

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 19 FEBRUARY 1920

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LEGISLATIVE COUNCIL.

THURSDAY, 19 FEBRUARY, 1920.

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

NEW MEMBERS.

The PRESIDENT announced that he had received from the Lieutenant-Governor a letter, dated 19th February, intimating that His Excellency had been pleased to summon to the Council—

Robert Joseph Carroll, Esquire, of
Brisbane;
William Parry Colborne, Esquire, of
Brisbane;
Joseph Silver Collings, Esquire, of Bris-
bane;
Jeremiah Francis Donovan, Esquire, of
Brisbane;
Timothy John Donovan, Esquire, of
Brisbane;
William John Dunstan, Esquire, of
Brisbane;
William Fyfe Finlayson, Esquire, of
Brisbane;
John Stanislaus Hanlon, Esquire, of
Brisbane;

Edward Joseph Hanson, Esquire, of Brisbane;
 Charles Kilpatrick, Esquire, of Bundamba;
 Herbert George McPhail, Esquire, of Brisbane;
 Robert Joseph Mulvey, Esquire, of Brisbane;
 John Gordon Smith, Esquire, of Maryborough; and
 George Henry Thompson, Esquire, of Brisbane.

HONOURABLE MEMBERS: Hear, hear!

The following gentlemen were then introduced by Hon. W. R. Crampton, and, having produced their writs of summons and oaths or affirmations of allegiance, they signed the roll and took their seats:—

Hon. Robert Joseph Carroll;
 Hon. Joseph Silver Collings;
 Hon. Jeremiah Francis Donovan;
 Hon. Timothy John Donovan;
 Hon. John Stanislaus Hanlon;
 Hon. Edward Joseph Hanson;
 Hon. Charles Kilpatrick;
 Hon. Herbert George McPhail;
 Hon. Robert Joseph Mulvey;
 Hon. John Gordon Smith; and
 Hon. George Henry Thompson

At a later stage the Hon. W. P. Colborne produced his writ of summons, and took the oath of allegiance and signed the roll.

The SECRETARY FOR MINES (Hon. A. J. Jones): I desire, on behalf of the Government, to offer hearty congratulations to the hon. gentlemen who have just taken their seats. (Hear, hear!) It is also very pleasing to me to offer them my personal congratulations, and, knowing the hon. gentlemen as I do—they are all personally known to me—I believe they will carry out their duties in this Chamber with dignity and with credit to themselves and honour to the country.

Hon. A. G. C. HAWTHORN: What duties have they come to perform?

The PRESIDENT: Order!

The SECRETARY FOR MINES: The hon. gentleman must not interrupt—(laughter)—especially when one is speaking on an occasion like this. I believe that the hon. gentlemen who have just taken their seats will prove an acquisition to this Chamber, and that their influence here will be felt, and will be of benefit to the people of this State. (Hear, hear!)

Hon. A. G. C. HAWTHORN: Question.

The SECRETARY FOR MINES: I again offer my congratulations to the hon. gentlemen.

Hon. A. G. C. HAWTHORN: I am sorry that I cannot second the congratulations of the hon. gentleman. I think it is indeed a very sorry day for Queensland—

The PRESIDENT: Order! On occasions of this sort it is usual, as a matter of courtesy, for hon. members to offer congratulations to new members; but it is not in order to say anything discourteous regarding them.

Hon. A. G. C. HAWTHORN: I do not want to play the hypocrite, and I cannot offer congratulations.

The SECRETARY FOR MINES: Then why not sit down and say nothing?

Hon. A. G. C. HAWTHORN: If I am not in order in saying what I wish to say, I shall certainly say nothing.

Hon. F. T. BRETNALL: I am not in any congratulatory mood, and I only express the hope that the new members will be able to do better service to the country than the old members whom they are trying to put out.

Hon. P. J. LEAHY: The President has laid it down that, when a member gets up to speak on an occasion of this sort, he must do so for the purpose of offering congratulations to the new members. Well, I think there is much upon which they can be congratulated. They have nice, soft seats to sit on; they have an intelligent body opposite them to look at—(laughter); they have many advantages; they will not pay any income tax on their salaries; and there are a variety of other things that can be said. I might strike a personal note with regard to one of the new members—the Hon. J. S. Collings.

The PRESIDENT: Order! The hon. gentleman will be out of order in making personal remarks of a derogatory nature.

Hon. P. J. LEAHY: I do not desire to say anything of an uncomplimentary nature. I was associated with the hon. gentleman about twenty years ago in a debating society, as I am sure he will remember. That was the first occasion upon which I listened to his eloquent remarks, and I do not think he has lost any of his eloquence since. Perhaps I may be permitted to say—there is nothing offensive in it—that in those days we helped to turn out the Government in a mock parliament, and we belonged to the same ministry.

The SECRETARY FOR MINES: This is a mock Parliament. (Laughter.)

Hon. P. J. LEAHY: The hon. member, without consulting his colleagues, brought in an extreme bill and wrecked our ministry. (Laughter.) I wonder if history is going to repeat itself, and if he and his friends will have the same effect upon the present Ministry. (Laughter.)

Hon. E. W. H. FOWLES: I wish to support the remarks of the Minister upon this occasion. I think it is a matter for congratulation to any man in Queensland to be appointed to this Council. (Hear, hear!) It must have come as a matter of surprise to some of the hon. gentlemen who have come here this afternoon, because—but I would prefer not to finish that sentence. (Laughter.) At all events, I may be permitted to say that a good deal may be expected of the hon. gentlemen. Unfortunately, this Council has been blamed for many things in the past—cyclones, influenza, and all the ills that have come to Queensland; but, now that the gates are wide open, I feel sure that the people of Queensland will expect the millennium by the 5 o'clock express.

Hon. P. J. LEAHY: Will they get it?

Hon. E. W. H. FOWLES: Well, they will expect it. I feel sure that the hon. gentlemen who have come here will find that the science of government is not so easy from the inside as it is from the outside.

Hon. J. S. COLLINGS: It does not seem to have worried you very much.

Hon. E. W. H. FOWLES: I like to take things pleasantly, and I am glad to see that the hon. gentleman is in a good humour this afternoon—I have no doubt that he has cause to be. I like to take things pleasantly in this

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life. We are not long here, and we have a duty to perform, and I have no doubt that hon. members of this Council will perform their duty just as fearlessly in the future as they have done in the past. (Hear, hear!) I cannot go back fifty years, but some hon. gentlemen here can go back half that time, and they know that the Council has always recognised that there is more than one party in the State, and that every party and every section of the community demand consideration, and will always receive sympathetic consideration from this Council. I feel sure that we all recognise that the prosperity of a nation does not depend upon votes, but that it depends upon enterprise, industry, justice, and goodwill, and that we can do more for the State by co-operation than by fratricide. I feel sure that the new members will congratulate themselves upon being present this afternoon, and I hope that their stay in this Chamber will be very long indeed, and that they may be permitted to contribute to the progress of Queensland. I congratulate them on being elevated to seats in this Council.

HON. F. McDONNELL: On this occasion I cannot help standing up, after hearing the remarks made by the Hon. Mr. Brentnall and other hon. gentlemen sitting opposite, and welcoming those hon. gentlemen who have come here to-day for the first time. I wish also to congratulate the Government upon appointing these fourteen members. Some of them I have been associated with for the last thirty years, and I am glad to meet with them as colleagues in this Chamber. I heartily congratulate them upon their appointment and upon the good work they have done in connection with the movement with which they have been associated for the last thirty years. It is a fine thing to know that the Government have the courage to do what they have done in this matter, and I am quite certain that their action reflects the opinion of a big majority of the people of the State. I am very pleased, indeed, after being twenty-five years in Parliament, during which time I have been a member of both Houses, to be able to recognise this day as one which in the old days I never dreamed of, and I heartily and sincerely welcome those hon. gentlemen who have come to the House to-day.

HON. B. FAHEY: Should I be silent on an occasion like the present, I would be recreant to my convictions. I desire to say that I hope the new members will carry out their duties in this House as their colleagues have done in the past—with moderation; and that they will be of some service to their own party and to the country.

HON. J. S. HANLON: An accident has chosen me, perhaps the most unworthy of this batch of hon. gentlemen who have been appointed to seats in this Council, to respond to any remarks of appreciation, congratulation, or welcome which might be extended to us this afternoon. I desire, first of all, to thank my colleagues for having conferred upon me this additional honour. On their behalf I desire to thank the Minister for his words of congratulation, and to thank those hon. gentlemen who willingly, freely, and generously extended to us welcome and appreciation. I also desire to extend my thanks to those gentlemen who may have had difficulty in coming up to the scratch the measure of appreciation which their

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remarks deserve. We need no apology for being here.

GOVERNMENT MEMBERS: Hear, hear!

HON. J. S. HANLON: We are here as representatives of the people.

AN HONOURABLE MEMBER: This is the people's House.

HON. J. S. HANLON: That is the reason why we are here. The majority of the people are represented by the hon. gentlemen on this side of the Chamber.

HON. P. J. LEAHY: That is not true.

HON. J. S. HANLON: Do you not realise that the policy of the Labour Government—the policy which is supported by members on this side, and the policy which is supported by the fourteen new members who have just been appointed—was endorsed by an overwhelming majority over five years ago?

HON. P. J. LEAHY: There has been a change of feeling since then.

HON. J. S. HANLON: That change of feeling was evidenced by the increased majority the present Government and its policy received three years later. Under those circumstances I do not think any apology for our appointment as members of this Chamber is needed, and we can give hon. gentlemen the assurance that we will do our duty as well and as faithfully as we can. We will not be unnecessarily offensive, and I hope that hon. gentlemen on the other side will not be offensive to any of us, because I am quite sure that my colleagues and I will be able to hold our own. I repeat that we will do our duty as well and as faithfully as we can. I do not desire to delay you any further, and shall conclude by expressing our heartfelt appreciation of the kindly and cordial words that have fallen from hon. gentlemen in welcoming us to the Council. (Hear, hear!)

MINING ACTS AMENDMENT BILL.

FIRST READING.

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

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

LAND ACT AMENDMENT BILL.

REVIVAL OF ORDER FOR SECOND READING.

The SECRETARY FOR MINES: I move—

“That the second reading of the Land Act Amendment Bill be made an Order of the Day for to-morrow.”

HON. P. J. LEAHY: I do not rise for the purpose of opposing this motion, because I recognise that to do so would be perfectly useless. Recently, and for a considerable time past—in fact, during the period the Minister has been in this Chamber—he has frequently talked of “the brutal majority” on this side. I do not wish to use the language used by the Minister, but it is quite clear that the hon. gentleman has now a majority which will enable him to carry any motion, and to carry everything that is sent here from another place. Under those circumstances it would be useless to do any

thing more than make a protest against this motion. The Bill which the hon. gentleman proposes to restore to the paper is a Bill which deliberately sets out to break a valid contract between the Crown and something over 1,000 pastoralists and, roughly speaking, 2,500 grazing farmers. Whatever the Minister may say to the contrary, I contend that that Bill is a distinct breach of contract, and that a moral wrong is being done by the hon. gentleman in attempting to restore the measure to the business-paper. The Minister has told us of various things done in the past which might be considered repudiation in a minor degree, but I say there never has been in the history of this Parliament, or of any Australian Parliament, so flagrant a case of repudiation as is embodied in the provisions of this Bill. What was the action of the New South Wales Council in connection with a question of repudiation? A Bill was introduced in the New South Wales Parliament which took away certain rights under an award from single men, and the Council threw out the Bill because that proposal savoured of repudiation. But that was very small repudiation compared with the repudiation in this Bill. This measure is gross and flagrant repudiation, but the Minister has a majority behind him, and all we can do is to protest against the passage of the measure, in the confidence that, if right does not triumph now, it will triumph in the not distant future.

HON. A. G. C. HAWTHORN: I wish to add my protest to the protest entered by the Hon. Mr. Leahy. We recognise that at the present time we are beaten. We have done our duty.

The SECRETARY FOR MINES: And now we are going to do ours.

HON. A. G. C. HAWTHORN: It is a strange thing that the Bill which the Government propose to reintroduce is one which we have so successfully opposed—that is, the repudiation Bill, which breaks all contracts and upsets all agreements which have been made between the Crown lessees and representatives of the Crown in former years. We know that whatever the Government want to carry they can carry now. Personally, I may say that I think the Government, by appointing this big batch of new members, and thus swamping the Council—

The PRESIDENT: Order!

HON. A. G. C. HAWTHORN: Have done a thing which is going to react on themselves. I feel sure that the people of the country will regard their action as an insult.

The PRESIDENT: Order! I must ask the hon. gentleman to confine his remarks to the motion before the Council, which is the restoration of the second reading of the Land Act Amendment Bill to the business paper. The hon. gentleman cannot discuss the action of the Government on this motion.

HON. A. G. C. HAWTHORN: I am sure that the next election will show the Government that they have made a mistake in this particular instance, and that they have gone beyond the limit which the people will stand.

HON. R. SUMNER: If there is one Bill which ought to be passed this session it is the Land Act Amendment Bill. I do not think it is any use speaking on the measure at this stage. When the second reading of

the Bill comes before the Council, members on this side will be able to give satisfactory reasons why it should be passed. Hon. members must not fall into the error that because additional members have been appointed to this House we are going to lose our right of revision, and I hope hon. members will do their duty, and do it fearlessly. The Government practically went to the country on this Bill two years ago, and they received a two-to-one majority on it.

HON. P. J. LEAHY: Nonsense!

HON. R. SUMNER: It is generally agreed that the money should be got somehow, and the Government are going the right way about it. It has been suggested

[4 p.m.] that they should go a roundabout way and get it by putting a tax on leaseholds, but the Government, instead of doing that, have gone the straight way about it. I only rise to say that I am pleased the Bill is being restored to the business-sheet, and when the second reading comes before this Chamber I shall be able to give some convincing arguments as to why the Bill should pass.

HON. A. H. WHITTINGHAM: I would like to enter my protest, and a very strong protest, too, at this Bill being restored to the business-sheet. It is useless for us to discuss the Bill now, as it has been fully debated for the last four years. Personally, I think the restoration of a measure such as this will be a sad thing for Queensland. It is not a matter as to whether the rents of pastoral holdings should be raised or not; it is a question really of downright repudiation. There is no getting away from that fact. Whether the pastoralists should pay an increased rent is another matter; and if an honest Bill were brought in dealing with the subject, it would receive very careful consideration.

The SECRETARY FOR MINES: How can we do that unless we give the Land Court more power than they have at the present time?

HON. A. H. WHITTINGHAM: I do not know how you can do it; but if such legislation as this—which is downright repudiation—is going to be passed, it will be a bad day for Queensland. The Minister knows—and the new appointees know—that such legislation as this is going to keep the State back. Money for investment is now being blocked from coming to Queensland. The Minister, when speaking on this Bill a few days ago, read out a list of companies that had subscribed capital towards buildings and other things in Queensland. That list was misleading.

HON. A. G. C. HAWTHORN: It is only capital.

HON. A. H. WHITTINGHAM: Even the capital was not there. I happen to know particulars of two cases which the hon. gentleman quoted. One was a company with a capital of £100,000, and I think something like £28,000 has been subscribed. Another one was a company with £50,000 capital, of which about £15,000 has been subscribed. I am not going to detain the Council on this matter, and, personally, I do not think I will speak on the second reading. I am going to let the Bill go now.

HON. A. G. C. HAWTHORN: It is not much good doing anything else.

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HON. A. H. WHITTINGHAM: The other side have the power now to put the Bill through and to pass any Bill they like. We shall have to put up with it, and the State will have to put up with it. To the individual it does not matter a bit. In this State of Queensland we can produce everything that is produced in Australia, and I and many others are exceedingly sorry for the condition into which the State has got.

HON. E. W. H. FOWLES: I warmly endorse the remarks that have fallen from the Hon. Mr. Whittingham, and especially the remarks dealing with the effect the restoration of this Bill will have on places outside of Queensland. The Hon. Mr. Whittingham says that it does not matter whether a dozen or a hundred pastoralists go under; but it does matter whether the good name of Queensland goes under. A good name is rather to be chosen than taxation.

HON. T. L. JONES: The Bill does not necessarily raise the rents; it only gives the Land Court power to do so. You are calamity-howling without any justification.

HON. P. J. LEAHY: That is the whole point; it is absolute repudiation.

HON. T. L. JONES: You are calamity-howling.

HON. P. J. LEAHY: You have no moral sense when you say that.

HON. E. W. H. FOWLES: I want to point out that probably one or two facts in connection with this matter have not come to the knowledge of hon. gentlemen, and before we restore the Bill to the business-paper we might consider them, as they will have a distinct bearing on our votes. Admitting for the moment that the rents are probably less than they would be if the Land Court assessed them, I submit that that is not the point.

THE PRESIDENT: Order! I hope the hon. member is not going to enter into a discussion on the merits of the Bill, as he will have an opportunity of doing that on the second reading when the Bill is restored to the business-paper. He must confine himself to the motion now.

HON. E. W. H. FOWLES: I submit, if it is a Bill that has received full discussion in this Council, and has been turned down upon moral grounds, that I am quite in order at the present time in referring to those grounds as a reason why we should not restore this Bill. It is most relevant; that is, without going into the details of the Bill.

THE SECRETARY FOR MINES: In that case you are starting a debate which may be endless.

HON. E. W. H. FOWLES: It is not so much a question of one or more pastoralists paying more taxation or less taxation; it is a question of whether the first act to which the new appointees to the Council are invited to give their attention is an act of repudiation by this State.

HON. T. L. JONES: It is an act of long-delayed restitution.

HON. E. W. H. FOWLES: I would point out that two wrongs do not make a right.

HON. T. L. JONES: It is not two wrongs.

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HON. E. W. H. FOWLES: In the first place, an agreement was made, and the proposition is to break the agreement.

HON. P. J. LEAHY: The Government will break anything. They will break the country if they are there long enough.

HON. E. W. H. FOWLES: As a matter of fact, the contract made by the Government in those days was a solemn contract entered into by Parliament, and the parties with whom the contract was then made are different to the parties that own the leases at the present time, in a large number of instances. They are innocent third parties, and this Council is asked to trample upon the rights of those innocent third parties. Admitting, for the sake of argument, that the rents paid are less than they otherwise would be, nevertheless the right way of going about it is not by bludgeoning an Act through Parliament, but to seek some other way to restore what is claimed to be equity on these matters.

AN HONOURABLE GENTLEMAN: Would we get your assistance if we did seek some other way?

HON. E. W. H. FOWLES: If there is any injustice in the country, I hope my hand and voice will always be raised to remedy it. At all events, if, by securing a temporary majority, any legislation of the Government defeated in the same session, and even in the same month, can be restored, where will there be any finality at all to legislation? Are not fairness and equality the only things that endure in legislation? These are the only things that endure, and I feel sure, if the Government were to reconsider the position, they would find a way out of the difficulty, without asking Parliament to prostitute itself into forcing an immoral bargain upon the whole of the people of Queensland. That is what it means. We have to consider outside places, and Queensland has got a name at the present time. We do not want to tarnish that name; we want, if possible, to wipe off any spots there may be on it, and the only way to do that is by having a clean Parliament and standing to the principles of justice in connection with our Bills. On the broad principle of not upsetting the decision of this House, which was given last week, I hope hon. members will not agree to the restoration of this Bill. There are other ways in which equity can be reached.

THE SECRETARY FOR MINES: Had it not been for the concluding remarks of the last speaker, I would not have used my right to speak in reply. The hon. gentleman has initiated a debate on the Bill, but I do not propose to follow on those lines, because we shall have an opportunity of discussing the Bill to-morrow when I move its second reading. But I want to point out to this Chamber, and, incidentally, to the people of Queensland, that the action I am taking to-day in endeavouring to restore this Bill to the business-sheet is not unprecedented; it is not done because we have a majority of members on this side. I want to point out also to hon. gentlemen, and, incidentally, to the people of Queensland, that on another occasion I restored a Bill to the business-sheet in a similar way to that in which I am now restoring this Bill.

HON. P. J. LEAHY: What Bill did you restore? Was that the Requisition of Ships Bill?

The SECRETARY FOR MINES: The Requisition of Ships Bill.

Hon. P. J. LEAHY: Yes, and when you sought to restore that you said there was a mistake, and we then willingly allowed you to restore it.

The SECRETARY FOR MINES: Only a few weeks ago I endeavoured to restore the Officials in Parliament Act Amendment Bill to the paper, so that we could further consider it, as there was one phase of the question which ought to be further discussed, and hon. gentlemen disallowed it with their majority. If they could prevent me then with their majority from restoring a Bill to the paper, I can restore it with my majority to-day. I am not going to deal with the allegations of breach of contract and repudiation, as we shall deal with that when we discuss the second reading of the Bill, but I want to say, if there has been a wrong done by any Legislature, the Government of the day are here to right that wrong. To amend an Act is not a breach of contract, and there is no repudiation in this Bill. All this Bill seeks to do is to give an impartial tribunal—the Land Court—power to charge what they think is a fair rent.

Hon. P. J. LEAHY: You know there is repudiation involved.

The SECRETARY FOR MINES: Hon. gentlemen object to a fair rent. That is the sum total of this Bill. I am not going to make a second-reading speech at this stage, as I simply rose to reply to the charges of the hon. gentleman, and to make it quite clear that we have taken similar action to this on previous occasions, and that the action I am taking to-day is constitutional. It is within our Standing Orders, and the action is not taken because we have the force of numbers on this side. It is done in the interests of the people. We have the right to restore any Bill we desire, so long as we keep within the Standing Orders.

Question—That the order for the second reading of the Land Act Amendment Bill be restored to the paper—put; and the Council divided:—

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Hon. J. S. Collings	Hon. F. McDennell
" W. R. Crampton	" H. G. McPhail
" W. H. Denaime	" R. J. Mulvey
" J. P. Donovan	" T. Nevitt
" T. J. Donovan	" G. Page-Hanify
" J. S. Hanlon	" I. Perez
" E. J. Hanson	" E. E. Purnell
" A. Hinchcliffe	" W. J. Riordan
" A. J. Jones	" A. Skirving
" T. L. Jones	" J. G. Smith
" C. Kilpatrick	" R. Sumner
" G. Lawson	" G. H. Thompson
" L. McDonald	

Tellers: Hon. W. R. Crampton and Hon. L. McDonald.

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Hon. J. Cowlishaw	Hon. P. J. Leahy
" A. Dunn	" C. F. Marks
" B. Fahey	" A. H. Parnell
" E. W. H. Fowles	" H. Turner
" T. M. Hall	" A. H. Whittingham
" A. G. C. Hawthorn	

Tellers: Hon. E. W. H. Fowles and Hon. A. G. C. Hawthorn.

Resolved in the affirmative.

BOYNE VALLEY (NORTHERN BURNETT) RAILWAY.

PRESENTATION OF REPORT OF SELECT COMMITTEE.

The SECRETARY FOR MINES presented the report of the Select Committee on the proposed Boyne Valley Railway Extension from Many Peaks to the northern end of the approved line from Mundubbera to the Northern Burnett, and the proposed railway from Monto and Rannes to open up the Callide Valley and Prairie lands; and moved that the paper be printed.

Question put and passed.

SUSPENSION OF STANDING RULES AND ORDERS.

The SECRETARY FOR MINES, in moving—

“That so much of the Standing Rules and Orders be suspended for the remainder of the session as would otherwise preclude the passing of Bills through all their stages in one day”—

said: The Government desire, if possible, to close the session not later than Friday of next week. This is the usual motion that is proposed at the close of each session to facilitate the passage of Bills through their remaining stages practically in one day in order to terminate the session, and it is always moved to suit the convenience of hon. members on both sides.

Hon. E. W. H. FOWLES: On behalf of hon. members who may not be present, the Minister might intimate what Bills he wishes the motion to refer to. It is usual to apply a motion of this sort to the final Appropriation Bill. If it refers to all sorts of other Bills that may come before us next week, I might point out that a message accompanying a Bill might be received from the other Chamber at 4.30 o'clock p.m. That Bill would not appear on our business-paper, and hon. gentlemen would have no intimation that it was going to be dealt with, and yet we might be asked to pass it through all its stages on the day on which it was received without any hon. member knowing that it was coming on for discussion. The Minister will see that it is only fair that hon. members should know the business for the day. If the motion is only to apply to the usual Appropriation Bill, it might receive unanimous approval.

The SECRETARY FOR MINES, in reply, said: This is the usual motion which is submitted at the end of each session. To-morrow, for instance, I will move the second reading of the Land Act Amendment Bill, but I do not propose to go on with the Committee stage of the Bill on that day. I will also move the second reading of the Main Roads Bill. I will adopt my usual practice of giving hon. members a day between the second reading and Committee stages. I do not propose to attempt to rush any important measure through in one day. The motion is simply intended to facilitate the despatch of business at the close of the session.

Question put and passed.

[Hon. A. J. Jones.]

ADDITIONAL SITTING DAY.

FRIDAY SITTINGS.

The SECRETARY FOR MINES moved—

“That, unless otherwise ordered, the Council will meet for the despatch of business at 3 o'clock p.m. on Friday in each week in addition to the days already provided for by Sessional Order, and that Government business do take precedence of all other business on that day.”

Question put and passed.

JOINT COMMITTEES.

CONTINUATION DURING RECESS.

The SECRETARY FOR MINES moved—

“1. That, in the opinion of this Council, it is desirable that the members constituting, respectively, the Joint Library Committee, the Joint Refreshment Rooms Committee, and the Joint Buildings Committee should continue to control, during the recess, the several matters committed to their charge as such Committees during the session.

“2. That the above resolution be forwarded to the Legislative Assembly by message, inviting their concurrence therein.”

Question put and passed.

PROFITEERING PREVENTION BILL.

RESUMPTION OF COMMITTEE.

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

Clause 3—“Interpretation”—

HON. A. G. C. HAWTHORN: Before going on with the Bill he would like to know if the Minister was of the same opinion as he was last week—that they [4.30 p.m.] should let the amendments go through and send them on to the Assembly for consideration. If he was prepared to do that, there need be no discussion, and they could get through the Bill in no time. If he was not prepared to do that, he (Mr. Hawthorn) supposed the hon. gentleman would divide and carry each clause as they went on. Did the Minister intend to carry out his suggestion of last week, or had he gone back on it?

The SECRETARY FOR MINES: He regretted that the hon. gentleman had used the expression “gone back.” When they first discussed the Bill, they were the whole of the afternoon getting through clause 1 and part of clause 2. In the Assembly, where there was an Opposition which had been elected by the people, the Bill passed through the Committee stage in one hour.

HON. A. G. C. HAWTHORN: You have got the “gag” there.

The SECRETARY FOR MINES: He did not want to use the argument to-day, but on the last sitting day of the Council he suggested it would probably be wise to allow the whole of the amendments to be carried because of the majority which hon. gentlemen opposite had, which was used to defeat the Bill, and allow the Legislative Assembly to deal with them. He was in a different position to-day; hon. gentlemen could not expect him to agree for all time

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to all the amendments inserted by them going back to the Assembly.

HON. A. G. C. HAWTHORN: Is it your argument that, because you are strong enough, you can afford to back down on what you said?

The SECRETARY FOR MINES: His remarks applied to the one sitting day, when hon. gentlemen did not accept his suggestion that they should go home at 6 o'clock. He had then stated that, if hon. gentlemen would not accept his suggestion, he would allow the amendments to go back to the Assembly to be dealt with there. He hoped that clause 3 would be carried with the slight amendment which had been made.

HON. E. W. H. FOWLES: Might he ask the Chairman what amendment had been carried in regard to clause 3?

The CHAIRMAN: The omission of sub-clause (f), lines 10 to 12, page 3.

HON. E. W. H. FOWLES: He thought the words on lines 14 to 13 were exceedingly vague. Subclause (h) read—

“All goods, wares, or merchandise, or services rendered to the people.”

What would be included in that? Then it said—

“which by a proclamation under this Act have been declared to be commodities to which this Act applies.”

Did that mean that the Governor in Council by proclamation in the “Gazette” could declare anything to be a commodity? They had declared sheep to be sugar and cattle to be treacle. If they could declare anything to be a commodity, it really transferred the functions of legislation from the two Houses of Parliament to the Governor in Council.

HON. T. L. JONES: It is worded so as to include everything that is liable to profiteering.

HON. E. W. H. FOWLES: Why not put in the words, “or commodities liable to profiteering,” then?

HON. T. L. JONES: Any commodity that is bought or sold is liable to profiteering.

HON. E. W. H. FOWLES: Subsection (h) is very vague.

HON. R. SUMNER: Why circumscribe it? Why not leave the dragnet clause in?

HON. E. W. H. FOWLES: Because it handed over to the Governor in Council the functions that belong to Parliament. Why should the Assembly and the Council hand over their functions of legislation to the Governor in Council?

HON. T. L. JONES: You must have a general clause, because you cannot specify everything. Subclauses (a) to (g) are specific statements of things; subclause (h) is a dragnet clause, including everything which is a commodity.

HON. E. W. H. FOWLES: By what?

HON. T. L. JONES: By proclamation.

HON. E. W. H. FOWLES: That was what he was objecting to. Why should it not be done by Parliament? A proclamation was not reviewable by Parliament, but a regulation was.

The SECRETARY FOR MINES: If we delete what you want us to do, you would immediately accuse us of repudiation.

HON. E. W. H. FOWLES: Why not bring it in by regulation, which was reviewable by Parliament? A proclamation was an arbitrary act of the Executive, which might be out of office to-morrow.

HON. T. L. JONES: You will find that, under the regulation clause, the proclamation has to be laid on the table of the Council, which has the power of disallowing a proclamation as well as a regulation.

HON. E. W. H. FOWLES: That disposed of part of his objection, but the fact that it was disposed of showed that the query was well founded. Then, the subclause included the words, "or services rendered to the people"; that was to say, the Bill would take up the duty of attacking professional officers. Did it mean that the fees of the medical profession would be subject to review by the profiteering court?

HON. T. NEVITT: There is a possibility of profiteering taking place in the medical profession; we do not say that it does, but it is possible.

HON. T. L. JONES: Subclause (h) is a dragnet clause.

HON. E. W. H. FOWLES: They objected to dragnet clauses in Acts of Parliament. Why not state what they meant explicitly?

HON. T. L. JONES: Because you cannot specify everything. There may be some new services of commodities which cannot be specified.

HON. E. W. H. FOWLES: In order to put the discussion in order, he moved the omission of the following words on page 3:—

"All goods, wares, or merchandise, or services rendered to the people, or other things, which by a proclamation under this Act have been declared to be commodities to which this Act applies."

HON. P. J. LEAHY: They had heard a good deal about the desirability of allowing the Government power under this dragnet provision to declare what was a "commodity." He had a vivid recollection of what happened when the Sugar Acquisition Act came before that Chamber. It was explained by the Minister who was in charge of that Bill that the measure was really intended to give the Government power to acquire sugar, and nothing else. But what did they find after the Bill was passed? The Government used a dragnet provision in that Act to enable them to commandeer stock, though the plain meaning of that provision was that it should apply to some manufactured article. Yet under that provision the Government commandeered the cattle of widows and orphans. He contended that it was their duty, as the representatives of the people, to see, as far as they were able to do, that the Government were not given power which they could exercise in the way they exercised power under the Sugar Acquisition Act.

HON. T. L. JONES: It was their duty, as true representatives of the people, to see that the provisions of this measure were made effective. Subclauses (a) to (g) defined certain specific subjects which were brought under the provisions of the measure, but it was impossible to specify every commodity to which the provisions of the Bill should apply. Consequently, subclause (h) was introduced to enable the Government, by proclamation, to make the provisions of the

measure applicable to commodities which were unspecified in the clause, and that proclamation had to be laid on the table of both Houses, there being a power of disallowance on the part of each House. Hon. members opposite seemed to desire to leave loopholes in the Bill. If they omitted the provision under consideration, they would have no machinery for bringing under the provisions of the Bill any matters which were not specified in subclauses (a) to (g). A new special service or a new commodity might arise, and it was desirable that they should be able to deal with it in a manner similar to that provided with respect to other commodities. The omission of subclause (h) would destroy the usefulness of the Bill.

HON. E. W. H. FOWLES: Does "services rendered to the people" mean the people of Queensland?

HON. T. L. JONES: He presumed that those words referred to any services rendered to the people, whether they were professional services or the services of labour.

HON. E. W. H. FOWLES: The "people" then means any number of the people?

HON. T. L. JONES: Yes—one person, if necessary.

HON. E. W. H. FOWLES: You are reading "services rendered to the people" as "services rendered to any person."

HON. T. L. JONES: He certainly thought that it meant that. Hon. members opposite knew that the amendment was unnecessary, but they would like to save their face by getting one "i" dotted or one "t" crossed.

HON. T. J. O'SHEA: He would like the Minister to explain to the Committee whether "commodity" included live stock—sheep and horses.

THE SECRETARY FOR MINES: The Bill was intended to deal with all commodities in which there might be profiteering.

HON. T. J. O'SHEA: And you think "commodity" includes live stock?

THE SECRETARY FOR MINES: It included, or should include, everything in which there might be profiteering.

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

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Hon. J. S. Collings	Hon. L. McDonald
" W. B. Crampton	" F. McDonnell
" W. H. Dumas	" H. G. McPhail
" J. F. Donovan	" T. Nevitt
" T. J. Donovan	" G. Page-Hanify
" J. S. Hanlon	" I. Perel
" E. J. Hanson	" E. B. Purcell
" A. Hinchecliffe	" W. J. Riordan
" A. J. Jones	" A. Skirving
" T. L. Jones	" T. G. Smith
" C. Kilpatrick	" R. Sumner
" G. Lawson	" G. H. Thompson

Tellers: Hon. T. Nevitt and Hon. L. McDonald.

NOT-CONTENTS, 8.

Hon. B. Fahey	Hon. C. F. Marks
" E. W. H. Fowles	" T. J. O'Shea
" A. G. O. Hawthorn	" A. H. Parrnell
" P. J. Leahy	" H. Turner

Tellers: Hon. E. W. H. Fowles and Hon. A. H. Parrnell.

Resolved in the affirmative.

Hon. A. J. Jones.

Clause 3, as amended, put and passed.

Clauses 4 and 5 put and passed.

Clause 6—"Administration of Act"—

HON. P. J. LEAHY: This clause read—

"In the administration of this Act the Commissioner shall be subject to the direction and control of the Minister."

He had the strongest possible objection to giving any Minister control over a Commissioner, and the clause should be deleted.

If the Bill was to be made a [5 p.m.] workable measure, it was desirable that the necessary powers should be given to the Commissioner, and he should not be under the control of any Minister.

The SECRETARY FOR MINES: The Government do not want to be under the control of a Commissioner.

HON. P. J. LEAHY: The Government did not want to be under the control of anybody, but the Government, whether they liked it or not, would be under the control of the people. The present Government was an autocratic Government masquerading as democrats. Perhaps he might as well ask at that stage whether there was any possibility of the Minister accepting any of the amendments that had been circulated.

The SECRETARY FOR MINES: No.

HON. P. J. LEAHY: It did not matter how just an amendment might be, the Minister said he would refuse to accept it.

The SECRETARY FOR MINES: We went through all these amendments.

HON. P. J. LEAHY: Hon. gentlemen had a lot of amendments circulated which they thought were necessary, but the Minister said he would not accept them. It was just as well to know the position. The Minister was there with a strong, solid phalanx behind him, and he was exercising a power which hon. gentlemen on that side never exercised.

The SECRETARY FOR MINES: Don't you put words into my mouth.

HON. P. J. LEAHY: On the rare occasions when hon. gentlemen on the Government side made reasonable suggestions—

The SECRETARY FOR MINES: You made a mistake on the Land Act Amendment Bill, and you want to blame me for it.

HON. P. J. LEAHY: We never made a mistake on that Bill.

The SECRETARY FOR MINES: If you wanted to defeat that Bill you should have moved, "That it be read a second time this day six months."

HON. P. J. LEAHY: Hon. gentlemen on that side had had a majority for the last four or five years; and on the rare occasions that hon. gentlemen on the other side made sensible suggestions, they always gave them every consideration. However, the Minister had a solid majority, and, if he was going to adopt a system of Prussianism, and force things through whether they were right or wrong, then he (Mr. Leahy) was not going to waste his energies and the time of the Council in moving amendments.

HON. R. SUMNER: It would be wrong to omit the clause, as it was necessary that the Minister should have control. Could the Hon. Mr. Leahy point out any instance in connection with food administration, whether

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in England or in America, where the Minister of the day did not have full control?

HON. P. J. LEAHY: The Minister can tell the Commissioner what prices to fix.

HON. R. SUMNER: He did not think the Minister would do that, but the Commissioner should be subject to the direction and control of the Minister. The Commissioner might want to do something quite contrary to the Act.

The SECRETARY FOR MINES: The Hon. Mr. Leahy had put words into his mouth that he did not use. The amendments on the Bill had been circulated for quite a number of days, and he had given consideration to the whole of them. He had made marginal notes on the amendments, and he did not know of any amendment suggested by the hon. gentleman that he could accept, but that did not apply to other Bills. They would be dealing with the Mining Acts Amendment Bill to-morrow, and the hon. gentleman, or some other hon. gentleman, might suggest an amendment that he, as Secretary for Mines, would gladly accept. As a matter of fact, if the Assembly had not amended that Bill in one direction, he would probably agree to an amendment in the Council. The Hon. Mr. Leahy wanted to delete clause 6, and, without wishing to reflect on the Commissioner for Railways, the Commissioner of State Enterprises, the Commissioner of State Insurance, or the Commissioner of Police, he desired to say that, personally, he did not believe in government by Commissioners. He believed the Minister should be responsible to the people's representatives, and the people's representatives should be responsible to the people. He did not say that the Government objected to being under the control of the people. The Minister should be responsible to the people for all his acts of administration. His argument was that the Commissioner was not responsible to the people.

HON. P. J. LEAHY: Do you mean to tell me that the Minister should be responsible to the people for price fixing?

The SECRETARY FOR MINES: No; he would appoint a Commissioner who was under the direction and control of the Minister, and the Minister would take the responsibility. The Commissioner had no power to come into that Chamber and defend himself; he had to do it through the Minister.

HON. P. J. LEAHY: You can tell the Commissioner what price to fix.

The SECRETARY FOR MINES: His remarks would cast no reflection on any gentleman acting in the capacity of a Commissioner to-day.

HON. P. J. LEAHY: Can you instruct the Commissioner what prices to fix?

The SECRETARY FOR MINES: The Minister took full responsibility; otherwise they would have the spectacle in that Chamber of members criticising a man who was not able to defend himself. However, he believed in government of the people by the people and for the people, and that all Ministers should be directly responsible to the people; but the hon. gentleman wanted to wipe that out and introduce some new system. The Government were not afraid of the people. He used the same arguments on the State Enterprises Bill. What would happen if they had a Commissioner to control the iron and steel works, or if they had a

Commissioner to control the State enterprises under the Mines Department?

HON. P. J. LEAHY: If we had any other Minister except you, they would be better under a Commissioner.

The SECRETARY FOR MINES: That was certainly complimentary to him. While he probably knew a fair amount about the mining industry, he could also say for his colleague, the Secretary for Agriculture, that he was just as well acquainted with his industry as he (Mr. Jones) was with his, and that was why the Government were so successful and so popular. It was because they knew their business. He did not know of a Minister in the Cabinet who did not understand thoroughly the department which he controlled. When Mr. Ryan was Premier he always selected the best man for the position—he placed the members of the Cabinet like one would place a good team of horses: so that they would all pull together.

HON. P. J. LEAHY: He wanted to fix the Minister down to one thing. Had the Minister power to instruct the Commissioner as to what price he should fix? His contention was, that under the clause the Minister had that power, and he should not have that power, because the Minister was subject to political influence. The hon. gentleman said himself that he was responsible to the people or to sections of the people. A position of that kind demanded strict impartiality. So far as the Mines Department was concerned, under the direction of the Minister things were less badly managed than they were in other departments. He might venture to say that they were well managed in the Mines Department, and the fact that the department was well managed was largely owing to the education which the Minister had received in that Chamber. But what guarantee had they that the Minister who would preside over the Commissioner appointed to fix prices would have the advantage of sitting in that Chamber? Was it a proper thing that the Minister should interfere with price fixing when there was a Commissioner? The Commissioner was put there presumably as an impartial man; but, if the Commissioner did something to offend the Minister's supporters, they could go to the Minister and, with their political pull over him, the Minister would be compelled to reverse the decision of the Commissioner. That was not a fair thing. He would rather place the whole thing in the hands of the Minister, and let him accept the entire responsibility, than have a Minister sheltering himself under the wing of the Commissioner. It was not fair, but the Minister had his battalions behind him, and he would say no more.

The SECRETARY FOR MINES: He would just give one or two concrete cases. There were Commissioners controlling certain enterprises and departments, and, naturally, they were desirous of making as much profit as they could, whereas the policy of the Government was not to make a large profit. If the State arsenic mine were under a Commissioner, naturally he would sell arsenic at £70 or £80 a ton, but that was not the policy of the Government. If the amendment were agreed to, the Minister would be powerless to enable people to get the products of the various enterprises cheap. The Commissioner would say, "No; this is a business

concern, and I am going to sell at a price that will give me a handsome profit."

HON. E. W. H. FOWLES: That would not be the Commissioner under this Bill.

The SECRETARY FOR MINES: He would give another case. Hon. members opposite wanted to limit the power of the Minister, whereas the Government wished to give the Minister all the power that a Minister should have. One Commissioner in Queensland had the power to lend money. He (Mr. Jones) did not blame him for wanting to make as large a profit for his department as he could, but he was charging 7½, 8 per cent., and 9 per cent for the loan of money. It was not the policy of the present Government to fleece poor people by charging them a high rate of interest for the loan of public money, so they used the power they possessed and limited the interest that could be charged to 6 per cent.

HON. E. W. H. FOWLES: What Commissioner was charging 9 per cent.?

The SECRETARY FOR MINES: Well, 8 per cent., and he believed that in some cases he did charge 9 per cent.

HON. P. J. LEAHY: It would not be the Savings Bank Commissioner.

The SECRETARY FOR MINES: The Government limited the amount that could be charged, because they considered it wrong to charge 7 per cent., 8 per cent., or 9 per cent. They were not a profiteering Government.

HON. P. J. LEAHY: Not a profiteering Government?

The SECRETARY FOR MINES: No. The profits they were making on their enterprises came their way because of their good management, and they could not help making the profits they did.

HON. P. J. LEAHY: You have admitted that you cannot help making big profits.

The SECRETARY FOR MINES: In one of the mines that he was controlling, they did not know what profit they would make at the end of the year, although they reduced the price of the commodity from £90 to £16 16s. a ton.

HON. T. J. O'SHEA: The question we are now debating is whether the Minister should interfere with the Commissioner.

The SECRETARY FOR MINES: He was giving instances of where a Commissioner had power to do certain things, and did them, and was not so considerate with regard to the policy of the Government as a Minister would be. The Government should be responsible, and no Commissioner should have a greater power than the Minister.

HON. T. J. O'SHEA: Would you apply that principle to your judges?

HON. P. J. LEAHY: He would not have spoken again, but that the Minister had broken fresh ground, and instituted a comparison between things that were not essentially the same. A Commissioner lending Government money and the Price Fixing Commissioner were totally distinct; in fact, there was an unbridgable difference between the two. A Commissioner who was carrying on a business naturally wanted to make the largest profit he could. The Commissioner under the Bill would be acting in a judicial capacity, just like a magistrate in a court, and his business was not to show a big profit, but to hold the scales evenly between the man who had something to sell and the man

who wanted to buy that article. In the case the Minister spoke of where the Government prevented a certain Commissioner from charging 8 per cent. and 9 per cent. on public funds, he did not blame the Government, but he did object very strongly to allowing the Minister under the Bill to control the Commissioner in the matter of price fixing. He objected just as strongly as he would object to the Minister for Justice controlling or directing a magistrate in regard to a judicial decision. Both the magistrate and the Price-fixing Commissioner were supposed to act judicially and impartially. The Government, however, proposed to take the control out of the hands of the Commissioner. He thought that the Minister, on calm reflection, would admit the cogency of his argument.

HON. T. NEVITT: He could not allow one remark that fell from the Hon. Mr. Leahy in his previous speech to pass without challenge. The hon. gentleman said that the Government intended to pass the Bill against all moral law.

Hon. P. J. LEAHY: I said that of another matter.

HON. T. NEVITT: The hon. member was speaking of the amendment now under consideration.

Hon. P. J. LEAHY: Well, I repeat it, because the Government are trying to interfere with a man who should be impartial.

HON. T. NEVITT: He would like to know where the hon. member's morality came in in connection with the last amendment in the list that had been circulated. That amendment proposed that the Act should only remain in force until 31st December next. There was a lot of morality in hon. members opposite if they were prepared to allow profiteering to continue indefinitely after 31st December next.

Hon. P. J. LEAHY: You can renew the Bill again.

HON. T. NEVITT: That amendment convinced him of the morality of the hon. gentleman.

Hon. P. J. LEAHY: Is that my amendment?

HON. T. NEVITT: It was in the list of amendments standing in the name of the Hon. Mr. Stephens, but it emanated from the other side, and experience showed him that any amendment coming from that side was never opposed by any member opposite.

Hon. P. J. LEAHY: I will show you tomorrow.

Hon. T. J. O'SHEA: I moved an amendment last week, and the Hon. Mr. Murphy voted with us.

HON. T. NEVITT: Coming to the question of whether the Commissioner should be under the direct control of the Minister or not, the duties of the Commissioner were to make investigations to discover whether profiteering was taking place. If he was satisfied that there was profiteering, it was his duty to convey the information to the Minister.

Hon. T. J. O'SHEA: Then the Minister is the Commissioner?

HON. T. NEVITT: As he read the Bill that was the duty of the Commissioner, and the Commissioner could not act without the sanction of his Minister.

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The SECRETARY FOR MINES: A sensible Commissioner does not want to act on his own responsibility. He wants the Minister to take the responsibility.

HON. T. NEVITT: It might happen that they would have a Commissioner who was not in sympathy with the Government that he served, and it would be the easiest thing in the world for him to damn his Government if he was not under the control of the Minister.

Hon. P. J. LEAHY: It is the political side of the question that is appealing to you now.

HON. T. NEVITT: No, he was appealing to justice.

Hon. T. J. O'SHEA: Will you apply that principle to the judges of the Supreme Court?

HON. T. NEVITT: They were not now discussing the judges of the Supreme Court. The duties of the Commissioner were clearly defined. No Minister in any Parliament would care to carry the responsibility of deciding whether a judge was efficient or otherwise. A judge could not be removed from office except by a vote of both Houses of Parliament. The position of the Commissioner under the Bill was very different to that.

Hon. T. J. O'SHEA: Has he not to give a judicial decision as between man and man?

HON. T. NEVITT: Only up to a certain point. His functions did not go as far as those of a judge.

Hon. T. J. O'SHEA: He should be as free as a judge.

HON. T. NEVITT: The Commissioner's duty was to report to his Minister, and then the Minister would affirm his recommendation or otherwise.

HON. T. J. O'SHEA: The trend of the argument on the other side seemed to be that, whenever the Minister was prompted by his political friends, he should upset the Commissioner's decision.

HON. T. NEVITT: The Commissioner will not decide.

HON. T. J. O'SHEA: The Bill provided that he should. If that was not the position, then they might as well eliminate the Commissioner from the Bill altogether. It would be far more straightforward to say that the Minister should decide all prices rather than say that the Commissioner should do so and then give the Minister power to override him whenever he liked. The Minister was to be a court of appeal against the Commissioner's decisions whenever anyone prompted him to do so. That was against all principles of justice. The Commissioner should sit as an impartial judge and decide what was a fair thing, and his decisions should not be subject to reversal by anyone.

HON. T. NEVITT: According to clause 3, the Commissioner cannot do anything but report to his Minister.

HON. T. J. O'SHEA: Clause 3 did not say anything of the sort. The Commissioner had to decide, and then that dragnet clause was shoved in giving the Minister power to act one way or the other to suit his friends. The whole thing would be so subject to political control and chicanery that it would upset the whole scheme of the Bill. That was wrong. He would go further and say it was immoral. The Commissioner should be the judge. If it was desired to have a

court of appeal from his decisions, they should create a court of appeal, instead of allowing strings to be pulled behind the Minister's chair. If the argument of the Hon. Mr. Nevitt was correct, the Minister would be a court of appeal from the Commissioner without giving either party the right to be heard. It was merely a question of which side could pull the Minister about.

THE SECRETARY FOR MINES: Our Ministers are not so easily pulled about as that.

HON. T. J. O'SHEA: Unfortunately, very often they were. They were frequently driven to do things that they would not do if left to exercise their own judgment. He wanted to save the Minister as well as the Commissioner. There was too much pulling Ministers about. He thought they were heckled in a way that was unbecoming to their positions, and it was unwise to allow them to be subjected to that sort of thing. He did not think the Minister should open an avenue for wirepulling and political dodgery. He should be free to say that it was the Commissioner's duty to decide, and that his decision should be as final as the decision of a judge of the Supreme Court. Judging by what the Minister had said, however, he was not going to accept any of the amendments, but was going to wipe them all out because he now had a majority.

A GOVERNMENT MEMBER: Hear, hear!

HON. T. J. O'SHEA: He was glad to hear that endorsement of what he said. The Minister was taking up the position that there was no merit in any of the amendments, and they were just to be brushed aside. That being so, the best thing was to let the hon. gentleman carry everything that was sent up from below, where they carried everything that was sent to them from a place below them again.

HON. E. W. H. FOWLES: The Bill was contradictory. Clause 10 provided—

"The Commissioner, by notification published in the 'Gazette' and in such newspapers as may be prescribed, may from time to time in his absolute discretion—"

HON. G. PAGE-HANIFY: Hear, hear! That gives him a discretionary power.

[5.30 p.m.]

HON. E. W. H. FOWLES: That was one clause of the Bill. There was another clause to the effect that the Commissioner should be under the control and direction of the Minister. Which clause was right?

HON. G. PAGE-HANIFY: It does not say that. The Bill defines the power of the Commissioner.

HON. E. W. H. FOWLES: But it said that the Commissioner should be subject to the direction and control of the Minister.

HON. G. PAGE-HANIFY: Hear, hear!

HON. E. W. H. FOWLES: Then it said that the Commissioner was to have absolute discretion. They could not have those two contradictory things together. The Minister would find out that if his policy was to bludgeon everything through without any alteration, the Bill would be a most gigantic piece of patchwork.

THE SECRETARY FOR MINES: I never said that. I say that the Minister should take full responsibility; he is directly responsible.

HON. E. W. H. FOWLES: The Bill said that the Commissioner should be subject to the control and direction of the Minister.

HON. G. PAGE-HANIFY: In the administration of the Act.

HON. E. W. H. FOWLES: Of course, and he supposed the fixing of prices was part of the administration of the Act. Clause 6 said "subject to the direction and control of the Minister" and clause 10 left it in the absolute discretion of the Commissioner. The two clauses were contradictory. Was the absolute discretion of the Commissioner going to rule the fixing and declaring of prices?

HON. G. PAGE-HANIFY: Hear, hear!

HON. E. W. H. FOWLES: Had clause 5 nothing to do with clause 10?

THE SECRETARY FOR MINES: I quoted a case in which a high rate of interest had been charged. This Bill says that you shall not exceed 6 per cent. interest, and our policy is to see that a high interest shall not be charged.

HON. E. W. H. FOWLES: Which clause was going to be paramount—clause 6 or clause 10?

HON. G. PAGE-HANIFY: They do not conflict.

HON. E. W. H. FOWLES: It was their duty to see that the Bill was a bit more watertight when it got through than it was when it came to them. If every Bill was to go through just as it was presented to them, the Minister would find his hands tied.

THE SECRETARY FOR MINES: I never said that.

HON. E. W. H. FOWLES: The Bill would be a farcical piece of patchwork, and the Minister would have to come back to Parliament and get it rectified. The Bill provided that the Commissioner should hold office at the pleasure of the Minister. How could any self-respecting Commissioner accept a position under those circumstances? The Commissioner was to hold office at the pleasure of the Minister—to be liable to be sacked at five minutes' notice. Suppose the Commissioner said he must fix a certain price which he thought was the correct price, and the Minister asked him to alter it? What could the Commissioner do? It was very peculiar, in view of the talk of hon. gentlemen opposite for the last four years, that the Bill for the abolition of the Council was not to be brought forward until another mandate came from the people.

HON. G. PAGE-HANIFY: You know that is right.

HON. E. W. H. FOWLES: That will not accord with the hon. gentleman's speeches up to this afternoon.

HON. G. PAGE-HANIFY: You are quite wrong.

HON. P. J. LEAHY: You say you came in to destroy the Council.

HON. G. PAGE-HANIFY: I never said anything of the sort.

HON. E. W. H. FOWLES: Hon. gentlemen opposite dared not go to the people on the question of the abolition of the Council; they had squibbed on it. What Commissioner, under the Bill, would be able to give an independent judgment if he held office at the will of the Minister?

HON. G. PAGE-HANIFY: The Commissioner must be subject to the Minister; he always is.

Hon. E. W. H. Fowles.]

HON. E. W. H. FOWLES: Were not the huge deficits on the railways at the present time due to the fact that the Commissioner for Railways was not independent?

HON. G. PAGE-HANIFY: You say so.

HON. E. W. H. FOWLES: The Bill was contradictory in regard to clauses 6 and 10; but, if the Minister had instructions to pass the Bill and nothing but the Bill with all its faults, it would only be a piece of patchwork.

HON. I. PEREL: It was very hard to understand the legal arguments of hon. gentlemen opposite, but the position appeared to be very plain to him as a practical business man. When a man owned and managed a business, he was the master of his business and completely controlled it. The Hon. Mr. Leahy and the Hon. Mr. Fowles would not allow any servants of theirs to take charge of their businesses, and the case was exactly similar under the Bill. The Commissioner was the servant of the Minister, who represented the Government, and the Minister should have absolute control over his servants just the same as the employer should have command of his employees. They talked about judges having absolute control, but no judge had an absolute control; there was an appeal from one judge to another, and the finale was the Privy Council.

HON. P. J. LEAHY: There is no appeal from the Arbitration Court.

HON. I. PEREL: There must be finality to everything, and the finality in business was the decision of the man who put money into the business. The finality in connection with profit-mongering rested with the Commissioner, subject to the will of the Government which appointed him Commissioner, just the same as the manager of his (Mr. Perel's) business was subject to his will. He would not allow his manager to do anything that he disapproved of, and he did not think any Commissioner should be in a different position. Hon. gentlemen opposite were continually asserting that full power should be in the hands of the Commissioner, but when it suited them they turned round and said the Government should not put a gentleman in such an invidious position. That was hypocritical. Would they not sooner have an individual to control price-fixing who could be approached more easily than a Minister could be?

HON. P. J. LEAHY: How do you know?

HON. I. PEREL: His every-day experience was that he would far rather approach a private individual if he were entering on a shady transaction than he would go to a Minister.

HON. E. W. H. FOWLES: You are speaking against the Bill. I quite agree with you.

HON. I. PEREL: He wanted the price-fixing to be absolutely under the control of the Minister.

HON. E. W. H. FOWLES: But clause 10 said it was to be absolutely in the discretion of the Commissioner. That is what I am growling about.

HON. I. PEREL: The hon. gentleman was growling at the Minister having the power to overrule the Commissioner. The hon. gentleman had pointed to the Commissioner for Railways as an example; but even if they went to Victoria they would find that

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the Commissioner for Railways there was absolutely subject to the Minister, and woe betide any Commissioner for Railways, even if they gave him £5,000 a year, if he did anything against the express wish of the Minister. If the Commissioner were to exercise his business discretion and put up prices, the Government would not last a day, as the country would turn it out. The system of control by a Commissioner was a failure.

The SECRETARY FOR MINES: The State Enterprises Act provided—

“Every State enterprise shall be administered by the Minister, and the Commissioner, as representing the Crown, is hereby authorised and empowered to carry on the same.”

What did that mean?

HON. P. J. LEAHY: Do you not see the distinction between a trading concern and a man who acts as a judge?

The SECRETARY FOR MINES: Hon. gentlemen opposite put that provision in the State Enterprises Act by way of compromise. As he said then, he was opposed to control by a Commissioner. The Government should be responsible, and the people could put them out of office if they did wrong.

HON. P. J. LEAHY: Ministerial control nearly always means irresponsible control.

The SECRETARY FOR MINES: Hon. gentlemen opposite, with all their legal knowledge, could not argue against what they had inserted in the State Enterprises Act. Then the Railways Act provided—

“Notwithstanding anything in this Act, no such contract shall be of any force or effect, unless or until the same has been approved and ratified by the Minister in writing under his hand.”

He thought hon. members opposite were simply stonewalling. On his side they had been in a minority before, and had had to try, by persuasive arguments, to get their Bills through, so that they had drifted into a habit of talking. He did not propose to debate the matter any further, because he wanted to establish a businesslike system during the remaining days of the session, and to get measures through with as little talk as possible.

HON. P. J. LEAHY: Under the State Enterprises Act and the Railways Act, the Minister had certain powers, but both those measures dealt with trading concerns, and there was no objection to the Minister having certain powers in matters of that character. But the Price Fixing Commissioner had to make certain investigations and give certain decisions in the public interest, and it was necessary that he should act with strict impartiality, uninfluenced by the Minister. He did not desire to bother any more about the amendment, or any other amendment circulated in his name, as the Minister had told them that he would not accept any amendment or give consideration to any reasons.

HON. G. PAGE-HANIFY: When he made an interjection earlier in the afternoon the Hon. Mr. Fowles very rudely and pointedly reflected upon his mental activity and intellectual capacity to understand the meaning of a provision. He resented that kind of thing. The party with which he was associated believed in Ministerial responsibility, and their

whole system was based upon that principle, their reason being that the responsibility should be upon a person who was directly responsible to the electors.

HON. P. J. LEAHY: Your Ministers change.

HON. G. PAGE-HANIFY: A single Minister was not responsible to the people, but the Government as a whole were responsible, and in that way they got government of the people for the people and by the people. He claimed that the Bill very clearly defined the powers of the Minister and the powers of the Commissioner, and that there was no conflict between clauses 6 and 10, but that, if there was any conflict between those two provisions, then clause 10, which was the later provision, would prevail. He thought that was good law.

Clause 6 put and passed.

Clauses 7 to 19, both inclusive, put and passed.

Clause 20—"Powers of Commissioner"—

HON. E. W. H. FOWLES: He understood that the Hon. Mr. Hawthorn had given notice of some amendments in this clause which, in the opinion of many hon. gentlemen, would be an improvement to the Bill, but, in deference to the Minister, who said that they must pass the Bill as it was, he would not submit those amendments. The Council was no longer a House of revision.

HON. T. L. JONES: You are giving up the fight, and you wish to throw the responsibility on the Minister.

HON. E. W. H. FOWLES: He was prepared to continue the fight, and he was prepared to continue it the previous day, but the Minister stopped business and adjourned at 6 o'clock. The Minister had told them that the Bill must go through in its present form.

The SECRETARY FOR MINES: I did not say that; I said we had considered all these amendments, and were opposed to them.

HON. E. W. H. FOWLES: What was the use of debating the amendments if the Government were going to oppose them? It was an absolutely wrong attitude for the Minister to take up when he said that he would not accept any amendment.

HON. I. PEREL: When you had your "brutal" majority, you pushed through whatever you wished.

HON. P. J. LEAHY: It was not a "brutal" majority; it was an intelligent majority.

Clause put and passed.

Clauses 21 to 34, put and passed.

Clause 35—"Regulations"—

HON. P. J. LEAHY: The first paragraph on page 19 read—

"The Governor in Council may in such regulations impose a penalty not exceeding two hundred pounds for any breach thereof."

He could quite understand, though he might object, to a high penalty being specified in an Act of Parliament, but he did think it was unfair that the Governor in Council should be permitted to impose a penalty of £200 for what, perhaps, after all, might be merely a venial offence.

HON. T. L. JONES: Do you know that penalties up to £400 have been actually imposed under the British Act?

HON. P. J. LEAHY: In England there had been profiteering, but the difficulty in Queensland was to find that profiteering existed. Another point was: Were these penalties in the Imperial Act inserted in the regulations or embodied in the Act itself? The penalty would not be so objectionable if it was embodied in the Act; but even if it were in the Act he still said the penalty was too high. He thought a maximum of £20 would be quite sufficient. If the Minister would not agree to accept the suggestion, of course, it was no use pressing it.

HON. T. L. JONES: The regulations must come before both Houses of Parliament.

HON. P. J. LEAHY: Parliament might be in recess for six months.

HON. T. L. JONES: Fancy suggesting a maximum penalty of £20 for such an offence!

HON. P. J. LEAHY: He thought £20 would be sufficient; but if the hon. gentleman thought it was too low, he had no objection to making it higher.

HON. T. L. JONES: I do not think £200 is too much.

HON. P. J. LEAHY: Take the case of a small storekeeper who might be a returned soldier; or take the case of a small shop run by a widow—a penalty of £200 might ruin either of them.

HON. T. L. JONES: You don't think the court would impose a penalty of £200 in such cases?

HON. P. J. LEAHY: They knew the imperfections of human nature, and did not know what the court might do. He had had a good deal to do with courts, as he, assisted by another, had presided over a court for eight years. A maximum penalty of £20 should be quite sufficient.

HON. T. NEVITT: This is the same penalty as in the Sherman Anti-Trust Act in America.

HON. P. J. LEAHY: There were much more serious offences dealt with under the Sherman Anti-Trust Act than there were under the Bill. They knew perfectly well that there were no trusts in Queensland, such as there were in America. If the Minister did not like to reduce the penalty, nothing more need be said about it, but he was satisfied that it was unreasonable and unfair that, for a paltry offence, it should be within the power of any magistrate, whose liver might be out of order, to impose such a heavy penalty.

HON. H. G. MCPHAIL: Personally, he thought the penalty mentioned in the clause was not by any means an extreme one, more particularly when they took into consideration that profiteering was not indulged in so much by the small shopkeeper as by the big combine. Recently, he had read a cable in one of the papers which said that penalties amounting altogether to £3,500 had been inflicted upon a firm in England for profiteering. That showed that in England they had very great powers for the purpose of putting down profiteering, and when the Hon. Mr. Leahy said that there was no profiteering in Queensland—

HON. P. J. LEAHY: I should like you to tell me where it is.

HON. H. G. MCPHAIL: That was only a bald statement, and there was power in the Bill to deal with profiteering if it were found

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to exist. It was not usual for magistrates to inflict heavy penalties for first offences; but if there was a second breach the penalty was heavier. He was quite satisfied that the men who would have to impose penalties under that measure would act in a sensible way, as was the case in the ordinary courts, and inflict a small penalty for a first offence, and then, if they found the profiteers were defiant, they would inflict severe penalties. Personally, he thought a penalty of £2,000 would not be sufficient in the case of some of those who were profiteering to-day. The penalty provided in the Bill was only a fair and reasonable one.

HON. G. PAGE-HANIFY: The Hon. Mr. Leahy was straining at a gnat, and had already swallowed a camel. In clause 12, he would find provision made for a penalty of £1,000; so why quibble now about the Governor in Council having power under the regulations to inflict a penalty of £200?

The SECRETARY FOR MINES: He did not propose to accept the suggested amendment; and, expressing his own individual opinion, he thought the maximum penalty provided in the clause was not sufficiently high. To deal with the profiteering that was carried on in this State and throughout the Commonwealth, the penalty should be very high; the enormity of the crime was great, and the penalty should be severe. A maximum penalty of £200 would encourage people to commit the offence and then pay the fine.

HON. T. L. JONES: That is often done.

The SECRETARY FOR MINES: He wanted to point out that the Bill was based on equity and justice; £200 was the maximum penalty, and the court might inflict a penalty of only £5. He would rather accept an amendment making the maximum penalty higher. As to the returned soldier and poor widow argument used by the hon. gentleman, that was mere camouflage. The Bill sought to protect the returned soldier against the profiteers.

HON. P. J. LEAHY: Several returned soldiers are now keeping shops.

The SECRETARY FOR MINES: When speaking on the second reading he had proved that there had been greater profiteering in Queensland during the period of the war than ever there was previously.

HON. P. J. LEAHY: You never proved anything of the kind.

The SECRETARY FOR MINES: He quoted the figures in connection with the pastoral companies, and showed that from 1914 to 1918 they had increased their profits from £2,000,000 to £4,000,000. Probably, they were quite within the law in doing so. However, a drastic disease deserved a drastic remedy. Two hundred pounds was the maximum penalty, and he agreed with his friends who said it was not high enough. They might amend the clause and increase it.

HON. P. J. LEAHY: He was tired of hearing about the "remorseless profiteer." They had had it in the Governor's speech at the opening of the session. He was also tired of the Minister talking [7.30 p.m.] about profiteering pastoral companies. Surely the hon. gentleman knew that, if the pastoral companies were making profits, they were selling their meat and wool in the open market on the other side of the world, and that was not

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profiteering in Queensland. They were supposed to be dealing with profiteering in Queensland. He would ask the Hon. Mr. McPhail or any hon. member on the other side to point out where there was any profiteering in Queensland.

HON. T. L. JONES: We want to pass the Bill to find that out.

HON. P. J. LEAHY: At the present time there was no proof that there was any profiteering in Queensland. The Government alleged that there was, and then they proposed to pass the Bill to authorise them to appoint a Commissioner to go round and find out where it was.

The SECRETARY FOR MINES: There is profiteering in flour at the present time. One firm of millers made a profit of £8,000 in one day.

HON. P. J. LEAHY: He challenged any hon. member opposite to produce any proof that profiteering existed. It might be found, and he did not object to sending a Commissioner round to find out if it did exist. The Bill was simply introduced for party purposes. The Government could have availed themselves of the provisions of the Control of Trade Act if they had any real desire to deal with profiteering, but simply because that Act was passed by a Liberal Government they would not use it.

The SECRETARY FOR MINES: That was a war measure.

HON. P. J. LEAHY: The Hon. Mr. Page-Hanify, who frequently and foolishly adopted the rôle of lecturer in that Chamber, had pointed out that clause 12 provided for a maximum penalty of £1,000. He (Mr. Leahy) had intended to move a reduction in that penalty; but after he and his friends found that the Minister wantonly refused to accept any amendments, they decided to wash their hands of the Bill, and so he let the £1,000 go. But he would direct the hon. member's attention to the fact that under clause 12, the maximum penalty in the case of a retail trader was £100—the £1,000 did not apply to the retail trader. Yet, under clause 35, the Government could, by regulation, increase the maximum penalty payable by the retailer to £200. If his arguments fell on deaf ears, it was useless continuing the discussion.

HON. T. L. JONES: You did not circulate any amendment to reduce the £1,000 in clause 12.

HON. P. J. LEAHY: He had the right to move an amendment without circulating it.

Clause put and passed.

Clauses 36 and 37 put and passed.

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

THIRD READING.

The SECRETARY FOR MINES moved—

"That the Bill be now read a third time."

HON. P. J. LEAHY: I am not opposing the motion to read the Bill a third time, but I wish to make a few observations. In my judgment the Bill is unnecessary; there is no evidence of any profiteering in Queensland; if it does exist, for the past six months, at least, the Government have had ample power to deal with it under the Control of

Trade Act. They have refused to do that; so that, if profiteering does exist, it has existed for the last six months because the Government would not apply the Control of Trade Act because it was passed by their predecessors. They are now putting through this drastic Bill, with exceedingly heavy penalties, although the Bill will not be one bit more effective than the Control of Trade Act. The whole thing is transparent and insincere, and intended to deceive the public. There is no evidence that profiteering exists. If it does exist, there is no objection to finding it out, and I am not opposed to inquiring into the matter; but I feel convinced that, when this Bill comes into operation, very little profiteering will be found to exist in Queensland. It certainly does not exist in connection with the products of the farmer. It does not exist in connection with the cattle that are sold in the yards. There may be some profiteering where the Government are concerned, because I understand they charge exorbitant prices for their fish and hides. I believe the Government is a profiteer to a far greater extent than any private individual. The Minister and his friends must know that nearly all articles of wearing apparel and certain portions of boots—the uppers, for instance—are imported from overseas, so that we have no control over those things, which have doubled and trebled in price of recent years. I am perfectly disinterested, as I am not engaged in selling to the public anything that will be affected by this Bill. In the nature of things the prices of imported commodities have gone up very much owing to the higher prices at home and the exchange with America. The prices of imported goods are in many cases three and four times the pre-war level, and consequently the trader must charge proportionately more than he did before the war. But that is because of the rise in prices in the old world. People who do not understand the facts say that there is profiteering here, but I have been unable to find that any greater profits are being made now by traders in Queensland than were made before the war.

Hon. A. HINCHCLIFFE: What is profiteering?

Hon. P. J. LEAHY: There is no definition of profiteering in the Bill.

Hon. A. HINCHCLIFFE: What is your definition?

Hon. P. J. LEAHY: I am not called upon to give a definition. When I am leading the Government in this Chamber, as I may be doing some day, I may answer a question of that kind.

Question put and passed.

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

LAND TAX ACT AMENDMENT BILL. SECOND READING.

The SECRETARY FOR MINES: I shall be very brief in moving the second reading of this Bill, which is "a Bill to further amend the Land Tax Act of 1915 in certain particulars." Hon. gentlemen opposite are never tired of accusing this Government of failing to introduce legislation which will in any way reduce taxation or relieve the people.

Hon. P. J. LEAHY: This is a mere bagatelle.

The SECRETARY FOR MINES: The policy of this Government is to tax those who can best afford to pay. Our policy is not to tax work or industry, but to relieve as far as possible from taxation those who are engaged in useful occupations, like the men on the land. It is true that the Land Tax Act of 1915 taxed all those persons who owned freehold land over and above the unimproved value of £300. We propose under this Bill—and I ask hon. gentlemen to look at clause 2—to reduce the tax on country lands of an unimproved value of £750 or less. Under the present Act, if the value of the land is less than £500, the tax is 1d. in each and every £1, and over £500 but less than £1,000, 1½d. in each and every £1. We intend to relieve the small landowner—the agriculturist—by inserting in the table the words—

"If the taxable value is less than £500, one half-penny in each and every £1, over £500 and up to £750, one penny in each and every £1."

This is one Bill under which taxation is reduced. There are further amendments of the Act under this Bill. The penalty, for instance, for default under the Act is at present simply the payment of the tax due. We think that the penalty for a wilful default or omission should be the payment of double the amount of the tax; but, if the Commissioner is satisfied that the taxpayer is not guilty of any wilful default or omission, and has not done any act with intent to defraud the revenue, he may remit the whole or any part of the tax.

Hon. P. J. LEAHY: Which clause is that?

The SECRETARY FOR MINES: That is in the second paragraph of clause 6. It is not in the original Act. Therefore, the Land Tax Commissioner will have power, in the case of a person not being wilfully guilty, to remit the whole of the tax.

Hon. P. J. LEAHY: Could you tell us what amount will be remitted under this Bill, as compared with the existing law?

The SECRETARY FOR MINES: He may remit the whole or half the amount, computed at the ordinary rate.

Hon. P. J. LEAHY: I want to know how much less revenue you expect to receive under this Bill. How much are you giving these men?

The SECRETARY FOR MINES: We expect to receive a good deal less revenue from the agriculturist who is engaged in utilising the land.

Hon. P. J. LEAHY: Cannot you give the Council some idea? They quoted the figures in another place.*

The SECRETARY FOR MINES: The hon. gentleman knows that when the Bill is in Committee I shall be able to give the figures. The Income Tax Commissioner will then be here, and he will be able to give the details.

Hon. P. J. LEAHY: So long as you do that it will be all right.

The SECRETARY FOR MINES: I would be out of order if I referred to the clauses in detail. I just want to speak on the general principles of the Bill. The Government wish to do everything possible to encourage the proper utilisation of land.

Hon. P. J. LEAHY: You have not done that so far.

Hon. A. J. Jones.]

The SECRETARY FOR MINES: The effect of the land tax has done that.

Hon. P. J. LEAHY: I am afraid you are wrong; it is a crushing burden.

The SECRETARY FOR MINES: That has a bearing on our railways. I believe that, if the owners of the vacant freehold lands along our railway lines were compelled to put it to a proper use, hon. gentlemen opposite would not be able to say that the railways do not pay.

Hon. P. J. LEAHY: They cannot afford to pay labour to do it: they are so hard up.

The SECRETARY FOR MINES: Under the Act an absentee—a person who is absent from Australia—has an exemption of £300, but under this Bill we do not propose to exempt an absentee. If a person who is absent from Australia owns land in Queensland, he will have to pay the tax on undeveloped land, and that is another method of bringing the land into proper use. We claim that a person who lives outside Australia and who takes up land for speculative purposes, and holds it while his more industrious neighbour, or the State, enhances its value, he shall pay for that privilege by way of a land tax, and there shall be no exemption allowed. Hon. members may say that that is repudiation. They may just as well use the argument of repudiation on this Bill as upon any other. Previously, there was an exemption made to that class of people. I expect hon. gentlemen opposite will accuse the Government of repudiation in that direction; but that is sound in principle. Unfortunately, our land laws have allowed certain persons to take up land for speculative purposes under the old conditional form of settlement selection. Much of that land has been a breeding ground for pests.

Hon. P. J. LEAHY: This country is full of pests.

The SECRETARY FOR MINES: Yes, we are trying to eradicate some of them now. (Government laughter.)

Hon. P. J. LEAHY: You have not succeeded. Your prickly-pear destruction has not amounted to much so far. On this side we are constantly fighting it.

The SECRETARY FOR MINES: We have done more in a practical way for the eradication of prickly-pear than any other Government.

GOVERNMENT MEMBERS: Hear, hear!

The SECRETARY FOR MINES: Ours is a bold and genuine attempt to do something which will eradicate the pear.

Hon. P. J. LEAHY: The pear has grown more since you came into office.

The SECRETARY FOR MINES: The hon. gentleman should go and see what is being done before he criticises me. I suppose that no one has had to stand more sneers in this Chamber about the arsenic mine than I have. Hon. gentlemen should acquaint themselves with what we are doing before they criticise, when we are doing our best to rid Queensland of its worst pest.

Hon. P. J. LEAHY: The prickly-pear has increased while you have been in office. You cannot get over that.

The SECRETARY FOR MINES: The hon. gentleman's party were in office for

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forty-five years, and never made any attempt to eradicate it. It is a legacy handed down to us by the squatter Government. I hope that something may be done to clear our valuable lands of the pest. I know something about the conditions of the people who live on that class of land. There are few public men in this Council and elsewhere in Queensland who do not realise the seriousness of our valuable lands becoming overrun with prickly-pear. We shall very shortly be able to produce all the poison we require with which to eradicate the pest. That is the only practical effort that has been made to deal with the pest. Unfortunately, there are other pests in Queensland, but I would be out of order in referring to them. I think the absentee landowner, especially when absent from his own country, should have no exemption in regard to his land tax, but those landowners who are utilising the land should have the reasonable exemption which is allowed. I shall be very pleased to give hon. gentlemen more information when the Bill gets into Committee. I will keep my word; I have no desire to go into Committee to-night. If hon. gentlemen will be contented with that promise, I will agree to get the second reading through to-night. I have, therefore, much pleasure in moving that the Bill be now read a second time.

Hon. P. J. LEAHY: I think that this is the only Bill dealing with taxation that has been introduced into this Chamber during the last five years which is not open to some strong objection. It professes to do a great deal, but it does not do much; still, I admit, because I am always, like other hon. members on this side, willing to recognise facts, that it confers some advantage on the small landowner, but I do not think the advantage is very much. Speaking from memory with regard to the debates in another place, I think that the total sum which it is expected to remit owing to the decreased taxation under this Bill, as compared with the existing law, does not amount to more than £5,000, which is not a great deal when distributed over the whole of Queensland. Still, it is something, and when we know the capacity of this Government for taxation, we are thankful for small mercies. It is very

much better that there should be [8 p.m.] some slight reduction in the case of those areas of land the value of which does not exceed £750 than that there should be an increase. Whilst I am, as I always have been, reluctant to attribute motives, I cannot help thinking that this is done just to enable the Government to say to the farmer, "Look how we are removing your burdens! Look what we have done for you!" The ordinary farmer will not know that it is only about £5,000 for the whole of Queensland; still, that does not make the farmer's position worse, but better, and there can be no opposition to that portion of the Bill. The Minister referred, in the course of his remarks, to the question of the absentee. I do not hold any brief for the absentee. I have never been much of an absentee myself, for I have been only two or three months out of the State for the last twenty years. But, after all, the absentee has some rights. We are always anxious to get money from the absentee.

The SECRETARY FOR MINES: We are paying for it, too.

HON. P. J. LEAHY: Yes, we pay for it, and then the Government tax the absentee on the income derived from his money. But what I particularly wish to refer to is the insinuation of the Minister that members on this side would describe the provision dealing with absentees as repudiation. I do not describe it as anything of the kind. We on this side have never contended that, if a tax is increased or lowered, that is repudiation, because we recognise the right of Parliament to impose whatever taxation may be necessary. Repudiation only comes in where there are two parties to an agreement, and one of them breaks that agreement, as in the case of the agreements between the Government and the pastoral and grazing lessees. Taking this measure as a whole, I do not see any objection to its second reading.

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

The consideration of the Bill in Committee was made an Order of the Day for to-morrow.

ORDER OF BUSINESS.

The SECRETARY FOR MINES: I move—That Orders of the Day Nos. 3 and 4 be postponed until after the consideration of Order of the Day No. 5. After that Order is disposed off I am agreeable to adjourn, as I think that will meet the convenience of hon. gentlemen, who have had rather a strenuous and exciting day.

HON. P. J. LEAHY: I should like to bring under the notice of the Minister the fact that Order No. 5 is a resumption of the adjourned debate on the motion for the approval of the plan of the proposed railway towards Burketown from Dobbyn to Myally Creek. A number of the members who constituted the Select Committee appointed to report upon that railway are not present this evening, and I think that in their absence the Minister might take some other business, and deal with that matter to-morrow afternoon when those members are present. I am sure they would have been here this evening if they had known that this business would be proceeded with to-night.

The SECRETARY FOR MINES: I should not like to take any point on hon. members who sat with me on the Select Committee; and if, as the leader of the Opposition states, some members of that Committee are absent, I will certainly agree to the proposal to adjourn the matter till a later sitting. With the permission of the Council, I will ask leave to withdraw the motion.

Motion, by leave, withdrawn.

ADJOURNMENT.

The SECRETARY FOR MINES: I move—That the Council do now adjourn. The first business to-morrow will be the second reading of the Brisbane Exhibition Land Leases Bill, to be followed by the second reading of the Discharged Soldiers' Settlement Act Amendment Bill, the Land Act Amendment Bill, then the consideration in Committee of the Land Tax Act Amendment Bill, and the second readings of the Main Roads Bill and the Mining Acts Amendment Bill.

Question put and passed.

The Council adjourned at ten minutes past 8 o'clock p.m.