so far as it is possible to pierce the veil of mystery in which the company has shrouded itself, what the actual capital of the company is. "Counsel replied to all questions that were asked." We will see later how he replied to them. "Need more be said for the bona fides of the Tramways Company?" No more need be said for the mala fides of the company than that they have never published a balance-sheet in this country, and that there is no possible way of getting at their actual earnings from the beginning of their capitalisation.

Hon. W. H. CAMPBELL: That is not true.

Hon. R. BEDFORD: It is true, and I will prove it.

Hon. F. T. BRENTNALL: We have quotations from balance-sheets here.

Hon. R. BEDFORD: We have had one balance-sheet here. That has been sent from

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London specially to us. "Mr. Feez's address to us was admirably devoid of any political colour"; it was also devoid of anything that could be called convincing in any way. When the Council decided by a majority of hon. gentlemen on the other side that they were so poor in intelligence that they could not understand the ordinary clauses of this Bill, it at least showed that there was a great probability of there being more than one "Talgai skull" in Queensland.

Hon. P. J. LEAHY: On the other side.

Hon. R. BEDFORD: We voted against it, you remember, and one of your party with a glimmer of sense also voted against it.

Hon. P. J. LEAHY: We voted to hear counsel here for your benefit.

Hon. R. BEDFORD: If you knew nothing then, as counsel told you nothing, you know nothing now.

The PRESIDENT: Order!

Hon. R. BEDFORD: If hon. members on the other side are going to demand that counsel shall be heard at the bar of the House whenever some privilege is attempted to be brought inside proper bounds in the interests of the public, then sooner or later they will be known as the "Talgai skull party," and I hope they will avoid that. The fact is that Mr. Feez came to illuminate and he remained to obscure. We heard a great deal of the honour of the gentlemen on the other side, and everyone knows that, being common Labour men, we have no honour. Our morals are the morals of cave-men, and our customs are the customs of something even earlier than the "Talgai skull" men, whose intelligence the members of the Opposition approach so closely.

The PRESIDENT: Order!

Hon. R. BEDFORD: The Hon. Mr. Thynne raved of his honour in this House, and said that he had never done anything in the way of interfering with any legislation in which a client was concerned; but Mr. Feez was apparently so badly instructed—beautiful word "instructed"—your client instructs you generally to tell lies—Mr. Feez was so badly instructed that the Hon. Mr. Thynne, although he would not do anything in the House, took up a position outside the bar, and there instructed Mr. Feez in ways which can be shown to be ridiculous by a mere statement of the facts. Mr. Feez said—having given no information, but only special pleading—having no judge to pull him up—

Hon. P. J. LEAHY: Are you quoting from Mr. Feez now?

Hon. R. BEDFORD: I am not quoting from Mr. Feez. I am quoting from myself.

Hon. P. J. LEAHY: You said you were quoting from Mr. Feez.

Hon. R. BEDFORD: Mr. Feez spoke of the repudiation of a solemn compact. He said that it would injure our credit, that it would discourage enterprise, that it was a blot on our escutcheon. Where the devil the escutcheon is, no man knows.

Hon. P. J. LEAHY: Is this in order?

Hon. R. BEDFORD: An imposition of new conditions is not a repudiation of contract. Mr. Badger, being an American, cannot be expected to have an accurate knowledge of British legislation, but his want of knowledge of American legislation is

unpardonable. In the first place, he is, or should be, aware of the constitutional prohibition of interference with contract, and of the long series of American legislation in regulation of public franchises which have been held not to contravene this prohibition. The leading case of *Munn v. the State of Illinois* traces this legislation back to English precedents, recognising the power of the Legislature to regulate all franchises coupled with a public interest. It is not too much to say that, but for the recognition of these principles, America would be in the remorseless grip of railway and other corporations. In England legislation has been passed regulating railways theretofore constructed under statutory authority. The principles should be well known to Mr. Badger, and to his legal advisers, and their observations must be characterised as a deliberate attempt to throw dust in the eyes of the public. Here are the authorities on the subject, "*The German Alliance Insurance v. Hale*," which is to be found in 55 Law Ed., United States Supreme Court reports, for the year 1910. Mr. Justice Harlan delivered the opinion of the Supreme Court. He said, *inter alia*—

"In our opinion, the statute is not liable to objection on constitutional grounds. The State—as we may infer from the words of the statute alone—regarded the fixing of insurance rates by self-constituted tariff associations or combinations as an evil against which the public should be guarded by such legislation as the State was competent to enact. . . . We concur entirely in the view expressed by the State court, that the statute does not infringe the Federal Constitution, nor deprive the insurance company of any right granted or secured by that instrument. The business of fire insurance is, as everyone knows, of an extensive and peculiar character, and its management concerns a very large number of people, particularly those who own property and desire to protect themselves by insurance. We can well understand that fire insurance companies, acting together, may have owners of property practically at their mercy in the matter of rates, and may have it in their power to deprive the public generally of the advantages flowing from competition between rival organisations engaged in the business of fire insurance. In order to meet the evils of such combinations or associations, the State is competent to adopt appropriate regulations that will tend to substitute competition in the place of combination or monopoly. . . . The regulations are enacted under the power with which the States have never parted, of caring for the common good within the limits of constitutional authority."

And that is all we are doing.

HON. W. H. CAMPBELL: What are you quoting from?

HON. R. BEDFORD: I am sorry if I am keeping anybody awake.

HON. P. J. LEAHY: He wanted to know whom you were quoting from?

HON. R. BEDFORD: I have already said what I was quoting from.

HON. W. H. CAMPBELL: Is all that to come?

HON. R. BEDFORD: Yes, and all of this too, if you won't be good. Also we have the case of "*The Minnesota and [4.30 p.m.] St. Louis Railroad versus the State of Minnesota*" (46 Law Ed., U.S. Supreme Court Reports, page 1151), in which Mr. Chief Justice Waite delivered the opinion of the court—

"The question to be determined in this case is whether the General Assembly of Illinois can, under the limitations upon the legislative power of the States imposed by the Constitution of the United States, fix by law the maximum of charges for the storage of grain in warehouses at Chicago and other places in the State having 100,000 inhabitants, 'in which grain is stored in bulk, and which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of different lots or parcels cannot be accurately preserved.'

"It is claimed that such a law is repugnant:

"1. To that part of section 8, article 1, of the Constitution of the United States which confers upon Congress the power 'to regulate commerce with foreign nations and among the several States;'

"2. To that part of section 9 of the same article which provides that 'no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another;'

"3. To that part of Amendment XIV., which ordains that no State shall 'deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.'

"We will consider the last of these objections first.

"Every statute is presumed to be constitutional. The courts ought not to declare one to be unconstitutional, unless it is clearly so. If there is a doubt, the expressed will of the Legislature should be sustained.

"The Constitution contains no definition of the word 'deprive,' as used in the 14th Amendment. To determine its signification, therefore, it is necessary to ascertain the effect which usage had given it, when employed in the same or a like connection.

"While this provision of the amendment is new in the Constitution of the United States as a limitation upon the powers of the States, it is old as a principle of civilised government.

"It is found in *Magna Charta*, and, in substance if not in form, in nearly or quite all the Constitutions that have been from time to time adopted by the several States of the union."

Mr. Feez also, in regard to certain restrictions on traffic, made certain excuses for the overcrowding of cars, and to that must be read the decision of the High Court of Australia in the case of *Kelly v. Wigzell*—

"In a prosecution for an offence against a by-law which prohibits a conductor from permitting any person in excess of the maximum number prescribed to travel on a tramcar, the fact that there are more than the prescribed

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number actually travelling in a tramcar is sufficient evidence of such permission on the part of the conductor.

"An information ought not to be dismissed on the ground of a merely technical variance between the information and the evidence with regard to the name of the place in which an offence is proved to have been committed."

Hon. A. G. C. HAWTHORN: Is that a Victorian case?

Hon. R. BEDFORD: No, a Queensland case. If hon. members will permit me, I will hand this in instead of reading it. It will save time. What is the verdict?

The PRESIDENT: It is a question of what the article is. If it is a long one, it will take up a lot of space.

Hon. R. BEDFORD: I will satisfy myself by merely quoting from it.

The PRESIDENT: The hon. member may quote it.

Hon. R. BEDFORD—

"The Brisbane Tramways Company in 1906 ran tramcars in the streets of Brisbane and South Brisbane. One of their cars, running from South Brisbane towards Brisbane, drew up in Melbourne street on the south bank of the river, entered Victoria Place (a short approach continuing Melbourne street to the bridge), and was there boarded by police officers, who counted the passengers while going across the bridge, and found that several in excess of the regulation number fixed by the Traffic Regulations of 6th April, 1906 (framed under the provisions of the Brisbane Traffic Act, 1905), were travelling in the car."

Griffith, C.J. said—

"The defendant, a tramway conductor, was prosecuted for the breach of a regulation made under the Brisbane Traffic Act, 1905, which provides that—'No conductor shall permit any person in excess of the maximum prescribed in clause 2 to travel in or upon any tramcar.' The number prescribed for the tramcar in question was fifty. There was evidence that there were sixty-five persons travelling in the tramcar and the defendant was the conductor of it. It is said that that was not sufficient evidence that the defendant permitted them to travel in the car. I confess I had some difficulty in grasping the argument. When the law prescribes that the person in charge of a vehicle shall not permit more than a certain prescribed number to enter that vehicle, surely it imposes on him the duty to count them to see that not more than that number enter."

"Because he had the right to turn them off, and it was his duty to turn them off, and he failed to do so, he must take the consequences."

Therefore, Mr. Feez's objection to any part of this Bill or any clause of it prescribing certain penalties on conductors for overcrowding or for any other breach of the measure does not stand against that decision. As regards the tramways of New South Wales and other States, we have heard that they are all worse than this—naturally, because they belong to the Government. I say

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that, knowing that in New South Wales they have recently raised the rate by 50 per cent.; still I consider that the difference in length of the sections, although the service is no better than that here for frequency, more than makes up for any difference in the amount of rates. We now get back to the actual position of this company, which was the crux of all Mr. Feez's declaration against the Bill. Mr. Feez was asked by me—

"What was the original nominal capital of the company, and what was the original cash capital of the company actually paid up?"

"Mr. FEEZ: I am very sorry that I have not brought figures with me to enable me to answer a question like that. I could have brought them, of course, if I had known they would have been wanted. I could have got them very easily."

I then asked Mr. Feez—

"I really want to know how much watering there was of the original capital—what proportion of the earnings has to go to pay dividends on promoters' shares, which do not represent cash?"

Mr. Feez, saving himself again, says—

"So far as I am aware, none whatever."

And then I said—

"Nonsense."

And I mean that, and reiterate it. He added—

"Those are my instructions."

Does anyone believe for a moment in the case of a valuable franchise such as the right to run trams through the whole of this city for twenty-five years, and in view of the great future there is in front of all the capital cities on the Australian seaboard, that any man having that franchise would immediately go on equal terms with the investing public—would go and put up £1 for £1 with them? Nobody can believe it, and that is the reason why there are two companies, the Brisbane Tramways Company and the Brisbane Electric Tramways Investment Company. The position is just this—it began in 1895. Mr. Feez tells us, as the fact is, that the first dividend paid to preferential shareholders was in 1902, and the first dividend paid to holders of ordinary shares was in 1907. Those preferential shares were cumulative preference shares, and on them dividend, therefore, had to be paid, whether the company was in course of construction or earning money or not, but, at the same time, the ordinaries did not pay anything from 1895 to 1907—twelve years—and the only inference is that all their earnings were being put into construction—that is, the profits made from carrying the people on a few lines practically paid for the extensions made for the purpose of earning further profit. And this scheme of taking one company of 150,000 shares or so, leaving it only 107 shares and transferring all the rest to the Brisbane Electric Tramways Investment Company, is only a scheme to conceal profits from the beginning. This is not a new thing at all. There are certain companies which have done this. One of them I know of in Australia, which, in the first instance, put up about £2,500. By great carefulness, good trading, courage and ability, it bought that up out of capitalised profits to £5,000. By putting in another £2,000 and further capitalised

profits it made it altogether £10,000. On that it used to pay £17,000 or 170 per cent. That did not look too good. It would not look pretty, supposing the time came when taxation was trying to hit them up. So they immediately watered their stock from £10,000 to £150,000, and, although that company now pays in the neighbourhood of 12 per cent., it is still paying the same dividend on that original capital as when it used to pay 170 per cent. on its £10,000. But it is an honest trading company, not a public utility, and it can do as it pleases. Here is another concrete proposition—the Shell Transport Company—

“A year ago the directors of the Shell Transport and Trading Company gave their shareholders a thumping bonus by issuing to them 1,000,000 ordinary shares at par when the market quotation was nearly £6, the shareholders having the right to apply for one share in respect of every four shares held.

“Now they give a still more handsome bonus and resort to quite another policy. They promise to raise the ordinary share capital from £5,000,000 to £12,000,000, to take £3,000,000 out of the £4,000,000 reserve, capitalise it, and distribute it to the shareholders in scrip. This will leave £4,000,000 of capital unissued.”

Now seeing that we cannot find any such thing as the first prospectus of the Brisbane Tramways Company, seeing that we can find no prospectus of the Brisbane Electric Tramways Investment Company, anyone would naturally say that the only reason for all this secrecy is not the modesty that generally accompanies large aggregations of capital. It is a desire to hide, in view of what may come in the future, because the British investor, or any other investor where the people have worse conditions than in Australia, knows that Australia, although a place which has rich possibilities for investment, is also a place in which it is well to look far ahead, never knowing when the people will wake up and decide to put capitalism, and especially foreign capitalism, in its right place. Mr. Feez was not quite candid when he was asked as to the connection of the Brisbane Electric Tramways Investment Company. He replied, with an air of tremendous innocence—

“What is the London Company?”

Anybody will remember that shortly after the murder of King Duncan, MacDuff and others came to Macbeth's house. Lady Macbeth, apparently suddenly aroused from sleep, asks what has happened? And they said, “King Duncan is murdered,” and she says, “What! In our house?” And so Mr. Feez says, “What is the London Company?” Now, the Brisbane Electric Tramways Investment Company owns the 150,000 Brisbane Tramways Company shares, except 107, and this innocent gentleman asks, “What is it?” The Brisbane Tramways Company was formed in 1895, the Brisbane Electric Tramways Investment Company on 20th November, 1900. What for? To conceal profits. I, of my own knowledge, know that in London it was a common thing, when a new flotation came around, and promoters wanted to dodge the necessary publicity, and the publication of the contracts appertaining thereto, to buy the name of a company that was on its last legs, even if it only had a brass plate, and use it as one of the intermediaries to cover up the plunder. And,

seeing that you cannot find the prospectus of the Brisbane Tramways Company, or the prospectus of the Brisbane Electric Tramways Investment Company either, it may be that between the last plunder and the first plunder there were three or four companies whose names we have never heard—mere stalls—names that have never come to us. And because of our peculiarly rotten company law in Queensland, there is no reason why they should ever come to us. The British Companies Act of 1886 says that a British company operating in Queensland “may register.” It need not register unless it likes. It need not file its prospectus, or its balance-sheet with the registrar of the Supreme Court. But it must register if it holds freehold land. And, if this company holds freehold land and it has not registered, there should be quite a warm time ahead of it. I also understand that it sells electric light and power, and if that is not in its charter, it ought to be up against something there, too. Having gone through all those facts, it will be evident to hon. members that our Queensland Act is so rotten that there is only one Act rottener in the world, and that is in one of the United States. The Queensland Act permits bucket shops to exist, and it is possible here for a man to put up a company of 500,000 shares, and sell those shares at ten cents on the dollar. In trying to get at something like an even consideration of the figures in this matter, I have found it necessary—seeing that there are no means of getting the information from the company itself—to read through quite a lot of London “Times” for the last seventeen years. But, before leaving Mr. Feez on this particular matter, I want to point out that he has not apparently read Australian newspapers. There is a newspaper called the “Bulletin” which on several occasions has attempted to get at the inside of the Brisbane Tramways Company, but has not succeeded. Mr. Feez does not know what the “Bulletin” has said on this subject, and apparently he took so little interest in what was going on that he said he was “instructed” by somebody. The most preposterous statement he did make was that there was no such thing as water, promoter, or plunder shares in this thing. That is untrue, as I shall show. I asked him finally, “Otherwise, you are interested only professionally?” He said, “Yes.” If Mr. Feez's name were pronounced “Fees,” instead of “Feez,” we could understand it. The “Bulletin” is a paper which is respected by most people who do anything in connection with mining or finance in Australia, and it has been on the track of the South Brisbane Gas Company for four years, and has finally put it where it ought to be, although it does not call for an auditor, but for a policeman.

HON. P. J. LEAHY: You have no right to make a statement of that kind.

HON. R. BEDFORD: I do make it, and that is my business. I will make it outside if you like. I should be awfully annoyed if my speech suited the hon. gentleman. This is what the “Bulletin” says about the company that disguises the Tramways Company:—

“THE BRISBANE ELECTRIC TRAMWAYS INVESTMENT COMPANY'S DIVIDENDS.

“This company, registered in England, practically owns the company that owns the Brisbane tramways. The real owner

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is also the English registered Brisbane Tramways Company, in 150,000 shares; the investment company owns 149,893 of them. The effect of this arrangement is that no obstreperous person can go into the market, buy a share in the tramways, and then go to the meetings and find out all about everything. But the Tramways Company, though it nominally owns the system, doesn't put up the money for expansions. This investment company does anything necessary in that way, and during the past five years has spent on construction, etc., the following amounts:—

	£
1912 .. .. .	51,596
1913 .. .. .	56,576
1914 .. .. .	103,751
1915 .. .. .	70,068
1916 .. .. .	32,194.

"That means £313,985 in five years, and the only new capital which has been got in during the period is £150,000 in ordinary shares. A trifle has been got from the bank; the balance consists of undivided profit. In these five years, as the first table shows, the dividends received from the Tramways Company have paid the small amount which the management of this company costs, provided the dividends, and left £115,992 over."

Going back as far as I could, I dug up statements and reports of the Brisbane Electric Tramways Investment Company from its formation on 20th November, 1900, till December, 1901, and I found that the net balance at that date was £42,815. Debenture interest absorbed amounted to £15,916, the interim dividend from date of allotment paid on preferential shares amounted to £10,000. Of the sum of £16,899 remaining, a dividend of 2s. 6d. on preferential shares was paid, making up the full dividend of 5 per cent.; and there was carried forward the sum of £7,524. From those figures we see that the company own all the 75,000 preferential shares, most of the debentures, and the 74,893 ordinary shares. Then there followed silence till 1911, as far as the London "Times" is concerned, and the London "Times" prints all accounts sent to it about big companies like this. On the 8th April, 1911, they gave the accounts for the year 1910. According to these accounts, the profits, including £1,952 brought forward, amounted to £98,015. The sum of £27,784 went to reserve, and a balance dividend of 4s. per share free of tax was paid on ordinary shares, making 8 per cent. for the year; and £3,506 was carried forward. On 26th April, 1912, there was published a report showing that £3,526 was brought forward, and that the net balance available for 1911 was £110,800. Again 8 per cent. dividend free of tax was paid on ordinary shares, and 10s., or 10 per cent. per share, free of tax, was paid on fully paid-up ordinary shares, the equivalent of which was retained for capital purposes. The sum of £6,575 was carried forward. A further bonus of 10s. free of tax was paid on ordinary shares out of reserve fund, making a total bonus of £1 per share, or 28 per cent. for that year on the ordinaries, despite the fact that they were probably all water. On the 6th of May, 1913, there were published the figures for the year 1912. These include £6,575 brought forward,

making the available profit £82,006. The sum of £5,500 was added to the reserve fund, bringing it up to £10,000. The dividend for the year was 8 per cent. on ordinary shares, after paying interest and preferential dividends. After this appropriation the renewals and reserve funds amounted to £113,000. The report of the meeting held on the 22nd March was published in the "Times," but as it is rather lengthy, and covers some of the other figures which I have given, I shall not read it. The "Times" of the 8th April, 1914, shows that during 1913 the company had another splendid year. The amount available was £115,849, and there was carried to reserve fund £40,000, thus making it £50,000. A dividend of 8 per cent. was paid on ordinary shares and 5 per cent. on preferential shares; and the sum of £3,124 was carried forward. On the 13th May, 1915, the "Times" gives the figures for 1914, in which it is shown that the company received from the Brisbane Tramways Company a sum amounting to £143,904. There was available after additions and deductions a sum of £144,063, and an amount of £50,000 was carried to the reserve fund, which then stood at £100,000. A dividend of 8 per cent. free of tax was paid to the shareholders. "After the above appropriations the renewals and reserve funds of both companies amounted to £230,000." It will be observed that there was something concealed in connection with the Brisbane Tramways Company, as the statement was that the renewals and reserve funds were for "both companies." There is no report in the "Times" for the year 1915. The figures for the year 1916 are given in a report published on the 17th May, 1917. They show that the available balance was £161,792, as against £95,667 for 1915. A dividend of 8 per cent. was paid on ordinary shares, and a balance of £23,567 was carried forward. Here is an extract from the "Brisbane Stock and Share List" of the 25th July, 1913—

"Ord. buyer, £7; pref. seller, £5; Inc. cap., £225,000; paid-up, £825,000; issued—ord., 90,000; pref., 75,000; limit, £5; paid-up, £5; return on market price—ord., £5 14s. 3d. per cent.; pref., £5 per cent.; dividend, 8 per cent., 5 per cent."

The first balance-sheet of the company was issued six years after they started operations and the preference shares were cumulative as to dividends. We have a weird thing in the balance-sheet called "Insurance Fund," which may mean insurance of dividends to holders of preferential shares during that time they were using their profits to extend their lines, and that the people who held the 120,000 ordinary shares guaranteed the payment of dividends on the preferential shares. However that may be, I have given the facts as they are stated. Can anyone imagine anything more ridiculous than that sensible men should be asked to believe, as Mr. Feez has asked us, that the capital has increased to £1,646,898 since 1913? The figures I have quoted show that in 1912 the company paid dividends equivalent to 28 per cent., and it would be interesting to know the amount which had gone in preliminary and incidental expenses to the promoters, which are all plunder that accompany any attempt to float a thing as certain to make good as was this tramway

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business. My opinion is that we can take it that the debenture issue represents real money, and that they must have got real money for all or some of the preference shares; but how much of the amount represented by the 12,000 ordinary shares on which dividends have been paid can be regarded as cash investment? How much money do those shares represent? Would any sane man have paid £4 for £5 ordinary shares, knowing that he would get no return for twelve years? I am not surprised that the Hon. Mr. Campbell said that in 1906 those ordinary shares were sold for £1 10s.; but the man who sold them for £1 10s. was making £1 10s. because they never cost anything. In connection with Mr. Feez's idea of profits, I asked him if it were true that the profits

[5 p.m.] or distributions of this company since its inception had amounted to £1,500,000, and he said there was no truth in that statement. That is to say, he was so instructed. Now, these are the movements according to him, and they are right: To the preference shares, since and including 1902, 5 per cent. was paid. To the ordinaries, 1907, 2 per cent.; 1908, 6½ per cent.; 1909, 7 per cent.; 1910, 8½ per cent.; 1911, 8 per cent.; 1912, 8 per cent.; 1913, 8 per cent.; 1914, 8 per cent.; 1915, 8 per cent.; 1916, 8 per cent.; 1917, 8 per cent.; 1918, 8 per cent. That is to say, £4 in twenty-three years, and Mr. Feez asked: "Surely that is not too much to ask anybody to be paid on an investment of £4!" I say the £4 was not there; the £4 was "bunce." They also had the bonus of £1 a share in 1912. So far as we can get from the "Times," there is a gap of nine years left without figures—for which I cannot dig up the figures. The net balance to the Investment Company, Limited, on accounts to the December ending 1902 was £42,815. Then the earnings and profits must have increased tremendously, because five years after the ordinaries began to get 2 per cent. Six years after they got 6½ per cent.; seven years after they got 7 per cent.; and eight years after they got 8 per cent. In 1911 the net balance declared as available for distribution was £98,015; in 1912, £110,800; 1913, £82,006; 1914, £115,849; 1915, £144,063; 1916, £95,667; 1917, £101,792; 1918, £113,809. Those are the profits from 1910 to 1917, which total £862,001. When Mr. Feez was asked whether during that time the total disbursements in dividends had not come to £1,500,000, he contradicted it. Why, the figures are absolutely against him. Leaving out the facts, everyone must see that that figure of £1,643,000 has been inflated by earnings put into capital. From another source—the "London Trustees' Quarterly Review"—I dug this up—

"The receipts of the company were: 1901—no figures before then—£110,513; 1902, £124,654; 1903, £125,363; 1904, £126,636; 1905, £128,366; 1906, £141,010; 1907, £158,199; 1908, £177,570; 1909, £198,314; 1910, £221,563; 1911, £252,096; 1912, £254,323; 1913, £316,225; 1914, £348,406; 1915, £372,303; 1916, £389,080; 1917, 395,032."

So this company had done so wretchedly that, in the absence of proof to the contrary, it must be assumed that the capital that they were alleged to have had, £450,000, was added to by another £150,000, which the "Bulletin" says was put in since—during the five years 1912-1916—which was probably

more capitalised reserves. Anyone must see that this company has been on a most excellent wicket—a wicket as rich as they have pretended it was poor, seeing that in 1901 the receipts were £110,000, and in 1917 they had increased to £395,032. The people who made those are the people who travelled. That result is owing to the fact that Brisbane has grown, and also to the fact that probably the money paid by people for travelling in the earlier stages of the business has been used for extending the company's lines and then written down to capital that never existed. The "Bulletin," in 1912, was able to get hold of certain figures which I have quoted, and amongst other things they said this—

"Malcolm McEacharn got the concession extended for twenty-five years on condition that electric lines were laid. That gives the company eight years from now."

"At the end of that time the authorities can come in and buy without paying anything for goodwill. That is to say, they must pay a fair price for the property necessary for use in the business, but nothing for rights and such like. That allows of Brisbane making a great deal better bargain than has been possible lately at Perth and Hobart. Unfortunately, it hangs things up seriously, for, naturally, unless the company is offered special inducements, it isn't going to spend a heap of money on extensions during the last few years of its life. For one thing, it would be losing interest on the capital cost while the lines were actually under construction; for another, it wouldn't be able to recoup itself for the small return which most lines give in their young days, and while population is moving out to the newly-opened-up quarters. The congestion disease isn't very bad in Brisbane; but for what there is of it the twenty-five-year agreement with the Tramways Company is mainly responsible.

"The past year's profits were cut into badly by the strike which happened early in the year, and by the subsequent arbitration proceedings, in the course of which manager Badger heard things which probably didn't improve his sleep for a night or two. You get a better view of what the strike meant by looking at the expenses of the company which nominally owns the trams—

Dec.	Receipts.	Expenses.	Profits.	Dividends.	Reserves.
	£	£	£	£	£
1906...	141,677	82,525	59,152	50,000	25,674
1907...	159,111	88,489	70,622	57,000	39,296
1908...	178,510	94,964	83,546	65,000	57,842
1909...	199,263	105,682	94,181	75,000	77,023
1910...	222,580	115,635	106,885	106,000	77,908
1911...	253,970	129,284	124,686	110,000	92,594
1912...	254,838	162,305	92,533	80,000	105,127

"That profit of £92,533 made on the actual running of the trams was cut up as follows:—Dividends, £80,000; renewal fund, £10,000; to unappropriated balance, £2,533. Of the dividends, £79,947 went to the B.E.T. Investment Company. That £79,947 and £74 of sundry receipts constituted the B.E.T.I.

*Hon. R. Bedford.]*

Company's revenue. The total was £80,021, which in its turn was cut up this way—

	£	£
Gross revenue ...	80,021	
Less insurance and direction ...	4,590	
Net revenue ...		75,431
Less interest on debentures ...		19,069
Net profit ...		£56,362

"The B.E.T. Investment Company, it will be seen, has reserves now of only £13,781."

That was in 1912. What had become of the other reserves which were renewal reserves? Taken into capital. It goes on—

"The issue of £75,000 of bonus capital having made a big cut into the old total; but it will also be noted that it owns more than 99 per cent. of the Tramways Company's reserves, which run to £105,127."

We have here nothing of those reserves. The reserves of another company which issues no balance-sheet, which nobody can get at, which operates the trams and which apparently has no assets at all, those assets belonging, with the exception of 107 shares, to the Electric Tramways Investment Company, Limited.

"Certainly, of the £105,127 no less than £100,000 is to the credit of a renewals fund; but it seems very doubtful whether much of the money will be called for to pay for renewals. On the other hand, it may possibly be wanted to provide for depreciation; that is to say, when the authorities take over the system, the fair value payable for plant, properties, etc., may be considerably less than the book value, and this reserve may come in handy then to equalise matters. On this point, however, there is no information. That is the advantage of having two companies. The investment company's profits and loss account merely shows dividends on one side and management expenses on the other. The tramways company, being a 'private' concern, doesn't publish any accounts, and the public doesn't know whether anything, and if anything how much, is written off to cover depreciation. In order not to put too attractive a look on things, considerable profit may be going into new plant, etc., being reckoned in with ordinary expenditure. If money is going that way it won't be wasted of course—it will come back in the shape of extra purchase money when the sale is made eight years hence. Meantime the possible mopping-up of a trifle of the profit that way may be doing a little to pacify that part of Brisbane which chafes at having to wait eight years, and would no doubt chafe more if the profits were shown to be larger. Certainly something may be done before the eight years are up—the possibilities of this were referred to at the meeting in London—but there will have to be special legislation to deal with the matter. And, of course, a contract having been made, the tramway people will have to be a party to any variations of the present terms."

Hon. P. J. LEAHY: Who wrote that?

[Hon. R. Bedford.

HON. R. BEDFORD: I did not.

Hon. P. J. LEAHY: I thought it would be too good for you.

HON. R. BEDFORD: You would; but how you could think surprises me.

The PRESIDENT: Order! Order!

HON. R. BEDFORD: All this airy persiflage being finished, let us go on. The modesty of public accountants does not apply to the bogus Brisbane Tramways Company when Mr. Badger desires to get one in on the Government. A circular letter, sent to hon. members in 1917, is as follows:—

"Certain provisions in the above Bills recently introduced in the Legislative Assembly are so inimical to the interests of the shareholders of this company, and seem to us so unfair and distinctly un-British, that I have the honour to invite your attention to them with a view, for reasons to be given, to the elimination of the objectionable features.

"The Brisbane Tramways Company some years back undertook the development of electric tramways in Brisbane under the several statutes then existing relating to tramways, and the company regards the terms then imposed by those statutes as embodying its charter for their undertaking. Upon the faith of these laws, a large capital was expended by the company in furnishing Brisbane with a first-class and strictly up-to-date tram service. The imposition of new conditions now would be a breach of faith which might be regarded as a measure of that repudiation of contracts which is so obnoxious to all British Legislatures.

"The company has hitherto conducted its business in a way which has proved it to be a great public boon; it has invested a large amount of its shareholders' money, relying upon the rights conceded to it as part of its bargain with the State, and the disposition to encroach upon and interfere with such enterprises which is now and then exhibited is much to be deplored; such attempts are not consistent with the honourable observance of public and statutory contracts; they are a menace to all those who desire to take up lines of business which tend to develop this country by the establishment of new undertakings; it is harassing in the extreme to be obliged to withdraw attention from the important details of business management in order to resist proposals for legislative encroachment; and enterprise, which is this country's sorest need, is sadly discouraged."

That is to say, we are encroaching on him. The people of this State are encroaching on him, although certain high legal authorities in America have said that where it is a case of public weal the variation of a statutory contract is perfectly right and legal and just. The letter goes on—

"The Brisbane Tramways Company began operations in 1895. For the first five years and more it was spend, spend, spend all the time—"

We ask how much?—

"and right glad everybody in Brisbane was when someone appeared on the scene with money to spend in those depressed times. Many were the prophecies made

that the company would invest its money for nothing and never get a return. For years the franchise of the old company had been tossed hither and thither, in the vain hope that somebody would take it up and put some life into it, but neither the Government nor the municipalities nor the most astute citizens of Brisbane had enough faith in their own future to put any money into it, and it was left to outsiders to finance and rehabilitate the old decrepit horse-car system and build needed extensions. For a long time no Brisbane people would even think of investing in the company's shares. The first dividend on the preference shares was paid in November, 1902. No dividend on the ordinary shares was paid until May, 1907, then for several years only at the rate of from 2 per cent. to 5 per cent. The first 8 per cent. dividend on ordinary shares only was paid in May, 1910. Surely, the shareholders should have some compensation for the lean years and for the risks they took!

"The company in the popular mind is likened to some great monster ready to devour the people of Brisbane. The facts are, it is largely made up of the most weak and inoffensive people—widows, orphans, and people of small means—"

Then all the promoters must have got out at the top of the market—

"our neighbors, people whom we meet and associate with every day, but who have been guilty of the great crime in Labour's eyes of saving a little money and investing it in a public enterprise."

Parliament, in the first place, should never have given away a franchise which enables someone with 120,000 shares, equal to £600,000 of watered stock, to force the people of this country to keep on paying largess to him. The report of the Brisbane Electric Tramways Investment Company, Limited, published in London on the 23rd May, 1918, did not show any gloom at all. It was rather a gay report. It says—

"The Chairman: Gentlemen, in moving the adoption of the report and accounts, which, with your concurrence, I propose to take as read, there are a few points to which I may call your attention. The total receipts of the tramways amounted to £395,033, as compared with £389,030 for the previous year, or an increase of £5,953, and the total expenses, including provision for British and colonial taxation and excess profits duty, amounted to £299,203, as compared with £279,192, or an increase of £20,011. The profit of the Tramways Company, therefore, amounted to £95,830, as compared with £109,888 for the previous year, which, adding the carry forward from 1916, left an available balance of £119,643, of which £15,000 was credited to the Renewals Fund—"

A fund which Mr. Feez did not mention. It goes on—

"bringing it up to £165,000; £95,000 was distributed in dividends."

Later on it says—

"Following upon the general increase in wages, which took effect on the 29th June, 1916. . . ."

And in the report of the 1916 meeting, which I need not quote, the statement was made by the chairman—Mr. Beeton—that, although the award for the tramway men is of an increased nature, he hopes that, on receipt of certain representations to be made to the authorities in Australia, they will decide on wiping out the increase of wages altogether. A very cool, calm gentleman was this Mr. Beeton. The report goes on—

"I think we are to be congratulated in being able to maintain our dividend and provide the reserves we have done, especially when it is noted that all the tramways in Australia, except ours, have had materially to advance their fares in the year under review. It now only remains for me to refer to the Bills introduced by the Government in the last session of the Queensland Parliament, which, as explained in our circular of the 7th January last, would, if passed, have injuriously and unfairly affected your interests, and reacted prejudicially on the credit of the State and the Commonwealth. These Bills lapsed with the dissolution of Parliament, and it is to be hoped, for the sake of Australian credit, that they will not be reintroduced."

Here endeth the first lesson. When hon. members attempt to bring in this story of repudiation by us, we naturally have to retort to the effect that we are weary, as men supporting the Government, that whenever there is a measure before this Council involving the saddle of taxation being put on the right horse occasionally—we are very tired of counsellors who do not come to the bar of the House forcing themselves on us by correspondence. For instance, in the case of the Land Act Amendment Bill, a similar kind of agitation was put up to that which is being put up by the Brisbane Tramways Company, Limited. This is from the United Pastoralists and Grazing Farmers' Association of Queensland and the Queensland Grazing Farmers and Settlers' Association—

"The principle of repudiation is the big principle involved in this matter, and in considering it the minority report of Mr. Arthur O'Connor on 'The Royal Commissioners' Report on Local Taxation in England and Wales' in 1901 (volume 24, English Parliamentary Papers, page 183) is instructive. This Royal Commission was appointed to deal with the question of urban rating on site values.

"His report is of special interest for two reasons; firstly, Mr. O'Connor was the sole member of the Royal Commission who was avowedly in sympathy with the late Mr. Henry George's theories."

That does not amount to anything, because there is no analogy. The conditions are not on all-fours with those existing in Queensland; and this State has got into the habit, or will get into the habit, of putting legislation through peculiarly suited to Queensland conditions without any regard to precedents or to people on the other side of the world. It is said that we are disloyal repudiators because we propose to abolish 50-chain sections. It is said that we are pushed from outside. Does any hon. member believe that we are pushed from outside?

HONOURABLE MEMBERS: Yes.

Hon. P. J. LEAHY: We all believe it.

Hon. R. Bedford.]

HON. R. BEDFORD: Well, I will give you a case. I do not suppose, although there is a good deal of inquisitiveness about what happens in the Labour caucus, that any hon. member thinks that anyone but a Labour member of Parliament ever enters that caucus.

HON. P. J. LEAHY: Don't you go there?

HON. R. BEDFORD: I am a Labour member of Parliament.

HON. P. J. LEAHY: I was not sure of that.

THE PRESIDENT: Order!

HON. R. BEDFORD: You don't know anything; but we know that the other day Mr. Walsh, of Fitzgerald and Walsh, held a caucus up here with certain members on the other side ten minutes before they came into this Chamber.

HON. P. J. LEAHY: I did not know anything about it.

HON. R. BEDFORD: Weren't you one of them?

HON. P. J. LEAHY: I was not.

HON. R. BEDFORD: Wasn't the Hon. Mr. Thynne one?

AN HONOURABLE MEMBER: There was no such caucus.

HON. R. BEDFORD: Wasn't the Hon. Mr. Fowles one of them?

HON. E. W. H. FOWLES: Certainly not.

HON. B. FAHEY: I was not one of them, either.

HON. A. G. C. HAWTHORN: Neither was I. There was no such caucus.

HON. R. BEDFORD: Well, then, Mr. Walsh met some nameless gentlemen down below, and then took his seat up here to see how well you were working under the whip. We admit no outside people to our caucus. Our caucus sits as a Parliament within a Parliament, and justifies itself by the fact that it saves time. Anybody can get into your caucus, apparently.

HON. P. J. LEAHY: We haven't got a caucus.

HON. R. BEDFORD: Probably you meet on the street corners, but you have a caucus somewhere, and apparently these outsiders—these people who send along this precious waste of paper to us—have more pull with you against the Government than even the members of the Government have with you, although you well know that the Government are not out for their members' private benefit. Anyone would think, to hear those people talking of repudiation and robbery that the members of the Government were making money—that Mr. Theodore went round to the Treasury at night with a van and took away the gold that is not there.

HON. A. G. C. HAWTHORN: No such statement was ever made.

HON. R. BEDFORD: We do take from some to do justice to all; but it is not for us. We take, but we surrender. We have been told that we are repudiators; but we do not mind that, seeing the sources from which it comes. A silly gentleman from England—of course, a more or less woolly-brained sort of people come from there now—keeps on bombarding the newspapers with statements to the effect that the Government are killing all enterprise. I will show how they are killing all enterprise. I asked the Insurance Commissioner, through the Secretary for

Mines, two questions. My first question was—

“Wanted, amount the Fire Department would have charged assured extra if it had started business on the old premiums charged by private companies.”

The reply to this is—

“Up to 30th June, 1918, the fire premiums collected by the State Government Insurance Office amounted to £58,000 at the reduced rates. If the office had charged the rates in force on 1st January, 1917, instead of the reduced rates provided by the Act, the premiums payable would have exceeded £67,000.

“I respectfully submit, however, that the subject-matter of the question would be more effectively dealt with on the following lines:—

“The total fire premiums of Queensland for the year ended 31st December, 1917, as shown by returns furnished under section 20 of the Insurance Act of 1916 amounted to £529,624.

“At the rates charged by the companies prior to the establishment of the State Government Insurance Office, the premiums payable for the same amount of insurance would have been £586,000.

“The establishment of the State Government Insurance Office therefore saved the public of Queensland £56,000 in fire insurance premiums alone in the year ended 31st December, 1917.”

HON. P. J. LEAHY: What bearing has this on the Bill?

HON. R. BEDFORD: A great deal. You have charged us with repudiation and with killing all enterprise, and I am showing you what we have done. My second question was—

“Wanted amount saved employers and amount extra paid workmen under State monopoly of compensation compared with old company system.”

The reply of the Commissioner was—

“The reply to this is largely guess-work, and the following figures should be treated as an approximation only:—

Premiums 1916-17 ... ..	£168,551
Premiums 1917-18 ... ..	£244,257”

THE PRESIDENT: Order! The question of State insurance has nothing whatever to do with the question before the Council.

HONOURABLE MEMBERS: Hear, hear!

HON. R. BEDFORD: I submit that the Government having been charged with killing all enterprise and with repudiation, I am entitled to show an analogous case in which there is proof that our action in regard to running a public utility by the State has resulted in anything but killing enterprise.

HON. P. J. LEAHY: You have not shown it.

HON. R. BEDFORD: I am trying to show it.

HON. P. J. LEAHY: And not succeeding.

HON. R. BEDFORD: The total premiums for the two years amount to £432,803. Then, the Commissioner continues—

“Claims paid—1916-17 ...	£90,892
1917-18 ...	132,550”

THE PRESIDENT: Order! I must ask the hon. member to discontinue the line upon which he is proceeding.

HON. R. BEDFORD: All right.

[Hon. R. Bedford.]

The PRESIDENT: The hon. gentleman can make an allusion to any of those enterprises, but to deal at length with any of them, as he is doing, is distinctly out of order.

HON. R. BEDFORD: All right, the hon. gentleman will go on to something else. Practically the position is that we are repudiators, thieves—

Hon. P. J. LEAHY: We did not say that.

HON. R. BEDFORD: Go on and say so. Have some courage—robbers, scoundrels, disloyalists—

Hon. A. G. C. HAWTHORN: You say so yourselves.

HON. R. BEDFORD: We are disloyal to the people who issue crook balance-sheets, or none at all—tremendously disloyal to any person who is attempting to exploit the public under the guise of a statement of accounts which is no statement of accounts at all. We admit all that. But I would like to point this out to hon. gentlemen. Surely everybody admits that the old order is gone "for keeps." Everybody sees that the old scheme before the war is gone—the scheme which showed a few people tremendously rich, and a great number of people tremendously poor—that condition of affairs has been made patent to all the world, where every man who thought knew it before. All must see that 20,000,000 men have been withdrawn for fighting, and 10,000,000 or 15,000,000 men withdrawn to make munitions of destruction; and yet the world is eating better, and is more comfortable than it was before.

Hon. P. J. LEAHY: Living on capital.

HON. R. BEDFORD: Living on capital!

Hon. P. J. LEAHY: Undoubtedly.

HON. R. BEDFORD: You cannot eat capital. It only proves there was over-production, or that one man had as much as 1,000 men, and the other 999 did not have their share.

Hon. P. J. LEAHY: You are living on your surplus fat.

Hon. E. W. H. FOWLES: That never was the case in Queensland.

HON. R. BEDFORD: There are still some people in the old world civilisations who wish to get back to the old order—to get away from what they regard as being more dangerous to privilege than Germany is—and that is, State enterprise. For instance, the British Empire Producers' Association and others have formed an Imperial Chamber of Commerce, with which the late Mr. E. T. Doxat, chairman and managing director of Dalgety and Company, was connected. The new Imperial Chamber of Commerce puts out this tremendous objective—

"We are an association of business men of British birth, who are determined, so far as we are able, to purge our commerce of foreign influence, and take every necessary measure to develop British trade and retain for our own people the control of raw material, and it is our purpose to combat the continuance of unnecessary State control, and free the business community as much as possible from the harassing restrictions with which trade and traders are being strangled at the present time."

They want to go back to the rotten old scheme of supply and demand—of anyone

being able to get a franchise like this to pump a lot of hot air and water into a company and then ask people to pay fares in order that they shall draw fat dividends for that which had no existence as real money. Lord Farringdon said—

"If the nation was to remain solvent, many contemplated post-war schemes must be set aside."

That is to say, being solvent means to remain in the condition by which they may keep a few people as loafers, and a lot of people in the worst state of misery—

"Any attempt to penalise wealth and interfere with the sanctity of capital would be disastrous."

The sanctity of capital! These people have come here and asked for justice. They do not want justice; they need mercy. They need mercy for that balance-sheet; and they do not come into court with clean hands. They come into court with suppression, concealment—

Hon. P. J. LEAHY: You have not proved any of those statements.

HON. R. BEDFORD: I could never prove anything to you.

Hon. P. J. LEAHY: That is not my fault.

HON. R. BEDFORD: And I do not want to prove anything to you. What is there in this but the secrecy of legalised theft? We would not mind if they were straight-out, honest pirates, who simply put every figure down, and said, "That is what we have got, and we defy you to take it from us." But they attempt to get our sympathy by concealment and suppression. If they produce all the books and documents of the company from the beginning, and ask us for justice on what the books disclose, I should be the first man to give it to them.

HON. P. J. LEAHY: I beg to move the adjournment of the debate.

The SECRETARY FOR MINES: I am rather surprised at the adjournment of the debate being moved so hurriedly by the hon. member. The debate was adjourned from last Thursday.

Hon. E. W. H. FOWLES: It is usual to adjourn the debate after the Minister's second reading speech.

The SECRETARY FOR MINES: In the Assembly it is usual to go right on after the Minister's second reading speech.

Hon. P. J. LEAHY: Look at all the things that will have to be replied to in this afternoon's debate!

The SECRETARY FOR MINES: We have had this Bill before us for some time. We were practically dealing with the Bill the whole of last Thursday afternoon.

Hon. E. W. H. FOWLES: We adjourned the debate then to give you an opportunity of considering matters.

Hon. T. J. O'SHEA: At your request.

Hon. P. J. LEAHY: We want to have time to prepare a reply to you. There is no time needed to reply to the Hon. Mr. Bedford; but we want to reply to you.

The SECRETARY FOR MINES: Hon. members have had the Bill before them for some days; there is no reason why the debate should be adjourned.

Hon. T. J. O'SHEA: What is the break-neck hurry over it?

*Hon. A. J. Jones.]*

The SECRETARY FOR MINES: I do not say there is any breakneck hurry over it.

Hon. P. J. LEAHY: We can go on with the debate to-morrow.

The SECRETARY FOR MINES: I hope to go on with it now.

Hon. P. J. LEAHY: I would like to read your speech in "Hansard" before I reply to it.

The SECRETARY FOR MINES: The hon. member will probably not bother reading my speech at all.

Hon. P. J. LEAHY: I generally read your speeches.

The SECRETARY FOR MINES: Surely some hon. member opposite is prepared to go on with the debate.

Hon. B. FAHEY: It is the custom in the Council to adjourn the debate after the Minister's speech on a very important Bill.

The SECRETARY FOR MINES: We have done an unusual thing in hearing counsel at the bar on one of the simplest Bills that has ever been before this Chamber. I protest against the adjournment of the debate at this stage.

Hon. P. J. LEAHY: We gave you time to reply to Mr. Feez. Now we are asking time to reply to you.

The SECRETARY FOR MINES: How can I regulate the business-sheet if hon. members are going to move the adjournment of the debate in this way? I had no knowledge that the adjournment of the debate was to be moved.

Hon. B. FAHEY: This really involves the most important principle that ever came before the Council.

The SECRETARY FOR MINES: The Bill was practically introduced last Thursday afternoon.

[5.30 p.m.]

Hon. P. J. LEAHY: Are no more of your men prepared to go on with the debate now?

The SECRETARY FOR MINES: Nobody is prepared to go on on this side.

Hon. P. J. LEAHY: We are not prepared, either.

The SECRETARY FOR MINES: Hon. members should be prepared. They knew that the first business to-day was this Bill.

Hon. T. J. O'SHEA: They had your material; we had not.

Hon. B. FAHEY: Your speech was only delivered this afternoon.

The SECRETARY FOR MINES: I suppose hon. members will get their way; but I certainly protest against the business being taken right out of my hands in this way.

Hon. E. W. H. FOWLES: It is the usual thing.

Hon. P. J. LEAHY: Very reasonable.

Question put and passed.

The resumption of the debate was made an Order of the Day for to-morrow.

[Hon. A. J. Jones.]

## TECHNICAL INSTRUCTION ACT AMENDMENT BILL.

### SECOND READING—RESUMPTION OF DEBATE.

HON. E. W. H. FOWLES: This, briefly, is a Bill to nationalise all the technical colleges. Three of them are at present under the sole control of the Government, and there are eleven others in Queensland, and the proposition is to bring those eleven under the sole control of the Government also. I understand that the eleven technical colleges are those at Townsville, Rockhampton, Charters Towers, Bowen, Mount Morgan, Ipswich, Toowoomba, Cairns, Bundaberg, Maryborough, and Gympie, and they are administered by committees, and, so far as I have been able to find out, the committee management has been for the most part very satisfactory. In fact, there are eleven bodies of citizens in those towns who give a good deal of their time and thought to the successful management of those colleges. So well are they managed at the present time that the colleges at Townsville, Rockhampton, Ipswich, Bundaberg, Cairns, and Maryborough all show a profit upon the working year. They pay very large salaries in some cases, and we should like to know whether any request has been made by any one of those committees that the college be taken over by the Government. We would like, for instance, to know whether Ipswich, conspicuous amongst the successful technical colleges, with a man at the head who is exceptionally well qualified for that position, would like to be taken over by the Government. As a matter of fact, it does not seem that any request has been made by any of those committees. They may be quite willing that the colleges should be taken over by the Government, as were the committee of the General Hospital. The Government control of all the technical colleges may result in better classification of the subjects taught, in an increased staff, and—not in better payment, but the more equitable payment for the staff. But there is no proof of that, and there is no proof of any request from one of those eleven committees that the colleges should be taken over. I have taken the trouble to make some inquiries, and at the present time those committees are certainly not political committees. What they may be, subsequently perhaps is a little difficult to forecast, but at the present time they are bands of educational enthusiasts who give their time and attention to the successful running of the local technical college, and take much pride in their own work.

If once the principle that the State should administer all the technical colleges, and that all the lands, buildings, equipment, etc., should be vested in the State is admitted as a good one, there does not seem to be much room to quarrel with any of the provisions of the Bill. As a matter of fact, it is very short, and says that, subject to such terms as the Governor in Council may lay down, the Secretary for Public Instruction may at any time take over any one of those colleges. I take it that that means that the Governor in Council, acting with the advice of the Education Department, would respect the wishes of the majority of the committee in any locality, and, if he saw that there was really strong objection to the Government's taking over that particular college, the Secretary for Public Instruction would be wise enough to wait for a

more convenient season. The Minister would not be foolish enough to force things on any local committee; I give him credit for some discretion in that direction. But if the Governor in Council does take over the affairs of the college, the complete control of the administration and of all the property is in the hands of what is called the corporation. That corporation is simply the Secretary for Public Instruction. The Secretary for Public Instruction, in another place, made a most exhaustive and interesting speech upon the development of technical education in Queensland, but he forgot to point out that the present technical education in Queensland was there when he came into office, and that it was the result of steady development through a department that up till the present time has been peculiarly free from political control. I do not know of any department that is more free from political interference than the Education Department, and that is due to the fact that it has had officers who have thought more of their profession than of their pockets. However, in the address that was given by the Secretary for Public Instruction it was strongly stressed that there was a need for efficiency in youths, say, between 14 and 20, and that what we needed was technical training, not in the ordinary sense of the teaching of bookkeeping or typewriting or anything like that, but training in those trades for which the Commonwealth as a whole should be getting ready more than ever. Without giving any reasons for that argument, I quite agree with the Minister in that respect; but what is the use of putting forward an argument like that when the number of apprentices in any trade is ridiculously limited by the present Government? Surely at the present time every gate should be thrown open so that the youths of our State should not be forced into city offices, but should have the fullest and freest chance of making themselves proficient in the various trades? Just to give some strength to this portion of the argument, I might mention that the imports into the Commonwealth for 1916-17, for eleven months, were £70,616,932. The imports for the eleven months following were £35,520,397—a drop of £35,169,000.

HON. R. SUMNER: We want to make that up.

HON. E. W. H. FOWLES: Exactly; and, if we look at the returns, we find that those reductions took place largely in machinery, glassware, leather goods, boots and shoes, apparel, earthenware, furniture, galvanised iron, tinslates, drugs, chemicals, and even small things like pickles and sauces—they are pretty large items in that list. And every one of those items could be produced in the Commonwealth. (Hear, hear!) There is no reason at all, if the Government are sincere—and we believe they are with regard to technical college development—why they should not at once break down the barrier with regard to the number of apprentices, and give the fullest opportunity for young fellows in their teens to make themselves proficient in any line of manufacture.

HON. R. SUMNER: You opposed the State Iron and Steel Works Bill last year.

HON. E. W. H. FOWLES: Oh, no! We gave the Government £150,000 to play with, and they were not satisfied.

HON. T. J. O'SHEA: Their own commission say now it is enough.

HON. E. W. H. FOWLES: Yes; and they asked for £5,000 at the start. It was the worst day's work they ever did when they did not accept that. The iron and steel works might have been moving now if the Government had been wise enough to accept the offer of the Council. If once the principle is acknowledged of the States taking over the technical college—and possibly that is an avenue in which State enterprise may well be extended—it should go to the railways, to the Post Office, and certainly to education—and if it can be done without affronting the committees of those eleven colleges, I shall vote for the Bill; but I would ask the Government, when they are dismissing men from the position of trustees of our grammar schools, after they have been eleven or fifteen, or in one case, twenty-one years in those positions, that they should do them the decency, at all events, of sending letters of thanks. Two of the trustees for the Brisbane Boys' Grammar School were simply dismissed without a thought, and two other political appointments were made. Why can the Government not do the decent thing, and spend a penny postage stamp in writing to those men, and saying, "Owing to so-and-so, we have appointed so-and-so, and we thank you for your public services in the past"? Instead of that, they drop a man from his trusteeship, and he knows nothing about it until the notices go out for the next meeting. Surely the Government are not going to do that with regard to these committees! If they want to take the colleges over, let them approach them, so that the whole thing may be done harmoniously.

HON. A. G. C. HAWTHORN: I see no reason for objecting to the proposal of the Government. I think that the effect of taking over the colleges in the Brisbane area has certainly been good. It has enabled a larger scope to be given to those who wish to learn trades, and I think it has certainly encouraged their attendance. I think, with the Hon. Mr. Fowles, that it is a pity that the system of apprenticeship is practically going out of vogue.

HON. R. SUMNER: Why?

HON. A. G. C. HAWTHORN: Simply because it is restricted under present awards.

HON. R. SUMNER: It went out before then.

HON. A. G. C. HAWTHORN: In each trade you are only entitled to have one apprentice or improver to so many journeymen, with the result that those who are skilled workers are gradually dying out and being worked out of the trade, and there are not sufficient coming along to enable their places to be taken. That is a pity, and the thing we have to do is to provide education at the technical colleges to enable those places to be filled. I think that is largely being done, and it will have to be done more largely in the future, unless industrial awards are enlarged so as to enable more apprentices to be taken. The Hon. Mr. Sumner will agree with me that there are not sufficient apprentices coming on in the different trades. That is a matter for regret. In the past, we have had all our skilled workmen trained by the employers, and good workmen they were. Probably it would be a good idea to have all the technical colleges under the control of the Government. The committees who have

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managed those institutions hitherto have done very good work, and are largely responsible for bringing our technical colleges to their present state of efficiency. But I think it will be better to have a uniform system of technical education; and I recognise that in the Under Secretary for the Department of Public Instruction we have an officer who thoroughly understands his work, and I believe that the effect of this Bill will be that our technical colleges will be better than they are at the present time.

HON. A. J. THYNNE: Not long ago I would have strongly opposed a Bill of this kind, because of my experience in connection with technical colleges and the Department of Public Instruction. Time was when the department were offended because the people in the technical colleges considered that the boys coming up for the study of electrical engineering and chemistry were not sufficiently educated in the matter of arithmetic to enable them to study those difficult subjects. I remember having a warm time some years ago with the Hon. Mr. Barlow, when he was Secretary for Public Instruction, in connection with this matter, and there is no doubt that the then Under Secretary took the recommendations of the technical college committees as an insult to the system of education as carried out by the State. An advisory committee, with which I happened to be connected—and there was some little trouble there—were dismissed, and our secretary, who was acting as director of technical colleges, was taken on by the department, and a scheme of classes which the committee recommended, but which was rejected by the department in the first instance, was adopted within a month after we were dismissed. That is an instance in which outside criticism and competition in the work of the department really led to a very useful result, because it has led to a general improvement in the system of our teaching in State schools. I dare say that even now there is too much of what I may call "parrot learning," but I think there is a very great improvement in the system of teaching—and there is still room for improvement. Conditions have changed in Queensland since those days. Now the work of education from the primary school right up to the University is being co-ordinated, and those different institutions are mutually helping each other. Under existing conditions, and after my experience of the working of technical colleges and the way they are being helped by the University, I have no objection to the State taking them over and working them as part of the State educational system. I do trust, however, that the people who have borne the burden and heat of the day for so many years in connection with the starting and management of technical colleges will have their services appreciated, and that they will not be displaced unless there is good reason in individual instances for effecting a change. It is a poor reward to men or women who have spent years in promoting and improving technical education to be told, "We don't want you any longer. Clear out." Those people have voluntarily taken seats on the committees of management simply because they felt it was a public duty to do so, and wished to help the cause of education, and I trust those ladies and gentlemen will receive that due consideration which I am afraid some of the Grammar School trustees have not received.

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HON. T. J. O'SHEA: This Bill recalls to my memory the fact that the powers that be have materially altered their views with regard to technical education. For many years I was a member of the old Brisbane Technical College Council, and I had the privilege and honour, in conjunction with Mr. W. J. Byram, of drafting the first Technical College Bill that was ever printed in Queensland. We had to do a great deal of coaxing and persuading with the powers that be in order to get them to look favourably on that Bill, and it took many years for it to reach Parliament. To-day we find that same department reaching out to take charge of technical colleges that are not asking for the assistance of the department. However, it is gratifying to note that the Government and the State generally are awakening to the necessity of what we were clamouring for twenty years ago.

HON. I. PEREL: Approaching socialism.

HON. T. J. O'SHEA: Approaching the desire for education. I am not one of those who sneer at education. I say educate, educate, educate! Education is not a load. It does not matter whether a man is working with his brains or his fingers, education helps him to do his work.

HON. R. SUMNER: That is not society's verdict. An engineer is not called an educated man, though he can do things that the scholastic or university man cannot do.

HON. T. J. O'SHEA: I say that any man who has technical training is educated to that extent, and anything that the State can do to improve the mental standard of the people, to increase the desire for knowledge, to enable the people to experience the joy to be derived from knowledge, to improve the capacity of the people, and to stimulate generous impulses in regard to education, will be beneficial not only to the individual, but to families and to the State generally. The man, woman, boy, or girl who has no desire to excel in his or her calling is lacking in the first principle that should be impregnated in every brain. I trust that when this Bill comes into force—and it will get no opposition from me—it will operate for the betterment of technical colleges. I trust that those technical colleges which are now in existence and which are being carried on successfully by council or committees will not be interfered with in a way which will be detrimental to their interests. I can quite imagine the rude intrusion of the department on those people having a very injurious effect on the work which is now being done successfully and enthusiastically throughout Queensland. If this Bill was in any way an aid to technical education, I would say, even at the expense of the chagrin and disappointment which some of the educational enthusiasts who are connected with these councils may feel at being brushed aside by the Education Department—if I thought the Education Department would do better work, I would say to those men: "Be thankful that you did so much good work, and trust that those who take up the work after you will do better." I regret to say that the present Government are not to be complimented on the manner in which they have somewhat ruthlessly brushed aside men holding honorary positions in many of the institutions of the State.

HON. R. SUMNER: Where?

HON. T. J. O'SHEA: Men holding trusteeships in various institutions. Many of them have wakened up to see in the morning paper that they have been brushed aside without any other intimation or suggestion, or without a word to them—

HON. T. M. HALL: Without a word of thanks.

HON. T. J. O'SHEA: As my hon. friend suggests, without a word of thanks for their very many years of service. I do not know that it is the function of the Government to be courteous, but, at the same time, they can be just, and I do not think courtesy harms even the Government.

The SECRETARY FOR MINES: The trustees of the Maryborough Grammar School got a letter of thanks for their services.

HON. T. J. O'SHEA: I think men very often do their best work gratuitously.

HON. R. SUMNER: And they do not want thanks for it.

HON. T. J. O'SHEA: But they do not need to be insulted. If some hon. gentlemen think that is the right way to treat men who have devoted their lives to this honorary work, well, I am pleased to disagree with them.

HON. W. R. CRAMPTON: Have they been treated in that way?

HON. T. J. O'SHEA: Yes. Men have told me that the first intimation they had that they were removed from office was on seeing it in the morning paper. I do not question the right of the Government to remove men, but I question the propriety of doing it, and I question the manner in which it has been done. I hope that the remarks made in connection with this Bill will have a beneficial effect in the future. Before going any further with this Bill, I would like to call the attention of the Minister to one or two pitfalls which may be detected in it on close criticism. Might I point out that in clause 3, subclause (2), there is a provision for divesting the present trustees of all property possessed by them. The clause reads—

"Subject to such terms and conditions as the Governor in Council by Order in Council may determine, the corporation may at any time take complete charge of and administer all or any of the colleges or institutions established for the purpose of technical instruction to which any aid or endowment has, whether before or after the passing of this Act, been given or granted, or is being given or granted, from the moneys of the State."

I am not very well informed on the subject, but I think all technical colleges in Queensland, or all those recognised as such at the present time, have received Government aid. If that is so, then all the technical colleges now in existence in the State will come under the operations of this Bill, if the Governor in Council so desires. If the Governor in Council decides to take over any technical college—and I understand there is a large number of them—

"Thereupon, the following consequences shall ensue:—

All of the property and assets, real and personal, of any kind whatsoever

of or belonging to the trustees or committee of management or belonging to any body or person, for or on behalf of or in trust for any such college or institution affected, shall forthwith be divested from the trustees or committee of management, and from such bodies or persons respectively, and shall be vested in the corporation."

Then paragraph (ii.) says—

"All the liabilities and obligations of the trustees or committee of management of any such college or institution affected, and all the liabilities and obligations of any such body or person last aforesaid in respect of each such college or institution, or the property, assets, or affairs thereof, shall devolve and be imposed upon, and shall be discharged by the corporation."

The Minister will notice there that immediately the Act comes into operation with regard to any institution the property, real and personal, and the liabilities devolve upon the Minister.

HON. R. SUMNER: The Government take charge; that is the whole Bill.

HON. T. J. O'SHEA: Then, read the proviso. I am afraid the interjector has not read paragraph (iii.) of the clause I have referred to. It reads—

"Provided that, in any case where any such college or institution is erected upon any lands—"

"Any lands" are real property mentioned in paragraph (1)—

"vested in any trustees or in any local authority, nothing herein contained shall be taken to divest from such trustees or local authority or in any way prejudice the title of such trustees or local authority to such lands or any buildings or improvements erected thereon, or to impose upon the corporation any liabilities or obligations in relation to such lands, buildings, or improvements."

In paragraph (i.) the lands are vested in the Minister, and paragraph (iii.) says they are not. Paragraph (ii.) imposes all liabilities, and they include mortgages on realty, on the Minister. If the Minister has to carry all the burden, but is not to get the land, how on earth is the section to become operative in a business-like way? I am not raising this in any spirit of opposition to the Bill, but I am raising it for the consideration of the Minister, and perhaps, when the Bill goes into Committee, he may see fit to have an amendment on that clause. However, if he is prepared to allow it to go through in its present inartistic style from a draftsman's point of view then he is only making burdens for the Minister, and making room for squabbles between the trustees and the Minister when the Bill comes into operation. One other matter to which I would like to draw attention is clause 5 on page 3. It is the old story regarding by-laws and regulations. It says—

"All such regulations, upon being published in the 'Gazette,' shall have the same effect as if they were enacted in this Act."

In other words, delegating to the Governor

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in Council the right to make Acts of Parliament which this House has stood against as long as I can remember.

HON. R. SUMNER: The right to administer Acts of Parliament.

HON. T. J. O'SHEA: No, sir. The clause says—

“ All such regulations, upon being published in the ‘Gazette,’ shall have the same effect as if they were enacted in this Act, and shall be judicially noticed in all courts of justice, and shall not be questioned in any proceedings whatsoever.”

There are no two meanings to that sentence.

THE SECRETARY FOR MINES: That is a machinery clause.

HON. T. J. O'SHEA: “ And shall be judicially noticed in all courts of justice, and shall not be questioned in any proceedings whatsoever.”

HON. R. SUMNER: We do not want to leave any doubt which will bring in the lawyer.

HON. T. J. O'SHEA: That is a pretty gag. I think the lawyers in this Chamber do more to delete questions and quibbles than all the rest of the hon. members put together.

THE SECRETARY FOR MINES: The clause points out matters on which regulations shall be made.

HON. T. J. O'SHEA: Then look at the regulations that can be made. Is Parliament performing its functions by delegating its duty to the Governor in Council? I wish the Minister would impress on the draftsman and others connected with Bills that come to this House the absurdity of leaving in such antiquated provisions. It results in debate and criticisms, and perhaps sharp words, every time it appears. It is no earthly use. It never slips through, as it is always detected by someone or other. I have heard the Minister in charge of Government business in this Council say it would be better if a stereotyped formula were adopted with regard to all by-laws and regulations. In fact, I heard his predecessor, our present President, say so also. It is a subterfuge to attempt to delegate to the Governor in Council or anybody else the right to make laws which cannot be impeached by this Council, or by any court, or by anybody in the world. This is going further than any Act of Parliament. Why should we attempt to give the Governor in Council greater powers than we ourselves possess?

HON. E. W. H. FOWLES: It is ultra vires.

HON. T. J. O'SHEA: Quite so.

HON. R. SUMNER: We have to give the Governor in Council some powers.

HON. T. J. O'SHEA: I would give the Governor in Council power to make by-laws, and give each House of Parliament the power to disapprove of these by-laws within a certain time after they are laid on the table of the House.

THE SECRETARY FOR MINES: The regulations must be laid on the table.

HON. T. J. O'SHEA: Under the clause they have not, and hon. gentlemen will

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probably remember cases where regulations have not been laid on the table of the House where they have been enforced, and where questions were asked in this House, and where answers were put into the mouth of the Minister which were not true.

THE SECRETARY FOR MINES: I have no recollection of that.

HON. T. J. O'SHEA: You were not in the Chamber at that time, and I can well remember the irritation of our present President when he discovered such was the fact. It should not be necessary to dilate on the question at this length. I think we might allow

the Bill to go into Committee. [7.30 p.m.] and just briefly apply what has become known as the “Leahy patent” to it when we reach that clause, and then everyone will be satisfied that there will be no quibbling about it. I trust that the Bill will become law, and that there will be amicable relations between the department and those enthusiastic educationalists who have been working for years—some of them for half a lifetime—to develop technical education in Queensland with very good results, though, perhaps, the results are not so extensive as they might be. Now that apprenticeship in all crafts has practically been thrown to the winds, the only method of tuition in connection with handicrafts is at our technical colleges. Anything that we can do to extend the powers and the effective educative influence of technical colleges so that youths and young men who are anxious to improve themselves in the crafts to which they have devoted their early lives may do so should receive the most cordial support of hon. members. It is a pity that the old apprentice system is gone.

HON. R. SUMNER: Why has it gone? Because machinery has made it impossible. If you want your son to learn carpentry to-day, you cannot send him to any shop in Brisbane. You must send him to the Technical College.

HON. T. J. O'SHEA: There are many crafts which youths might well be taught with beneficial results to themselves. I am of opinion that apprenticeship has been crowded out by selfish unionists, and I am sorry to think it, because I have a great respect for unionism in many ways. But in that respect many of them are selfish, and imagine that by turning the cold shoulder on apprenticeship they will deplete the number of competitors in their own calling.

HON. R. SUMNER: They cannot do it now. There is no factory here that can teach a boy carpentry.

HON. W. R. CRAMPTON: They are forced to do it.

HON. T. J. O'SHEA: Two hon. members say they are forced to do it.

HON. W. R. CRAMPTON: I say it. I regret that they are forced to do it.

HON. T. J. O'SHEA: I do not agree with the hon. member. I do not think there was any force in it.

HON. W. R. CRAMPTON: If you knew the history of unionism, you would know that they were forced to do it.

HON. T. J. O'SHEA: I have the greatest admiration for a proficient artisan. I can

look on for an hour with admiration at his work. I can receive a great deal of education from seeing him at his work. I give him all credit and praise. I envy him; I would like to be able to do it myself. If I had had the time, I would certainly have liked to become an artisan, even if only as an amateur. I think that good work from the artisan point of view is one of the most delightful things on earth. I think the reflection on good work well done must be a delight and a joy to the man who does it.

HON. R. SUMNER: There is no doubt about that.

HON. T. J. O'SHEA: Anything we can do to make our young men lovers of artistic work is calculated to impart to them a joy which will be lifelong.

HON. W. R. CRAMPTON: There is nothing artistic about the methods of a modern factory.

HON. T. J. O'SHEA: There is. There is something artistic in all good work.

HON. W. R. CRAMPTON: It is all done by machinery nowadays.

HON. T. J. O'SHEA: Good machine work is artistic. Anyone who decries the necessity for proficiency in all artisan callings is not fair to the rising generation.

HON. R. SUMNER: No one is decriing it.

HON. T. J. O'SHEA: I have talked this matter over with many men, and perhaps I have a greater interest in it than some hon. members on my left give me credit for. I am a keen admirer of good work, I do not care what calling it is.

HON. W. R. CRAMPTON: But it was never properly remunerated until recently.

HON. R. SUMNER: It is not now.

HON. T. J. O'SHEA: I think that good work is always well remunerated in comparison with bad work.

HON. R. SUMNER: A typist is getting more than a navvy now. Is that fair?

HON. T. J. O'SHEA: Perhaps the typist is doing better work.

HON. R. SUMNER: I am looking at the matter from the point of view of service to the community.

HON. T. J. O'SHEA: That is side-tracking the question. The question is whether it is desirable to inculcate in the rising generation a desire to become proficient in their callings.

HON. W. STEPHENS: Does the Hon. Mr. Sumner say that typists are getting too much?

HON. R. SUMNER: No.

HON. W. STEPHENS: That was the inference. A board fixes the navvy's wages.

The PRESIDENT: Order! This conversation across the table must cease. It is getting away from the question before the Council altogether.

HON. T. J. O'SHEA: I will not detain hon. members any longer. I have drawn attention to the two points which require amendment, and I trust they will be handled

in a sympathetic way in Committee. Perhaps the Minister will see the advisability of adopting my suggestion, and, with those two amendments, I think the Bill may be administered in a way which will be beneficial. On the contrary, it may be handled in a way that will brutally impair much of the good work which has been done for a quarter of a century by honorary, industrious, and whole-souled educational enthusiasts.

HON. R. SUMNER: I have had much pleasure in listening to the speeches which have been delivered by hon. members of the Opposition in support of this Bill. There is no doubt that the whole question of education is of great importance. But we want to know what we mean by education. I think there has been a false impression throughout the world on the subject, and perhaps it has proved detrimental to our civilisation. I remember listening to an address many years ago by Professor Huxley on "Liberal Education." He said that the man who could make a good watch, the man who could use a plough, or the man who could make an engine, has as much right in the eyes of society to be regarded as an educated man as he, a scientist, had. But that is not the way in which society regards such men.

HON. A. H. WHITTINGHAM: Certainly it does.

HON. R. SUMNER: They are not paid as well, either.

HON. E. W. H. FOWLES: They are often paid more than the scientist.

HON. R. SUMNER: Their services to the community are not recognised or remunerated as they ought to be, and that is one of the great troubles in the world. The result is that, when a man asks himself what he is going to put his boys or his girls to, he says, "I am not going to put them to digging or to hard work; I am going to put them into one of the learned professions, or into some occupation where they can get a better deal than they can by working on a farm or doing the general hard work of the community." We have a false idea of what education means. This Bill is an extension of our education system, to carry it on from the State schools to the technical colleges and to make education absolutely free.

HON. T. J. O'SHEA: This Bill does not do that.

HON. R. SUMNER: I know it does not, but this is the beginning of it. Something has been said about learning a trade. I would ask any hon. member, if he wants to send a boy to learn engineering, where he can send him?

HON. A. GIBSON: There are a hundred places where you can send him.

HON. R. SUMNER: Unless you pay a big premium, you cannot send him anywhere but to the Technical College.

HON. A. H. WHITTINGHAM: Because you are not allowed to send him anywhere else under the awards.

HON. R. SUMNER: It is due to the fact that everything is now done by machinery. You may teach a boy to turn nuts, or do

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something else in connection with an engine; but you cannot put him into any engineering shop in Brisbane or in Australia and teach him his trade all round unless you pay a big premium.

HON. A. GIBSON: That is not correct.

HON. R. SUMNER: I will go outside engineering. There are connections of my own who are builders and carpenters. If they want their own boys to learn their trade, they cannot teach them themselves; they have to send them to the technical college to be taught the rudiments of their trade, because in the ordinary shop that cannot be done. When we find that that is so, it is time that technical education should be free. I speak in the interests of the community. We teach our boys reading and writing and the other subjects of primary education, and then, when they leave school, we make no further provision for them. I think their education should be carried on further. I agree with the Hon. Mr. O'Shea that there is nothing finer in life than to have a trade at your fingers' ends. You can travel throughout the world, if you have a trade, and make a living for yourself. But, owing to the introduction of machinery, if you go into a shop, you will be put to one machine or one operation, and, when a boy is turned out at the age of twenty-one years, he is just about in the same position as if he had never been there at all. I consider the Bill a step in the right direction, and I believe we shall in future have to depend on our technical colleges for training our youths. That being so, the education in those technical colleges should be absolutely free, and we should encourage our youth to go there. I stood on the balcony just before the Council met to-day, and watched a large number of young people going down to the Technical College. The parents of some young people cannot afford to pay for their education there. While the Bill is a step in the right direction, it does not go far enough. I think we should make technical education absolutely free, so that all children may receive the benefits of the education given in the technical colleges. When that is done, it will be an admirable thing for the community.

HON. I. PEREL: I may be able to give hon. members a little practical experience on the subject of technical education. I think the institution just below this building is one of the finest institutions we have in our midst. It is a fine thing to see the crowds of young people that are going there. It makes one hope for the future of Australians, because they are learning something very useful indeed. My own girl goes there, and I am more than pleased at the progress she is making. She is becoming a very fine typist and shorthand writer, and I do not think there is any private seminary in Australia surrounded with better conditions than the Central Technical College. The Hon. Mr. O'Shea spoke of the officers on the teaching staff, and I am with him in hoping that they will be courteously considered. They have done well. I do not think the work they have done could be better done. In connection with the apprenticeship question, I might say that I served my time at mechanical instrument making, and from there I went into the Telegraph Department, and I was pronounced to be a very fair mechanic. But

[*Hon. R. Sumner.*]

I can assure hon. members that not many men nowadays will have the opportunity I had. I learned my trade from beginning to end, and you cannot learn your trade now in any factory unless you pay a big premium, and that is only within the reach of the rich. Very few men can afford to give £100 or £200 to have their children taught in an engineering firm from the bench right up to the lathe. In my own establishment I have three men who have learned the printing trade from beginning to end. They can set with the hand, make up the formes, machine-feed, and go on to the linotype, and I claim that I have done a public act in teaching those men. You can hardly find such a state of affairs in any other newspaper office in Brisbane. Some can only use the linotype, others can only make-up. I understand that the Government intend to have classes where students can learn every part of the trade. If they do that, our children will grow to manhood and be able to take control of big establishments, and it will all be for the good of Queensland. I hope that the Bill will pass; it will show that this Council, at least, has the educational interests of the young at heart.

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

#### COMMITTEE.

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

Clauses 1 and 2 put and passed.

On clause 3—“*Control of technical colleges may be given to corporation*”—

HON. T. J. O'SHEA: He was not aware that the Bill was going through Committee that night, and he would suggest the advisability of postponing the clause to give some consideration to the question he raised on the second reading. He did not wish to hamper the passage of the Bill, but he did not wish any Bill to go through the Chamber which had conflicting provisions in it. If the Government wished to have it go through in that mangled form, he was quite prepared to let them have it, but he would certainly ask the Minister to postpone the consideration of the clause.

HON. E. W. H. FOWLES: It might throw light on the subject if they referred to what was said in another place. He understood that at the present time the property of all the colleges, both those State-controlled and those under independent committees, were vested in the corporation of the Minister for Public Instruction.

HON. T. J. O'SHEA: What is the use of paragraph (1)?

HON. E. W. H. FOWLES: He thought that could only be meant to meet future contingencies, and he understood that the explanation given of paragraph (3) was that at the present time some classes were being held in schools of arts built upon lands vested in the local authorities. Within perhaps a few years technical colleges might arise, and in the interim the Government did not wish to intermeddle in any way with the possession or ownership of the schools of arts or any property belonging to the local authorities. It did not seem to him that there was need for it, but at the worst it was probably only surplusage, and it was

put in to allay any fears there might be in the minds of local authorities.

The SECRETARY FOR MINES: He did not think there was any need to postpone the clause. He knew that due consideration had been given, and, when the Hon. Mr. Fowles rose, he was about to say that paragraph (3) of subclause (2) of clause 3 fully safeguarded the interests of trustees or local authorities.

Hon. T. J. O'SHEA: Paragraph (1) says "belonging to trustees," and the other says, "vested in trustees." What is the difference?

The SECRETARY FOR MINES: He failed to see any necessity for postponing that particular clause of the Bill.

Hon. T. J. O'SHEA: If you want it in that broken-backed condition, I do not mind.

The SECRETARY FOR MINES: He said that it was not in a broken-backed condition. That was the difference between himself and the Government on the one hand and the Hon. Mr. O'Shea on the other. While he was on his feet, he would like to say that he was very pleased at the reception of the Bill in that Chamber. He thought it was complimentary to the Government.

Hon. T. J. O'SHEA: When you are entitled to praise you always get it.

The SECRETARY FOR MINES: He thought they were all agreed that whatever could be done to encourage and facilitate education should be done. If there was anything in the contention of the Hon. Mr. O'Shea, the Bill would go back to the Assembly, and he would draw the Minister's attention to his remarks, and it might be dealt with there. He did not propose to agree to the alteration of the clause, or of any clause of the Bill.

Clause 3 put and passed.

Clause 4—"Few endowed colleges to be administered by the corporation"—put and passed.

On clause 5—"Regulations"—

Hon. E. W. H. FOWLES: At the top of page 3 it appeared that the Governor in Council might from time to time make regulations with respect to—

"(c) The holding of examinations and the granting of certificates and diplomas."

Was it intended to give diplomas, and, if so, what would they be? He thought it would be derogatory to the University and the professors there unless some arrangements were made as to what diplomas were to be given by the technical colleges, and what would be their value. They did not want to introduce here the cheap degree of the other side of the Atlantic.

Hon. W. R. CRAMPTON: A Philadelphiaian diploma.

Hon. E. W. H. FOWLES: Exactly, although we did not want to go so far as that. There was an association of twenty-five universities in the United States of America whose degrees were accepted by each other. They were accepted, one might say, right throughout the British dominions. There were over 600 Universities in the United States, and 575 of them issued degrees which were not generally recognised!

They wanted to keep up the very high standard that the Australian degrees had in the English-speaking world.

Hon. T. J. O'SHEA moved the omission of all the words after the word "justice," on line 14, down to and including the word "thereof," on line 19, with a view to inserting the following:—

"All such regulations and any amendment thereof shall be laid before both Houses of Parliament within fourteen sitting days after such publication, if Parliament is in session, and, if not, then within fourteen sitting days after the commencement of the next session.

"If either House of Parliament passes a resolution disallowing any such regulation or amendment thereof, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation or amendment thereof has been laid before it, such regulation or amendment thereof shall thereupon cease to have effect, but without prejudice to the validity of anything done thereunder in the meantime.

"For the purposes of this Act, the term 'sitting days' shall mean days on which the House actually sits for the despatch of business:

"Provided always that if such regulations and amendments thereof, if any, are not duly laid before Parliament as hereinbefore prescribed they shall thereupon cease to have any force, effect, or operation whatsoever."

The SECRETARY FOR MINES: The Hon. Mr. Fowles asked a question with regard to this clause, but he was quite well aware that the hon. gentleman

[8 p.m.] did not expect an answer, as he was simply stonewalling the clause until the Hon. Mr. O'Shea had prepared the amendment which was now submitted to the Committee, and which the Chairman could quote without reading, since a similar amendment had so often been before the Committee. Hon. members opposite sought to amend even this Technical Education Bill.

Hon. T. J. O'SHEA: Because it is pernicious to delegate our powers of legislation.

The SECRETARY FOR MINES: The clause already provided that all such regulations must be laid before both Houses of Parliament.

Hon. T. J. O'SHEA: What is the good of that if we cannot veto them?

The SECRETARY FOR MINES: He had hoped that the high officials of the Education Department and the Minister for Education would find that a sweet reasonableness prevailed among members in that Chamber, and that no amendment would be made in the Bill. He was opposed to the amendment, as he could see no reason for fear and distrust of the Government in a matter of this kind.

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

CONTENTS. 9.

Hon. R. Bedford	Hon. L. McDonald
" W. R. Crampton	" T. Nevitt
" A. J. Jones	" G. Page-Hanify
" H. C. Jones	" R. Sumner
" H. Llewelyn	

Teller: Hon. T. Nevitt.

*Hon. A. J. Jones.* }

NOT-CONTENTS. 9.

Hon. E. W. H. Fowles	Hon. A. H. Parnell
" A. Gibson	" W. Stephens
" T. M. Hall	" H. Turner,
" C. F. Marks	" A. H. Whittingham
" T. J. O'Shea	

Teller: Hon. T. M. Hall.

The CHAIRMAN: "Contents" 9; "Not-Contents" 9. The numbers being equal, I give my casting vote with the "Not-Contents." The question is resolved in the negative.

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

Clause 5, as amended, put and passed.

Clauses 6 and 7 put and passed.

The Council resumed. The CHAIRMAN reported the Bill with an amendment, and the report was adopted.

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

PATRIOTIC FUNDS ADMINISTRATION ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR MINES: This is a Bill to amend the Patriotic Funds Administration Act of 1916 in certain particulars. The Patriotic Funds Administration Act was passed in the 1915-16 session. Many collections were being made and funds formed at the time for the purpose of helping the Red Cross and other activities in connection with the war; and, in order to protect the public and the collections, and to make sure that the people's generosity was not abused, the Act provided that the Governor in Council, and more directly the Chief Secretary, should control such funds and have them audited periodically. That Act does not go far enough. The funds which are subject to the Act are defined in section 3, which reads as follows:—

"The Governor in Council may from time to time, by Order in Council published in the 'Gazette,' with the consent of the person or persons or a majority of the persons (all of whom are herein referred to as 'the trustees') for the time being constituting the trustees of or having the possession, management, or control of any sums of money standing to the credit of any fund, by whatever name called, which have been raised by voluntary contribution amongst the people of Queensland, and whether other persons have or have not contributed to the same, for affording aid, assistance, relief, or benefit in connection with the present war."

It has since been found that the definition is not nearly wide enough to include all the funds which the Government ought to control, and wish to control; hence the necessity for this Bill. For instance, it is at least doubtful whether the words "by voluntary contribution" cover the case of funds raised by sales, or by art unions, or by any other similar enterprise. Again, the words in the definition which indicate the purposes of the funds do not cover the case of a fund raised for the benefit of returned soldiers. Those

are the two main funds which we wish to bring under this Bill.

Hon. E. W. H. FOWLES: Will "Liberty Fair" be covered?

The SECRETARY FOR MINES: If it is thought desirable to do so. That it is desirable to amend the Act is patent to everyone in the Chamber, and I anticipate that the Bill will have a very speedy passage here. Clause 3 is also an amendment of the present Act, and I hope that hon. gentlemen will allow the Bill to go through the Committee stage this evening so that it may pass its third reading to-morrow. It is not a very contentious Bill. It is one of the things on which we are all agreed, and I therefore have pleasure in moving—That the Bill be now read a second time.

HON. A. H. WHITTINGHAM: I beg to support the second reading of this Bill. It is a Bill which I think is deserving of the support of this Council, and one that I hope will go through Committee this evening, as the Minister desires. There is no doubt that, in regard to these patriotic collections, art unions, and such like, the more protection we can get the better, not only for the collectors, but also for those in whose interests the moneys are collected. We know that immediately the war started collections were taken up haphazard all over Australia, and probably in all countries under the British flag, and there is no doubt that a number of people benefited very materially by them. It is hard to say such a thing about people, but still it is a fact, and any legislation that can be brought in to do away with the misuse of collections will receive the support of all right-thinking people. I am very pleased to support the Bill.

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

COMMITTEE.

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

Clauses 1, 2, and 3 put and passed.

The Council resumed. The CHAIRMAN reported the Bill without amendment, and the report was adopted.

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

CHARTERS TOWERS WATER BOARD ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR MINES: This is a Bill to alter the constitution of the Charters Towers Water Board and for other incidental purposes. The Bill is an important one so far as Charters Towers is concerned, although it contains only two clauses. I would like to say, in passing, that it is a very pleasant change to have Bills pass through this Council without amendment.

Hon. T. J. O'SHEA: In four minutes.

The SECRETARY FOR MINES: The Hon. Mr. Fowles intimated the other night that these Bills would not receive any very serious opposition, and he also intimated that the State Enterprises Bill will be in the same category. (Laughter.)

Hon. E. W. H. FOWLES: Not the State Enterprises Bill.

The SECRETARY FOR MINES: This Bill will amend the Charters Towers Water Board Act of 1906 in two important respects.

[*Hon. W. F. Taylor.*]

Firstly, it will abolish the Water Board as at present constituted, and secondly, it makes provision to vest the Charters Towers municipal authority with the power and duties now vested in the Water Board. The object of the Bill is to secure greater economy and increased facilities by eliminating the present Water Board and transferring its functions to the local authority as already constituted.

HON. E. W. H. FOWLES: This Government will never abolish a whisky board. (Laughter.)

The SECRETARY FOR MINES: Yes, we would. We believe in total prohibition; that is a plank in the Labour platform. I would vote for total prohibition to-morrow if I had the opportunity.

HON. C. F. MARKS: You want to make the opportunity.

The SECRETARY FOR MINES: The people should try to make the opportunity. However, we are dealing with water and not with whisky. The Bill is the natural outcome of the constitution of the Greater Charters Towers local authority area which was gazetted in December, 1916, whereby the Shire of Queenton was abolished and its area included in the boundary of the municipality of Charters Towers. Having secured the amalgamation of these two local authorities, it was thought that the functions of the Water Board could also be performed by the Charters Towers Municipal Council. A poll of the ratepayers was accordingly taken in February of this year, and, as a result, the proposal was endorsed by 371 votes to 169—very nearly a two to one majority. Should this Bill pass, the local authority will also be constituted the water authority of Charters Towers. I will not detain the Council at any greater length and just move—That the Bill be now read a second time.

HON. E. W. H. FOWLES: One would like to be quite sure that no one will be affected injuriously by the Bill. I have no local knowledge, but there is probably a chairman, or a secretary of the [8.30 p.m.] board, and I hope that the Government, in abolishing the water board, will see that their action does not rest too heavily upon the half dozen or so of officers who may have been connected with the water board since 1906 and have faithfully discharged their duties. The Minister pointed out that, at all events, there was a very substantial minority against the taking over of the water board by the local authority. The population of Charters Towers is not now what it used to be, and the decrease has necessitated the amalgamation of three local authorities into one, and it has been found that the work of the water board can be very well done by the Charters Towers City Council. I have no doubt the Government are introducing the Bill in the interests of economy. I have no doubt they have also done it because the water board owes them a little money, and they feel this is one way of getting a few dollars into the Treasury. Possibly, that is at the back of this Bill. The Government want to have their local authority loans and interest paid up as soon as possible. I understand that it is proposed to bring in a few regulations that will assure more equitable payment for the water that is supplied. I would like to make sure that the last paragraph in the Act itself is incorporated in the Bill. I

believe it is, as the Bill provides that "all rights, liabilities, contracts, and engagements existing . . . shall be transferred to and vested in . . . the new water board." For instance, it is provided that the water board shall provide for Lissner Park with "a supply of water not exceeding 2,000,000 gallons in any one year."

The SECRETARY FOR MINES: The only alteration in the paragraph is striking out the words "Shire of Queenton" and inserting "City of Charters Towers."

HON. E. W. H. FOWLES: With those safeguards the Bill will have my support.

HON. T. J. O'SHEA: It seems to me that this Bill is purely one for the consideration of the residents of Charters Towers. We have heard no protest from them, so I presume they want it. It is purely a local measure, unless there is something behind it which we do not see, and unless there are some interests affected which are not apparent on the face of it. I have no reason to suspect that there are, so that there is no need to waste any time in discussing the Bill.

The SECRETARY FOR MINES: Their parliamentary representatives in the other Chamber are in favour of the Bill.

HON. T. J. O'SHEA: That would not be a guide to me in everything. Still, I think it is some evidence in favour of the Bill.

The SECRETARY FOR MINES: If there were any objection, the people affected would protest to them.

HON. T. J. O'SHEA: Probably that is so. That is why I raise the question. I apprehend no other objection except a local exception. If there had been any objection, I think we would have heard something of it: consequently we can take it for granted that the Bill is desired by the great majority of the people of Charters Towers; and, that being so, we have nothing further to do but to support the measure.

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

#### COMMITTEE.

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

Clauses 1 and 2 put and passed.

The Council resumed. The CHAIRMAN reported the Bill without amendment; and the report was adopted.

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

#### ADJOURNMENT.

The SECRETARY FOR MINES: I beg to move—That the Council do now adjourn. The first business to-morrow will be the third readings of the Technical Instruction Act Amendment Bill, the Patriotic Funds Administration Act Amendment Bill, and the Charters Towers Water Board Act Amendment Bill, to be followed by the resumption of the second reading debate on the Brisbane Tramway Fares Bill, the second reading of the Fish and Oyster Act Amendment Bill, and the Succession and Probate Duties Acts Amendment Bill in Committee.

Question put and passed.

The Council adjourned at twenty-two minutes to 9 o'clock p.m.

Hon. A. J. Jones.]