

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**WEDNESDAY, 18 OCTOBER 1905**

---

Electronic reproduction of original hardcopy

---

---

**LEGISLATIVE COUNCIL.**

WEDNESDAY, 18 OCTOBER, 1905.

The PRESIDING CHAIRMAN (Hon. A. Norton) took the chair at half-past 3 o'clock.

**PAPERS.**

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

- (1) Report of the Chief Inspector of Factories and Shops for eighteen months ended 31st March, 1905.
- (2) Report of Visiting Medical Officer on the Diamantina Hospital for Chronic Diseases for 1904-5.

## LAND MONOPOLY TAX BILL.

MEMBERS DISCHARGED FROM SELECT COMMITTEE.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. A. H. Barlow), in moving—

That Mr. R. H. Smith and Mr. A. H. Barlow be discharged from the Select Committee appointed by this Council on the 11th October, to which the Land Monopoly Tax Bill was referred—

said: I may say that the inclusion of the name of Mr. R. H. Smith in this motion is with his entire concurrence. I am sure the House will acquit me of the slightest intention of disrespect in tabling this motion. I shall state to the House the reasons why I desire to be discharged from the Select Committee. I am informed that yesterday a meeting of the committee was convened, at which there was no quorum. I have no means of knowing, or believing, that a quorum will be formed. It may or it may not be formed. But I have addressed a letter to a gentleman connected with that committee, and I propose, on the authority of precedent, to read that letter to the House. It will explain more fully than anything I can say the reasons why I have taken this step. Not to take up any more time, I will proceed to read the letter—

Brisbane, 17th October, 1905.

Sir.—I have the honour to acknowledge a summons to attend a Select Committee on the Land Monopoly Tax Bill, of which you as the mover will, no doubt, be elected chairman, and in any event I request that you will cause this letter to be laid before such Select Committee and embodied in the official report of its proceedings. I feel that I must respectfully decline to attend the Select Committee for reasons additional to the fact that I was not previously consulted as to the inclusion of my name, as provided by Standing Order 207, and I shall take the first opportunity of asking the Legislative Council to discharge me from the Committee under Standing Order 209. In the first place, I consider it to be most unusual, if not unprecedented, that the Legislative Council should, after a very prolonged debate, have neither accepted nor rejected, but have referred to a Select Committee, a financial measure which, after being most fully discussed by the Cabinet, was passed as to its second reading in the Legislative Assembly by 43 votes to 15, including "pairs," the House consisting of 72 members, and the "Ayes" being thus more than an absolute majority. I also, to the best of my ability, urged, explained and defended the measure, and I have nothing further to advance before the Select Committee. The constitution of the Select Committee (of five) is also such that I should be in an assured minority—the three majority members having acted in the Legislative Council strongly against the Bill—and this Committee was appointed by a vote of the Legislative Council which I must consider as equivalent to a rejection of the Bill of 19 votes to 4. I am further moved to decline attendance on the Select Committee by a consideration of the present position of the Government in the Legislative Council, in which I am, and have been since the formation of the Government which I represent, in a helpless minority; so much so that I cannot even command the statutory quorum (14) to enable me to proceed to or continue business. Looking at the present membership of the Legislative Council, I find that sixteen members were appointed by the Governments which held office from 1890 until 1903; fifteen by previous Governments, mostly of a conservative type; while the nominees of the present Government number only ten.

It is therefore, in my opinion, quite hopeless to expect that anything that I can do or say in the Select Committee will bring about the passage of the Land Monopoly Tax Bill. The Legislative Council is now evidently a party House in apparently a position of permanent opposition to the great majority of the elective Chamber, chosen by the people of the State so recently as 27th August, 1904, in which the supporters of the Government number 53; the Opposition, 18; Independent, 1.

I need hardly add that I should not have addressed it to that gentleman, or read it to the House, on my own unsupported authority. I respectfully ask the House to discharge me, in

company with my hon. friend, Mr. Smith, from the Select Committee. I lay this document on the table in accordance with rule.

HON. A. J. THYNNE: I would like to ask to whom that letter was addressed, and whether it was delivered?

The SECRETARY FOR PUBLIC INSTRUCTION: The letter is addressed to the Hon. A. J. Thynne, the leader of the Opposition.

HON. A. J. THYNNE: The letter was never delivered, and the hon. gentleman knows that.

The PRESIDING CHAIRMAN: Does the Hon. Mr. Smith consent to his name being included in this motion?

HON. R. H. SMITH: Hear, hear!

HON. A. J. THYNNE: This is one of the most extraordinary conditions we have had to deal with, at least during the time I have had the honour of being a member of the House. We have a Minister complaining that he was not asked to take a seat on a Select Committee to investigate and take evidence upon a Bill of which he is in charge. Such a complaint is, to me, one of the most extraordinary things I have ever heard in Parliament. No member, except with the most extreme rudeness and discourtesy, would dream, in proposing the names of a Select Committee, to omit the name of the gentleman in charge of the Bill. The House would have too much respect for its own desire to get good work done to wish to see the name of the Minister or member in charge of a measure omitted from the important inquiry which is being made by the Select Committee. And the ground upon which the hon. gentleman now comes forward is, to me, even a still greater surprise. There were facts sought to be established in the House and in the general committee. Assertions were made on one side, and counter assertions were made on the other, and neither the House nor the general committee had any machinery or any means by which the real facts of the case could be ascertained and put clearly before the House and before the general public. That was the object of the Select Committee. That seemed to me and others to be necessary before this so-called bursting-up tax could be justly imposed. Do those facts exist? The Hon. Mr. Murphy and the Hon. Mr. Beirne—whose very interesting speech has hitherto met with no acknowledgment on either side of the House, and which, even at this time, I wish to express my pleasure at having heard—both very strongly asserted that there was land monopoly which prevented settlement. That has been disputed inside the House and outside of it. Is it not the duty of this House to get at the facts? And what justification, I ask, has the Hon. the Minister in charge of the Bill to refuse to assist the House in getting at the facts that are so very necessary to enable the House to judge upon it? That is the action which the Minister has taken in this matter. But at the same time he states to the House that he has nothing further to advance beyond what he did advance in the House and the committee. If it is so—if he can get no more information through the officers of the Government or other people with special experience in dealing with these particular matters—I can only say that anybody would be quite justified in accepting the conclusion that the contentions which have been stated by some hon. gentlemen on this side are more correct than those which have been stated by the hon. gentleman, and those thinking with him, on the measure. And then

*Hon. A. J. Thynne.]*

the hon. gentleman makes an assumption. I venture to say that when the hon. gentleman states that the action of the House in appointing a Select Committee to ascertain facts, and to bring up a report to the House on those facts—that our endeavour to do what is right and just is equivalent to the rejection of the Bill—is an unjustifiable and unwarrantable assumption. It is not respectful to the House as a whole, when a majority of the members of that House decide to take a certain course in order to elucidate an important question, to say that in their desire for that elucidation the measure is to be regarded as rejection. There is no logic or reason, and there is no proper appreciation of the respect due to hon. members as a whole in taking that view. The hon. gentleman further shows his hand to-day very much. He speaks of his helpless minority, and says he cannot get even a quorum. I would ask him how often it has happened, during this session, that he has had no quorum? I believe on one or two occasions, and on either occasion owing as much to the absence of hon. gentlemen who support the Minister as to the absence of those who do not support him so thoroughly. If it was an imputation that hon. members who are not tied hard-and-fast to the hon. gentleman and his following purposely avoid doing their duty in the House, and forming a quorum to enable business to be carried on, I say that such imputation is most improper and utterly unfounded. Then the hon. gentleman speaks of the present position of the Council, and says it has become a party House. I assert that it is the hon. gentleman who has come here for the purpose of making this a party House, and I protest most strongly against any attempt to impart party spirit into it. (Hear, hear!) It is wrong, it is unjust, to hon. gentlemen who have sat in this House for years, and who have always dealt with the matters coming before them entirely independent of any party feeling, and whose only desire is to do what is right. It is the wish of a majority of the House to deal with this particular measure effectively one way or the other. If the hon. gentleman does not choose to accept that, let him, in a straightforward, open manner, inform the House that he desires to abandon the Bill, and let him take the responsibility attaching to such a course as that. As it was now, the hon. gentleman himself was killing the Bill in his own way, and trying to throw the responsibility upon other people for doing it. The hon. gentleman is evidently not speaking out of his own mouth. In fact, he says he is speaking supported by authority. What the authority is I do not know. [Hon. F. I. POWER: Caucus.] He chooses to keep that a secret within his own breast. In stating that he is supported in the position he has taken up by some authority outside this House, the hon. gentleman is taking up an attitude that no member of this House is justified in adopting. I remember occasions in this House when the opinions of high officials and persons removed from the domain of politics have been referred to here, and such references have always been regarded as an interference with the privileges and the rights of the House. I have myself been reprimanded for referring to the opinions of persons outside the House to whom for the moment I thought hon. members would be disposed to pay attention; and I have not forgotten the important constitutional lesson that the House must be protected from outside interference and influence. The hon. gentleman read a letter which he knows perfectly well has never been delivered to the person to whom it was addressed. [Hon. F. I. POWER: Disgraceful.] The hon. gentle-

man stated that it was addressed to me, but up to the moment the hon. gentleman read it I had never seen it, and knew nothing about its contents; and it has never been offered to me. There was a letter in the hands of the clerk, which I understood was addressed to the chairman of the Select Committee. Unfortunately, owing to the Hon. Mr. Archibald's illness, there was no quorum present yesterday, and, consequently, there was no chairman appointed. I was not chairman of the committee, and the letter was not offered to me. As regards the hon. gentleman's desire not to sit on the Select Committee, I shall be very sorry to have anybody on the committee against his wish, or to ask the House to press the hon. gentleman to act on the committee. I do not object to the hon. gentleman being discharged from the committee, nor to the Hon. Mr. Smith being discharged from the committee. But, if those hon. gentlemen are discharged, there will only be three members, so that it will be unable to work. A Select Committee must consist of not less than four members or more than six. So that, unless the House, at a later stage, appoints some further members to the committee, the hon. gentleman will be in the position of having rendered a committee appointed by this House inoperative and unable to fulfil the function for which it was appointed. I shall be very glad to hear whether members of the Government wish this to be taken as an abandonment of the measure. If they disable the committee which this House has appointed, then the responsibility for the measure being dropped rests with the Government, and not with this House.

HON. F. I. POWER: There does not seem to be any disposition on the part of any hon. gentleman belonging to what the leader of the Government has called his party to rise to defend his action in this matter, and upon that they are to be congratulated. I was originally opposed to the suggestion to refer the Bill to a Select Committee; but the matter was put so strongly to me that, taking into consideration the importance of the measure and the diversity of opinion and statements on both sides, eventually I came to the conclusion that it was advisable to investigate the question, and ascertain whether the great demand which hon. members who spoke in favour of the Bill alleged there was for land really existed. I do not know that such an investigation would make any difference to me, because I do not care what the demand for land may be, I do not think that the Bill proposed the proper method of satisfying it. At the same time, it is an extraordinary position for the leader of the Government to take up that he does not wish to have any investigation. I very much regret that the hon. gentleman should have read that letter to the House, because there can only be one construction placed upon it, and that is, that he desires to shift the responsibility to some other shoulders than his own. Such a letter is an absolute insult to this House. [Opposition members: Hear, hear!] The hon. gentleman practically says, "You purposely put on the committee three gentlemen who are opposed to me, and I am not in a position to do anything." He practically says that those three gentlemen are so corrupt that he will not have the slightest say in the matter. [Hon. R. H. SMITH: He did not say they were corrupt.] That was the inference. If there are three gentlemen who are prepared to vote against another two before they have heard a tittle of evidence, the only term that can be applied

[Hon. A. J. Thynne.]

to them is that they are corrupt. If the hon. gentleman did not mean to imply that, then I think he should be a little more circumspect in how he addresses the House. [Hon. R. II.

SMITH: I cannot say how I should [4 p.m.] vote.] I am certain the hon. gentleman would never give expression to such a sentiment. The Minister has also asserted that he is powerless because he does not command a quorum in this House. That has been very ably dealt with by the Hon. Mr. Thynne, but I would point out that every measure that has been brought before the House since the hon. gentleman became its leader has received full consideration. The hon. gentleman knows that a number of measures have been improved by the experience of members on both sides of the Council. There is no desire on my part or on the part of those sitting round me to block business. The hon. gentleman's statement was an extraordinary one to make, and it seems to me that, although it appears innocent, it was meant for use on some future occasion. [Opposition members: Hear, hear!] What that occasion is probably the hon. gentleman alone knows. I am exceedingly sorry he ever used the expression, and I hope that before it is too late he will withdraw it.

HON. T. O'SULLIVAN: The Hon. Mr. Thynne made some reference to my colleague reading a letter addressed to the hon. gentleman which had not been delivered to him. The hon. gentleman knows quite well there is nothing in that, because the letter is really addressed to the chairman of the Select Committee. [Hon. A. J. THYNNE: The hon. gentleman said it was addressed to me.] We shall very soon see. Is the letter here?

The PRESIDING CHAIRMAN (handing the letter to the Hon. Mr. O'Sullivan): It is addressed to "The Hon. A. J. Thynne, M.L.C., Leader of the Opposition."

HON. T. O'SULLIVAN: Well it was addressed to the hon. gentleman as the chairman of the Select Committee. [The SECRETARY FOR PUBLIC INSTRUCTION: That is so.] It was not anticipated that there would be no quorum yesterday, and, in the ordinary course of events, the clerk, who got the letter, would have handed it to the Hon. Mr. Thynne, so that there is nothing in the hon. gentleman's point. Then the hon. gentleman suggested that my colleague has done wrong in referring to the fact that this letter was not written on his own authority alone. That was merely a courteous intimation to the Council that he consulted his colleagues, or some of them, about the matter before writing such an important letter. I think my colleague did the proper thing in not acting on his own responsibility. If he had written such a letter without consulting anybody, the hon. gentleman would have made the greatest use of the fact, and would have said that he was certain the colleagues of the Secretary for Public Instruction would not have approved of his writing the letter. Both the Hon. Mr. Thynne and the Hon. Mr. Power have tried to make out that the writing of that letter was an act of disrespect to the Council, and was intended to imply that certain members of the Select Committee were corrupt. [Hon. A. J. THYNNE: Hear, hear!] Surely no more unreasonable charge could be made. When it was proposed to appoint the Select Committee I pointed out that it was merely a way of putting the Bill out of the road. To say that the result of the labours of the Select Committee was a foregone conclusion is no imputation against the fairness of the members of the committee, because two of those hon. gentlemen had com-

mitted themselves in such a way that, if they were to give a decision contrary to the views they have already expressed in this Chamber, they would stultify themselves. A man may be perfectly honest, but yet you may know what his decision will be if he has to decide a certain case. It is perfectly well known that some tribunals are appointed on party lines. Take the case of an arbitration. Both the Hon. Mr. Thynne and the Hon. Mr. Power have had some experience of arbitration matters as well as I have had, and they know that, as a general rule, the arbitrator on each side goes with the man who appoints him, and that in 99 cases out of 100 the decision depends on the umpire. Is that any imputation against the fairness of the arbitrators? The position we take up in this matter is that two of the three hon. members sitting on the other side who have been appointed to the Select Committee have expressed themselves so strongly on the question that they cannot give a decision contrary to those views without stultifying themselves. That is a perfectly legitimate objection to a Select Committee being appointed to decide on the Bill, and it is no imputation on the tribunal to say so.

We know how sensitive tribunals are with regard to anything which may be supposed to show bias or a preconceived opinion. A judge will not sit in a case where he has even the slightest interest—not because he would be influenced in the least by such an interest, but lest it might give rise to a suspicion that he was biased thereby. Then the hon. gentlemen have also attempted to twist the statement of my colleague that we do not command a quorum into an assertion that hon. gentlemen opposite do not do their duty, and that they keep us without a quorum. No such assertion was ever made or contemplated. The position of the representatives of the Government here is unique, as hon. members on the other side have nothing to do but to walk out of the House at any time when a measure which is obnoxious to them is before the Council. I do not say hon. members have done or would do such a thing, and neither has my colleague made such an assertion, but surely it is important that the position should be pointed out to the Council. What I object to is hon. members on the other side objecting to our pointing out facts that are perfectly obvious, and that they should endeavour to twist them into an allegation of disrespect to the Council, or say that they contain an imputation of improper motives. They do nothing of the kind. Every hon. member here knows that we cannot command a quorum. Under the circumstances, my colleague was perfectly justified in writing the letter which he has read. He has not done it hastily, but after due consideration; and whether hon. gentlemen on the other side agree with it or not, there is no justification for suggesting that any improper motive is behind it, or that any insinuation is made against the committee by my colleague in writing that letter.

HON. G. W. GRAY: I should have thought the appointment of a Select Committee would have been welcomed by the Minister in charge of the Bill. The hon. gentleman who has just spoken does not, I think, understand the object of the Select Committee. He used the term arbitration. It is not a question of arbitration at all. [Hon. T. O'SULLIVAN: I said it was analogous.] The question of arbitration does not come in in connection with the Select Committee. [Hon. T. O'SULLIVAN: Of course not.] It is independent evidence on one very vital point—that is, on

*Hon. G. W. Gray.]*

the question of a monopoly of land being held by certain people who are not putting it on the market and making it available for settlement. That is the main object of this Select Committee. It is very well known by those who have acted on these committees that the report of the committee will be based on independent evidence, which will be brought here together with the report, and, no matter what view they take on one side or the other, it is not likely that the committee will report contrary to the evidence. I had a list in my hand when I spoke on the Bill, setting out that there were immense areas on the Downs available—a large portion already cut up, and other portions in the course of being subdivided and made available. Personally, I would have been prepared to deal with the matter on the debate on the second reading, but the majority were of opinion that this proposition would obviate the necessity of their dealing abruptly with it. [Hon. P. MURPHY: What majority?] The majority who took an adverse view to the Bill. It would have given an opportunity to get independent evidence, and I question whether the committee would have gone outside the question as to whether there was this land available or not. On that question rested the main point of the Bill. The Government assert that there is not land available, and that it is monopolised by certain owners on the Downs who are blocking settlement. I cannot understand the Government taking up that position, seeing that they have an opportunity of being present to hear this independent evidence; and, as I say, the committee would not dare to bring up a report adverse to the evidence. It has been the practice, where evidence is wanted to finally decide the point, to fall back on a Select Committee of five chosen from both sides of the Council, and it is a new departure for a Minister in charge of a Ministerial Bill to refuse to listen to a suggestion that an endeavour should be made to obtain independent evidence on the vital points of that Bill. I am sorry to hear the Minister so repeatedly stating that Bills have been passed with such large majorities in another place. We are supposed to hold independent views outside of what may have taken place in the Assembly, and I should pity hon. members if they were not fitted to deal with it. [The SECRETARY FOR PUBLIC INSTRUCTION: I never used that argument except in regard to financial measures.] I was going to say that it was embodied in the letter, but it is rather difficult to grasp the contents of a long letter read so unexpectedly. Whether it is embodied in the letter or not, the actual number of the division in another place was mentioned. [The SECRETARY FOR PUBLIC INSTRUCTION: That is so.] The letter is couched in such terms that it would appear as if it was intended for some ulterior object. It is most unfair that a letter of that sort should be brought up here without some notice to enable us to deal more effectively with it. Personally, I have a very fair idea of what the object of the letter is. It is not an attack on the Hon. Mr. Thynne, but it has another object, and I think it is a most unfair way of attaining that object by bringing in a letter on the spur of the moment. I am surprised that it should have been adopted in a case of this sort, when the majority who are opposed to the Bill gave the Minister an opportunity of getting independent evidence before dealing finally with the Bill. Most hon. gentlemen who have spoken on the other side uphold the statement of the Minister that this land is held by monopolists, and is preventing

[Hon. G. W. Gray.

settlement on the Darling Downs. [Hon. A. HINCHCLIFFE: The repurchased estates prove that.] That was dealt with in the speech of the Premier, from which I quoted. The Premier stated, in a very pronounced way, that it was necessary to go slowly with the repurchasing of these estates by the Government, because the owners were subdividing these lands and creating settlement in such an effective way that they need not go on, as they had been doing, repurchasing estates, and they would go a little more slowly. Is not that evidence in itself that this Bill is not needed? I cannot understand why the Minister in the first place should refuse to sit on this committee to hear independent evidence, either to uphold the position he takes up or otherwise. That evidence would be very valuable, and I can only infer that he is afraid of it, and he knows that it is common property outside that these lands are in the market. They are being advertised daily, and it is well known that the position taken up by him is incorrect. In refusing to allow this evidence on the main point of the Bill, I think he is really making himself and the Ministry responsible for the fate of the Bill; its fate is in his hands—whether he will let it drop or accept independent evidence. Evidence might be forthcoming which would change the opinions of members on this side, and if it upheld the views of the Minister, then members on this side could scarcely do other than support him, but why he deliberately says “I intend to let the measure drop on the second reading, and possibly force the majority to fall in with it,” I cannot understand. I hope the Minister will reconsider the position, and give the Bill fair play.

HON. A. HINCHCLIFFE: I think the Minister is perfectly justified in his action if for no other reason than the fact that the leader of the Opposition, when naming the Select Committee, did not do what I understand it is usual to do, namely, ask the gentlemen named whether they were willing to act. [Hon. A. J. THYNNE: I have never known it in the case of a Minister in all my experience.] The Standing Orders expressly provide that a member naming hon. gentlemen to compose a Select Committee shall first consult them and get their assent. The hon. gentleman did not do so, and while he was blaming the Minister for want of courtesy this afternoon he was guilty of glaring want of courtesy on his own part. Then with regard to the matter of inquiry, I could understand it if it was merely a question of disputed facts, but that is not so, as the speeches, if analysed, will show most distinctly that it is a question of disputed principle, and no amount of evidence which a Select Committee can collect is likely to alter the opinions of gentlemen opposite who expressed themselves so emphatically with regard to the general principles of the Bill, irrespective of the question as to whether there were monopolies existing in the State and as to whether people were desiring to get upon the land which was monopolised or not. One hon. gentleman went so far as to say that any man who voted for this measure would be a traitor to his country. Is any evidence which may be adduced going to shift that hon. gentleman from those opinions? I venture to think not. Everybody who took an impartial view of the attitude of hon. gentlemen opposite knew—it was public comment outside—that the reference of the Bill to a Select Committee was a gentle way of shelving it. The Minister has been accused this afternoon of in-inuating that the three gentlemen from the opposite side of the House were going to act corruptly in regard to this committee, but I am certain that the hon.

gentleman did not intend anything of the kind; in fact, we should be more justified in submitting that this proposal to refer the Bill to a Select Committee showed that hon. gentlemen opposite were not manly enough to accept the situation and reject it on the second reading. The general feeling of the community is that this is one way of getting rid of the Bill, and I think the Minister is justified in taking up the attitude which he has done this afternoon in moving that his own name and the name of the Hon. R. H. Smith should be removed from the Select Committee. I hope the motion will be carried.

HON. P. MURPHY: There is one point mentioned in the Minister's letter which seems to have given great offence to gentlemen on the opposite side. He said he was here in this Chamber with a helpless minority, and unable to conduct the business of the Chamber as he wished to do, as he could not get a quorum. Hon. gentlemen opposite took exception to that statement, and said that there was always a quorum formed here to do any business which was necessary. But since I have been in this Chamber I remember that more than once, when the Minister wanted the other side to sit, the leader of the Opposition simply got up and said that it was not convenient, and the Minister had to submit to it, and if the Minister wanted hon. gentlemen to form a quorum of this Chamber to-morrow, and the other side said it was not convenient for them to do so, I venture to assert there would be no chance of the Minister being able to form a quorum to carry on business. [HON. A. J. CALLAN: That is absolutely incorrect.] I say it is absolutely correct.

THE SECRETARY FOR PUBLIC INSTRUCTION: I do not propose to make any general reply, but simply to endeavour to correct what I consider some misapprehension under which the Hon. Mr. Gray has fallen. I may say at once, candidly and unreservedly, that I regard the reference of a taxation Bill to a Select Committee as equivalent to the rejection of the Bill—as an intimation on the part of the House that they desire that that Bill shall not pass. [HON. A. J. THYNNE: In spite of their desire to have the facts investigated?] I will read a short quotation from the latest edition of "May," page 550. The heading is, "Rejection by the Lords of Bills and provisions creating charges upon the people." He says—

The legal right of the Lords, as a co-ordinate branch of the Legislature, to withhold their assent from any Bill whatever, to which their concurrence is desired, is unquestionable; and in former times their power of rejecting a money Bill has been expressly acknowledged by the Commons; but until the year 1863, though the Lords had rejected numerous Bills concerning questions of public policy, in which taxation was incidentally involved, they had rejected Bills exclusively relating to matters of supply and ways and means.

HON. A. J. THYNNE: Hear, hear! Which this Bill is not.

THE SECRETARY FOR PUBLIC INSTRUCTION: This is a Bill to provide ways and means for filling up the deficit which the Treasurer, in the exercise of his oath, has declared to exist in the finances of the State. [HON. A. J. THYNNE: The draftsman has purposely left it the other way.] I am not going to be drawn into a red-herring argument by the hon. gentleman. I have a much greater authority in my hand—

In 1860 the Commons determined to balance the year's ways and means by an increase of the property tax and stamp duties, and the repeal of the duties on paper. The increased taxation had already received

the assent of Parliament, when the Lords rejected the Papers Duties Repeal Bill, and thus overruled the financial arrangements voted by the Commons. That House was naturally sensitive to this encroachment upon privileges; but the Lords had exercised a legal right, and their vote was irrevocable during that session. The Commons, therefore, to maintain their privileges, recorded upon their journal, 6th July, resolutions affirming that the right of granting aids and supplies to the Crown is in the Commons alone; that the power of the Lords to reject Bills relating to taxation "was justly regarded by this House with peculiar jealousy, as affecting the right of the Commons to grant the supplies, and to provide the ways and means for the service of the year."

I have never referred to a vote in another place excepting in matters of taxation, Supply, and Ways and Means. I have always understood that the nominated branch of the Legislature had a particular tenderness in those matters to the vote of the taxing House. As to dropping the Bill, I have not the slightest intention of doing anything in that direction; and I shall be very glad, whatever may be the report of the Select Committee, to see the Bill reintroduced and affirmed by an even stronger majority of the House in whom alone resides the power of imposing taxation on the people, and granting aids and supplies to the Crown.

Question put and passed.

#### AGRICULTURAL HOLDINGS BILL.

##### SECOND READING—RESUMPTION OF DEBATE.

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

The committal of the Bill was made an Order of the Day for Wednesday next.

#### LEGAL PRACTITIONERS BILL.

##### SECOND READING.

HON. M. JENSEN: This Bill, the second reading of which I move, proposes to confer on women the right to act as barristers, solicitors, or conveyancers. At the present time we find women engaged in numerous occupations—as cashiers, typists, doctors, journalists, and, I understand, in Melbourne, in some cases, as managers of businesses. In eight States of the United States they are allowed to practise before the Supreme Court, by an Act of Congress passed as far back as 1879. I have heard it suggested that it would be a remarkable spectacle to see a woman with dishevelled hair shrieking to a jury, but hon. gentlemen will see that a woman who had sufficient determination to pass the severe examination required for admission to the bar would not be likely to indulge in any practices of that kind. If she misbehaves herself in any way it would only fall upon herself; it would certainly be the last chance which she would have of getting a client to employ her. [HON. P. MACPHERSON: She would have to get her hair cut and wear a wig.] I do not know whether that would be an insuperable obstacle. Moreover, a very large amount of legal work is done outside the courts. This is not merely a Bill to allow women to become barristers, but also solicitors and conveyancers; and I fail to see what indecorum or impropriety there would be in a woman seated in an office drawing up conditions of sale, of a mortgage or of a lease, or even advising a client concerning the meaning of clauses in the Land Act. There was a time, comparatively recently, when, upon her marriage, all a woman's property became the property of her husband, and he alone could give a receipt for her bills. That did not occur to anybody to be unjust, because it was the state of the law. In the same way it does not occur to us to be unjust that women

*Hon. M. Jensen.]*

should not be debarred from any occupation at the present time. As far as public opinion is concerned, if the public are against the employment of women, women will not be employed. If, on the other hand, the public think fit to employ women, it will prove that public opinion is in favour of this Bill. I ask hon. gentlemen to pass the second reading.

\* HON. P. MACPHERSON: I yield to no man in my respect for woman, whether young or old, or rich or poor; and I honour every woman in her endeavours to participate in the world's work. But the practice of the law is not very emulating in itself; in fact, it is sometimes rather sordid. It will not elevate the mind of any woman to engage in its pursuit. I may admire Portia on the stage, but I do not think I could admire her in a court of petty sessions. The crowning glory of a woman is in her natural, unpurchased hair, and I do not think she should, under any circumstances whatever, be compelled, whatever her age, to wear a grey horse-hair wig. I think it is an insult to the whole sex. But if the House, in its motherly or grandmotherly wisdom, considers that this Bill is a reasonable one, and that woman, under certain conditions, should be compelled to cut her hair and wear a wig, I do not object to it.

The SECRETARY FOR PUBLIC INSTRUCTION: I am speaking now entirely as a private member. If this goes to a division I shall vote for it. The whole tendency of modern legislation is to remove the disabilities of women. We have conferred the franchise upon them, and it is only right that we should open to them the doors of the legal profession. As to the question of wigs, if I had my way I would do away with the wigs and scarlet gowns and all the rest of the rubbish with which the members of the law are invested. I am not aware that there is any Rule of Court requiring a woman to cut her hair; she could tuck it up under her wig, or she need not wear a wig at all. I can see no reason, speaking seriously, why women should not enter into any occupation of life.

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

The committal of the Bill was made an Order of the day for Wednesday next.

#### MARSUPIAL BOARDS BILL.

##### CONSIDERATION OF LEGISLATIVE ASSEMBLY'S MESSAGE. COMMITTEE.

Hon. R. H. SMITH took the chair as Acting Chairman.

On clause 2—"Interpretation"—

The SECRETARY FOR PUBLIC INSTRUCTION moved that the Committee do not insist on their amendment in clause 2, lines 21 to 26, in the definition of "Dingo Scalp." There was a great deal in what the Assembly said. A dead dingo might be so "high" when discovered that it would be impossible to take the skin to the receiver of scalps.

Question put and passed.

On clause 8—"Constitution of board"—

The SECRETARY FOR PUBLIC INSTRUCTION moved that the Committee do not insist on their amendment in clause 8, line 52. The amendment was the omission of the word "biennial," on the motion for the third reading, so that the word was not obliterated in the usual manner. If the word were reinstated the elections would be biennial; if it was decided to insist on its omission the elections would become annual.

[Hon. M. Jensen.

HON. F. T. BRETNALL: It did not seem to be a question of biennial as against annual elections, but whether a member of a board, who had ceased to own the number of stock required to entitle him to a seat on the board, should retain his seat until the next election, or whether he should forfeit his seat.

The SECRETARY FOR PUBLIC INSTRUCTION: The Bill originally [5 p.m.] provided for biennial elections. The amendment was made on the motion of the Hon. Mr. Brown.

HON. J. COWLISHAW: What about clause 7, which said—"The member so appointed shall, subject to this Act, remain in office for two years."

HON. A. NORTON: The amendment had been made at his suggestion. It occurred to him that, if the scheme of the Bill was carried out, there would be a period every two years when there would be no members except those appointed by the Governor in Council, and he suggested that the difficulty might be overcome by so amending the Bill as to provide that two members of the board should retire every year instead of having the whole four retire every two years. The word "biennial" was struck out to make the clause consistent with the next clause, which referred to the elections. He did not think the matter was worth contending for, because there was something in the statement made in another place that there was so much indifference in regard to elections that it was generally left in the hands of the Government to appoint members. He suggested, as an additional reason for that apparent indifference, that the owners of stock were so much occupied that they could not spare the necessary time.

Question put and passed.

The SECRETARY FOR PUBLIC INSTRUCTION moved that the Committee do not insist on the amendments in lines 3 to 7, and line 15, page 4, in clause 8, in connection with the number of votes. If his motion was carried, the maximum number of votes would be two; if it was negatived, the maximum number would be three votes.

HON. F. CLEWETT thought this was a matter of considerable importance. Seeing stockowners had to pay assessment according to the number of their stock, he could not see why they should be deprived of their proportionate representation. The Committee would be quite justified in insisting on their amendment.

Question put; and the Committee divided:—

##### CONTENTS, 7.

Hon. A. H. Barlow	Hon. P. Murphy
" T. C. Betrne	" T. O'Sullivan
" A. Hinchcliffe	" W. F. Taylor
" C. S. McGhie	

Teller: Hon. A. Hinchcliffe.

##### NOT-CONTENTS, 9.

Hon. J. T. Annear	Hon. F. H. Hart
" F. T. Brentnall	" B. B. Moreton
" A. J. Callan	" L. Thomas
" F. Clewett	" A. H. Wilson
" J. Cowlishaw	

Teller: Hon. F. Clewett.

Resolved in the negative.

HON. F. CLEWETT moved that the Committee insist on the Council's amendments in clause 8, lines 3 to 7, and line 15, on page 4.

Question put and passed.

The SECRETARY FOR PUBLIC INSTRUCTION moved that the Council do not insist on their amendments in clause 9. They



could not insist upon them, because they had already decided by another vote that the elections should be biennial.

HON. F. T. BRETNALL did not think the amendment made in clause 8, subsection (3) affected this question at all. They had omitted the word "biennial," and left it till the next election. They had not wiped out the elections, as they were proposed in this clause. Of course if the hon. gentleman who moved the amendment, and those who supported him, did not care whether it stood in or not, it was not worth while to argue about it, but it seemed to him that there was a good deal of force in the argument used that all the four elected members should not retire at the same time. It was better to have some continuity in the board, and if two members retired alternately, they would have that continuity. There would be two elected members always on the board in addition to the Government nominee. He thought the amendment was a very good one.

The SECRETARY FOR PUBLIC INSTRUCTION: He had mentioned when dealing with clause 8 that when they affirmed biennial elections the elections would have to be biennial, otherwise they would have the absurdity of biennial elections in clause 8 and annual elections in clause 9. It was a matter of indifference to him, but if hon. members affirmed their amendment in clause 9 the two clauses would clash.

Question put and passed.

HON. F. T. BRETNALL moved that the Council insist on their amendments in clause 9; clause 14, line 19; and Schedule II., line 36.

Question put and passed.

The SECRETARY FOR PUBLIC INSTRUCTION: Before moving the Chairman out of the chair, he should like to inform the Committee that he proposed to go on this evening with the small Bills and the second reading of the Land Bill. [HON. A. J. CALLAN: Do you mean after tea?] Yes. [HON. A. J. CALLAN: I shall not be here.] He was sorry they would not have the assistance of the hon. gentleman, but that was the practice. [HON. A. J. CALLAN: It was not; you only sit on Tuesday evenings.] Then he should have to ask the House to extend the practice to Wednesday evening. He moved that the Chairman leave the chair, and report that the Committee had come to certain resolutions.

HON. A. J. THYNNE: The Minister having spoken on the business of the House he should like to say a few words. He moved the adjournment of the debate on the Land Bill yesterday, and he was not quite prepared to go on with it this evening. He was not going to oppose the Bill, but to criticise it as carefully and thoroughly as he could, and assist the House in getting it thoroughly considered. There were some points in it requiring careful consideration, and he would have been very pleased to have the resumption of the second reading debate held over till Tuesday next, as by that time he hoped to have some information which would be of help to the Minister and of benefit to the Council. He hoped the hon. gentleman would give him the credit of having had some experience in the conduct of business in the Chamber. They had had heretofore sessions quite as heavy, with even stricter criticism and more divisions, and had succeeded in carrying the business of the House satisfactorily through the whole of the session although hardly ever sitting after 6 o'clock in the evening. That had been the case, and if they exercised a little patience and tact it could be done again. It was a mistake of the

hon. gentleman to try to hurry the business in any shape or form. His experience had been that when the second reading had been proposed it was best to let the matter stand over until not only hon. members had had an opportunity of reading the Press account of speeches, but also the *Hansard* report, and with that as a guide very few difficulties were raised afterwards on the second reading, and he would respectfully suggest, as one of the ways by which saving of time and effectiveness of discussion might be promoted, the avoidance of too great a hurry in passing Bills.

The SECRETARY FOR PUBLIC INSTRUCTION: He only wished to consult the convenience of hon. members, but the business was accumulating. If there was no other speaker but the Hon. Mr. Thynne that would be a good reason for postponing the debate. [HON. A. J. THYNNE: If it is resumed without my speaking I cannot speak again.] If the hon. gentleman was not here there was nothing to prevent his resuming the debate afterwards. The practice was that it was not necessary for the mover of the adjournment of the debate to be present when it was resumed, but he resumed it when he came back. He appealed to his hon. friend, the Presiding Chairman, that the Hon. Mr. Thynne was not shut out from his right to speak because he did not resume the debate? [HON. A. NORTON: No.] [HON. A. J. THYNNE: Only by permission of the Council.] It was a matter of practice and courtesy that the mover of the adjournment should resume the debate, but it was not at all necessary, and he is not prohibited from resuming the debate. He desired to consult the convenience of hon. gentlemen, but the business was accumulating by perpetual adjournments, and could not go on unless Bills were to be wrecked at the end of the session. A good deal had been said about his want of a quorum, and here was an exact amplification of that argument. If he had a quorum he could maintain a House to-night, but he was not in a position, not having a quorum, to say whether the House would sit or whether it would not, and he preferred to go on after tea. If hon. gentlemen liked to count him out he could not help it; he was in their hands.

HON. A. J. THYNNE: That afternoon the House had dealt with four different subjects, and he ventured to say it would have taken the other House as many days to deal with them. As to the Land Bill he had not yet had an opportunity of reading the speech [5.30 p.m.] with which the Hon. Mr. O'Sullivan introduced it last night, and he found great difficulty in following the different clauses and sections to which the hon. gentleman referred in the course of his speech. An adjournment of the debate would almost certainly lead to a saving of time in the end. It was not a matter of party in the slightest degree; all that hon. members wanted was a reasonable amount of time to study it.

The SECRETARY FOR PUBLIC INSTRUCTION: There were members on that side who were prepared to speak to-night, and he would ask hon. members to attend and form a quorum. He would promise that no division should take place. The hon. gentleman could exercise his right to speak next week, after he had perused the *Hansard* report. It was necessary to get on with business.

HON. A. J. THYNNE: He had no objection to the course suggested by the Minister.

HON. E. J. STEVENS: He agreed with the Minister that it was necessary to get the work done. It would, perhaps, be advisable to decide

*Hon. E. J. Stevens.]*

upon a certain course of action—either to sit in the evenings or to sit on Thursdays. The Minister would have no need then to rely upon the generosity of those who were not his supporters to form a quorum, and members would make their arrangements accordingly.

HON. W. F. TAYLOR hoped the Council would get on with business, so as to avoid the usual rush at the end of the session.

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

#### CENSUS BILL. SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION said: Our Census Act requires a census every five years; the Acts of the other States require a census every ten years. The cost of collecting the census in Queensland is £14,000, and its compilation costs £11,000, making, with incidental expenses, an expenditure of £26,000. Our statistical records are sufficiently near—that is, the records of births and deaths, arrivals and departures—to enable us to make a very fair estimate of our population, and it is not necessary to throw away all that money. Our population is not very near the number that would entitle us to another federal representative, and, if it were, it is doubtful whether we could insist upon getting our rights. It is also questionable whether the Federal Parliament would agree to giving us another member. New South Wales, I believe, is entitled to another, but she cannot get him. Common sense dictates the postponement of the census for another five years. I beg to move that the Bill be now read a second time.

HON. F. T. BRETNALL: It seems to be a matter of necessity that a Bill of this kind should pass the Legislature in order to obviate the necessity for the large expense of which the Secretary for Public Instruction spoke. In all probability we shall find that, before five years are over, we have handed over another legislative power to the Commonwealth, and that we have nothing further to do with this business. If I am not mistaken, there is before the Federal Parliament at the present time a Census Bill; and if that Bill should pass our statute will become futile, because the Federal Act will apply to the whole Commonwealth, and there will be no necessity for any future trouble on the part of our Legislature. But it is necessary that we should pass this Bill to prevent the spending of the money that the taking of the census would entail, and which would cause a great deal of trouble as well as expense. [Hon. A. J. THYNNE: It would give a lot of employment.] It would give employment to some people, but I do not believe in wasting money. If any practical result were to be obtained from the expenditure I would take a different view.

Question put and passed.

#### COMMITTEE.

The Bill was then passed through Committee without debate, and the third reading was made an Order of the Day for Tuesday next.

#### HAWKERS ACTS AMENDMENT BILL. SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION: It is generally recognised that these Syrian and Afghan hawkers intimidate

[Hon. E. J. Stevens.

women in lonely places to make them buy their goods, and they are a great nuisance. I have heard of several instances of the kind. In 1902, the Warwick Town Council wrote to the Home Secretary, asking him not to issue licenses to these people, who swarmed over from New South Wales. In 1903, the Charleville Progress Association made a similar request. A circular was sent to all the benches asking them to refrain from issuing these licenses, but one bench did not refrain. The consequence was that a great number of hawkers went there and got licenses, and it was found that there was no power to refuse them because the applicants were aliens, and that there was possibly no power to refuse them at all. Hon. members will remember we passed a Wholesale Liquor Bill, which was just a parallel to this measure, and gave the Home Secretary the right of vetoing the granting of licenses in that connection. I do not think I need say more in support of this Bill. I move that the Bill be now read a second time.

HON. A. J. THYNNE: This seems to be a very drastic way of dealing with the matter—to take it entirely out of the hands of benches. The courts cannot grant licenses under this Bill—every application must be referred to the Home Secretary. It is all very well taking these precautions; but why should the Home Secretary be given the power of refusing in any year to grant a license, thereby preventing any hawking during that year. Such a drastic provision certainly does not coincide with our democratic ideas. I think it is rather a strong proposition to leave it in the absolute discretion of the Home Secretary to decide whether a hawker—whether he is an alien or not—shall be allowed to carry on his trade. The hon. gentleman has referred to instances of these Syrians and Afghans intimidating women to force them to buy their goods. I can tell the hon. gentleman that that practice is not confined to the people he spoke of. There are instances of our own people being guilty of the same thing. [The SECRETARY FOR PUBLIC INSTRUCTION: More shame to them.] I know of an instance which occurred in this city, the details of which makes one's blood boil. But that is hardly a justification for proposing such an extreme step as this. It seems to me to be going a little too far. However, I suppose we shall receive further information in committee later on.

THE SECRETARY FOR PUBLIC INSTRUCTION, in reply: If the hon. gentleman wishes to defer the committee stage I have not the slightest objection. It is a drastic power, but many things we do are drastic, and the Home Secretary will not always be the one man. I suppose he is responsible to Parliament, and will exercise his functions with due regard to his oath of office. Hon. gentlemen are aware that a Minister takes an oath to do his duty faithfully, without fear, favour, or affection, and to do what is right in the discharge of his office. If a Home Secretary attempted to stop the hawking trade I do not think he would be Home Secretary very much longer. I heard of a case which occurred at Berry, in New South Wales, where a hawker went to a country selection and intimidated the unfortunate woman until she barricaded herself in the house. The man sat down, and, I believe, went to sleep across the doorway. Fortunately the husband came home, and he had a stockwhip with him, and he warmed this gentleman up pretty considerably.

Question put and passed.

The committal of the Bill was made an Order of the Day for Tuesday next.

MARSUPIAL BOARDS BILL.

FURTHER CONSIDERATION OF ASSEMBLY'S  
MESSAGE.  
COMMITTEE.

The SECRETARY FOR PUBLIC INSTRUCTION moved that the Acting Chairman do now leave the chair, and report that the Committee had come to a resolution.

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee had come to a resolution.

The SECRETARY FOR PUBLIC INSTRUCTION moved that the report be amended by inserting before the words "clause 9," the words "clause 8, line 52." Hon. members would remember that he pointed out that if "biennial" was left in in clause 8, it would have to be biennial all through. Afterwards the Committee affirmed that it should be annual, and to make sense he was obliged to get rid of the word "biennial."

HON. A. J. THYNNE did not quite understand what the effect would be. He understood the motion was to amend the report of the Committee, and make the report say that the Committee did what they actually did not do. It seemed to him that the proper way to correct this was by referring the matter back to the Committee for further consideration.

The PRESIDING CHAIRMAN: It is only verbal.

HON. A. J. THYNNE: It was not a matter of this particular Bill, as he took very little interest in it, but it was a matter of precedent. If he was wrong he would be glad to be corrected, but this was scarcely the correct course to pursue. He thought the Committee ought to have its proceedings carried out correctly. As the report as amended would be contrary to the records of the Committee, he did not see how they would be justified in taking upon themselves to amend the report of the Committee, without the Committee having dealt with it. It seemed to him that the more correct form would be for the Committee to consider that particular clause, and correct it.

The PRESIDING CHAIRMAN: It is equivalent to amending it at a third reading.

HON. T. O'SULLIVAN: Some confusion had arisen as hon. gentlemen did not quite seem to follow what had been done. When the question of insisting on the amendment in clause 8 came up, they affirmed the principle of biennial election. Then when they came to the other clause they restored the principle of annual election. Therefore they had got the thing into hopeless confusion. They decided to retain "biennial" in clause 8, and revert to biennial elections, but when they came to clause 9 which substituted annual election for biennial election, they reverted then to annual election. [Hon. A. J. THYNNE: You want to have the word "biennial" restored.] He thought it would be better to have it restored for the reasons set out. The amendment had been moved by the Hon. A. Norton, and when the disagreement to the amendment came from below, that hon. gentleman said he would not press it. Notwithstanding that, the Committee, on clause 9, altered the principle affirmed in the consideration on clause 8, and therefore they ought to restore the word "biennial." The Assembly's reasons for preferring biennial to annual was a very good one. The Minister had taken the opinion of the Committee on clause 9 as a final decision, and it was therefore necessary to make a consequential amendment in clause 8, as they had done on a similar occasion. [Hon. A. J.

THYNNE: Ought that not to be done in committee?] It ought to be done in committee, but they ought not to let the measure leave the Council until they had altered it. [Hon. A. J. THYNNE: Hear, hear! It is a matter of practice entirely.]

HON. A. H. WILSON: He understood that by leaving out "biennial" on line 52, page 3, it did not matter about the word being in in the other place, because it said, "that any member shall retain office, notwithstanding such reduction, until the next biennial election." That was the first election following, [7.30 p.m.] whether biennial or not. So that the word is not only ambiguous, but unnecessary.

HON. F. T. BRETNALL: I cannot see how it seriously affects the question. Do I understand that the Minister wants the word "biennial" omitted?

HON. T. O'SULLIVAN: Yes; because we have adopted the principle of biennial elections.

The SECRETARY FOR PUBLIC INSTRUCTION: At the commencement I told the Committee that if they left in the word "biennial" it would have to be biennial all through. When the Committee came to clause 9 they reverted to annual elections. The consequence is we have got biennial in one place applied to annual elections. I have consulted with the experienced clerk of the House; it was submitted to the Presiding Chairman, and these two gentlemen have no doubt about it.

HON. E. J. STEVENS: There is no difference of opinion whether "annual" should be substituted for "biennial" or not. The question is whether we are proceeding properly—whether we should do it in the manner suggested by the Minister, or whether the Bill ought to be re-committed for the purpose.

HON. A. J. THYNNE: Circumstances may arise—they have arisen—in the history of the Council in which it is of very great importance indeed to preserve the rights of the Committee—that when they have considered and discussed very fully, and come to a certain conclusion it should not be reviewed or set aside without giving them a further opportunity of considering the matter. If this amendment is made now it is making the Committee report contrary to what their actual records show; and that is a position we should not put our records in. Apart from the question of the rights of the Committee, the necessity of making our reports correspond with the real records of the Committee is a matter of very considerable importance. I would suggest, now that it has been discovered that there is an inconsistency in that part of the clause, that the message be referred back to the Committee for further consideration.

The PRESIDING CHAIRMAN: The amendment proposed is one which it is quite within the province of the Council to adopt. It is equivalent to an amendment on the third reading, as was carried out the other day, when the same word was omitted at that stage which it is proposed to omit now. I would suggest that, as it is difficult to understand the amendment when put in this way, that it would be perhaps as well if the House went into committee for the further consideration of the message, and then hon. members will see exactly how the case stands.

The SECRETARY FOR PUBLIC INSTRUCTION: I have no further motion to make. If any other hon. gentleman chooses to do so, well and good.

*Hon. A. H. Barlow.]*

HON. A. J. THYNNE: I move that the Presiding Chairman do now leave the chair, and that the House be put into Committee of the Whole to further consider the Legislative Assembly's message of date the 17th October.

HON. F. T. BRETNALL: Since the Committee passed on the voices the motion to insist upon the amendment in clause 9, with subsequent consequential amendments, it has come to my knowledge that the hon. gentleman who moved the amendment was not at all particular about their remaining in the Bill. So it seems to me that it might be desirable, in order to save the passage of messages between the two Houses, to reconsider clauses 8 and 9.

The PRESIDING CHAIRMAN: We must first deal with the question before the Council; that is the Hon. Mr. Barlow's motion. I want hon. members to understand clearly what they are doing. They can either amend this by omitting all the words after "That," which seems somewhat unnecessary, or they can negative it, and then propose the Hon. Mr. Thynne's amendment as a substantive motion.

Question (*Mr. Barlow's motion*) put and negatived.

Question (*Mr. Thynne's motion*) put and passed.

#### COMMITTEE.

The ACTING CHAIRMAN stated that the question before the Committee was the Council's amendments in clause 9, in clause 14, line 19, and in Schedule II., line 36, as now printed.

HON. F. T. BRETNALL thought they should first deal with the word "biennial" in clause 8.

The ACTING CHAIRMAN: We are leaving clause 8. The Committee do not insist upon this amendment in that clause. What is desired now is to bring clause 9 into unison with clause 8.

HON. F. T. BRETNALL understood the Secretary for Public Instruction wanted to reverse the previous decision with regard to the word "biennial." He thought he was speaking on behalf of hon. gentlemen around him when he said that they simply wished to make their message as nearly perfect as they could, and to cause as little friction as possible and save the passage of further messages between the two Chambers. The Secretary for Public Instruction should assist them to do that.

The SECRETARY FOR PUBLIC INSTRUCTION: This was a very painful time for him. He had consulted the Clerk of the Council, who, in turn, had consulted the Presiding Chairman, and a certain course of procedure was taken which would have had the effect of restoring clause 8 to the position in which it originally left the Committee. Difficulties were raised, and he said, with great respect, that the Presiding Chairman did not stand behind him in the ruling that he gave. The business was taken out of his hands, and he had nothing more to do with it. This was a Government measure. If the hon. gentleman liked to move anything he could do so. The Committee might make the elections annual or biennial, or anything they liked. He had no desire to display any bitterness, but the business had been deliberately taken out of his hands, and now the Committee might do as they chose.

HON. A. J. THYNNE thought the position was very painful all round. The Presiding Chairman had stood to the hon. gentleman when he declared that the motion the hon. gentleman had moved was a proper motion to make, and what more could be expected of the Presiding

Chairman or their able clerk? The view seemed to prevail that, whatever might be the correct form of procedure, it was not right that the final records of the Council should differ from the final report from the Committee, and it was simply a question of getting the thing done in the proper way. Seeing the hon. gentleman was in that frame of mind, it might be better to let the Bill stand over until Tuesday, by which time the hon. gentleman would have had time to cool. No one was endeavouring to impede him in the management of the Bill. He thought the Council had laid down the right practice when it decided that the Committee should deal with it, and the hon. gentleman had no reason for taking umbrage.

The SECRETARY FOR PUBLIC INSTRUCTION: There was no heat or umbrage about him. He had been deliberately overruled. The Presiding Chairman had put the motion, which he declared to be in order, and that motion had been negatived, and he would not make another motion in connection with the Bill. His colleague could do so if he liked. [Hon. F. I. POWER: That is pettishness.]

HON. F. T. BRETNALL was extremely sorry to hear the Minister talk to the Committee like that. He had never heard such a thing since he had been a member of the Council. [The SECRETARY FOR PUBLIC INSTRUCTION: What do you object to?] He objected to the hon. gentleman taking what he was compelled to call a fit of the sulks because they adopted what they believed to be the right procedure, and he thereupon refused to have anything more to do with the Bill. [The SECRETARY FOR PUBLIC INSTRUCTION: You move the motion in any way you like. I have no objection.] He had already told the hon. gentleman they were prepared to assist him. But if the hon. gentleman was going to take up that attitude, and set them at defiance, however painful it might be to them, it would devolve upon them to take their own course.

The SECRETARY FOR PUBLIC INSTRUCTION: When the hon. gentleman said that hon. members opposite were [8 p.m.] being set at defiance by him he stated something that was not a fact. If he had been let alone and the motion which the Presiding Chairman approved of had been put, everything would have gone right. He had been a member of the other House for eight years, and had made a close study of parliamentary practice, and he said that the motion that he proposed with the advice of the clerk and the Presiding Chairman was correct. But a new-fangled system of alteration had been proposed, and was it to be expected that he would submit to that? He had no majority, he had no quorum, and he could not divide. [Hon. F. T. BRETNALL: We are stopping here to make a quorum.] Hon. gentlemen were not stopping to make a quorum for him. They were forming a quorum for the country, and discharging the duties of their high and honourable position. They were not obliging him in the slightest degree by making a quorum. It was impossible for him to be overruled in this matter of procedure when that procedure was sanctioned by their experienced clerk and was submitted to the Presiding Chairman. If such a thing occurred in the other House, the Government would either go out of office or there would be a general election. Was it to be supposed that, when he submitted a motion which was perfectly in order, that he should consent to withdraw it? He could not divide the Council—hon. gentlemen had only to walk outside and there would be no quorum. If his colleague chose to take the matter up he had

[*Hon. A. J. Thynne.*]

no objection, but he certainly could not submit to the humiliation that he had gone through that evening.

HON. T. O'SULLIVAN: There appeared to be a difference of opinion as to procedure between the two sides. [Hon. A. J. THYNNE: We had better adjourn until Tuesday.] There was no reason why they should not finish the business that evening. He entirely agreed with the suggestion of the Hon. Mr. Brentnall that they should restore biennial elections. The Committee had not noticed that in clause 8 they provided for biennial elections whilst clause 9 affirmed the principle of annual elections, and he thought they should now reconsider the whole question of whether the elections should be annual or biennial. The Hon. Mr. Norton had suggested, when the Bill was originally before the Committee, they should have annual elections; but, after seeing the reasons given by the Assembly for adhering to the biennial system, the hon. gentleman was inclined to agree with the Assembly's view, and, that being so, there was no object in disagreeing with the Assembly. He therefore moved that the Committee do not insist on the Council's amendments in clause 9; in clause 14, line 19; and in Schedule II., line 36, as now printed.

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee had come to a resolution.

The report was adopted, and the Bill was ordered to be returned to the Legislative Assembly with the following message:—

MR. SPEAKER,—

The Legislative Council, having had under consideration the Legislative Assembly's message of date 17th October, relative to the Marsupial Boards Bill, beg now to intimate that they—

*Insist* on their amendments in clause 8, lines 3 to 13, and in line 15, page 4 (as now printed), *because* it is both desirable and a matter of justice that the holders of a larger number of stock should be entitled, in ordinary fairness and as larger contributors to the assessment fund, to the increased voting rights necessarily associated with representation and taxation; and

*Do not insist* upon the other amendments to which the Legislative Assembly have disagreed.

## LAND ACTS AMENDMENT BILL.

### SECOND READING—RESUMPTION OF DEBATE.

HON. P. MURPHY: When I came to the Council this afternoon, I had no intention of speaking on this very important measure. I expressed myself to some hon. members on this side to the effect that I should be very pleased if a debate came off this afternoon, so that I could have the pleasure of hearing the speech of the Hon. Mr. Thynne, as I should probably not be here next Tuesday. I have heard the hon. gentleman say that he holds very liberal views indeed with respect to land settlement generally, and I should not have been surprised, if he had spoken this evening, to see him end up by moving an amendment to make this Bill even more liberal than it is at present. However, I hope I shall be able to be present next Tuesday, and have the pleasure of hearing him. In my opinion this is the most liberal measure of land law that has ever been introduced into the Parliament of Queensland. I think that the Government, and especially the Minister for Lands, who, I presume, is primarily responsible for the measure, deserves great credit for having brought it forward, and that

hon. gentleman, if he did nothing else in his political career, would deserve well of Queensland. I sincerely trust the measure will pass the Council and become law. I feel sure that when it becomes law the effect of it will be a very large increase in land settlement, which will mean a corresponding increase in the production from the soil, and this will have the effect of an all-round increase in the general population of the State. This is very desirable at the present time; an increase in our general population is absolutely required, and it will have the effect of restoring prosperity to the State. The large increase in land settlement, with the consequential increase in population generally which I believe will be brought about by the operation of this measure, will enable Queensland to achieve her ultimate destiny, and become the most populous, the most prosperous, and the wealthiest State in the Australian Commonwealth. To my mind the leading feature in this measure is, first, the provision which enables a man of small means to select an area of land at a reasonable price, with a considerable number of years to pay for it, the payments being extended over twenty years in easy annual instalments. Further than that, the first three years' instalments may be deferred, which means that a man with small means at his disposal will be able to get a few head of cattle and the implements necessary to provide a home for himself and family, and make the initial arrangements in connection with the taking up of a selection. This liberal provision will enable him to get over these initial difficulties without having recourse to the money-lender, as settlers have had to do in the past, and without having to depend too much on the storekeeper, and, to my mind, it is one of the best features in the Bill. Hon. gentlemen know that I hold strongly to the opinion—I am not a recent convert to it, as I have held it for many years—that great progress is only possible in the State of Queensland through the encouragement of land settlement; hence this liberal provision in the present Bill. It will be an incentive to men who work on farms and stations, and bush workers generally, to save up their money for a few years, so that they may be enabled to get a farm and a home for themselves and their children. The Government and Parliament cannot confer a greater benefit than enabling these people to get a little farm of their own, so that they may always be sure of constant employment and look forward in their old age to having a fair competency for themselves. People who go on to the land have their difficulties, but they will get over them, and get homes of their own, and to a great extent be comfortable and independent in their old age. There is also another very liberal provision in this Bill, which I think is a very good one, and which will have the effect of considerably increasing the population of Queensland—the clause which provides that people in Great Britain can select land there, and go straight on the land when they arrive here, and if at the end of five years they are not satisfied with their bargain they can give it up and get their money back again. I think that is one of the wisest provisions which has ever been inserted in a Land Bill in Queensland. We read that great numbers of people are leaving Great Britain for Canada, but I believe this clause will have the effect of diverting some of them to Queensland, and I am satisfied it will be a good thing both for the State and for themselves, as they will be coming to a country which is a great deal

[Hon. P. Murphy.]

better than Canada. We have equally as good land here, and a far more genial climate. People come here and sometimes think they have made a mistake in going on the land. We know that when people from old countries go on the land in a new country, it does not suit them sometimes, and they turn to something else; but if they come here for five years the chances are that they will remain to the end of their lives. They will get used to our splendid climate, so that even if they go away at the end of five years, they will come back again after a short time. That has been the experience in Australia and Queensland for a number of years. When people return to the old country they are glad to get away from the wet and frost and snow, and come back to sunny Queensland again. If it is found that the stream of settlers coming here from Great Britain is not so large as expected, I trust the Government will see the wisdom of opening an office in Germany, from which some of our best settlers have come. We would prefer settlers from Great Britain, but men from Germany and other countries succeed on the land under very great difficulties, and there are no better colonists in Queensland. I may say that, liberal as the provisions of the Bill are, I am a little disappointed that there is no provision to enable men who have no means at all to get on the land. I did hope that any amending land measure brought forward by the Government would have contained some provision in that direction. We know there are men working in agricultural districts for wages and also at other work in the country—especially married men with families—who are totally unable out of their small wages to save anything to go on the land. Even under the liberal provisions of this Land Bill it is necessary for a man to have saved money

to keep himself and his wife and [8.30 p.m.] children for at least twelve months until he can get some return from his farm, also to buy implements and stock, and put up a home. It is never possible for the class of men I have in my mind to get so much money together. I think that if the Government were to make provision to assist that class of people by lending them money to tide them over the first year or two it would be one of the best investments they could make. Although I strongly approve of the policy of the Government not to borrow any money, yet if anything would justify their borrowing money in the near future, it would be to borrow £100,000 or £150,000 or £200,000 a year for five years in order to try an experiment like this. The experiment has been tried successfully elsewhere, and it has been an immense advantage both to the State and to the people settled on the land. We all know that there are excellent men who through misfortune, or the position they are placed in, never have an opportunity of doing anything for themselves unless they are helped to it; and a large majority of those people, if this kind of assistance were extended to them, would make a big success of it. They would add materially to the production of the State, and in every way it would be a benefit to themselves and also to the country. If the Government cannot see their way to insert some such provision in this measure, I hope that before the close of the session they will make an effort in that direction. It would have the effect, to a very great extent, of solving the unemployed difficulty. If those men who are now earning wages on farms and stations throughout the country were put on to farms of their own, there would be vacancies for men now idle about the towns, many of whom

[*Hon. P. Murphy.*

acquired a knowledge of working on the land before they came to this country. [*Hon. F. I. POWER: Very few.*] I differ from the hon. gentleman. I have a considerable knowledge of that class of men, and I say that a very large proportion of them, before they came to Australia, had experience as agriculturists in Great Britain. [*Hon. F. T. BRENTNALL: We tried communal settlements once.*] I am not a believer in that system. I believe in individual settlement, and I question whether, under the communal system, the men were put in the right places to succeed. Any way, I am quite certain that, if a fair proportion of the men I speak of were drafted to the country to take the places of those to whom money had been lent by the Government to go on the land on their own account, they would be a success; and in due course they, too, might be assisted by the Government to farms of their own. I think we are all convinced that the real progress and prosperity of this country can only be brought about by land settlement, and I suppose none of us places the population limit of Queensland at under 10,000,000. If we can hasten on the time when that limit is reached it would be all the better for Queensland. The land is lying idle; it is the inheritance of the people; and the Government which labours in this direction will be held in grateful remembrance for all time by the people. [*Hon. F. I. POWER: They have had better opportunities in the past than they are ever likely to have again.*] I do not think the hon. gentleman's sympathies extend to the poor working man; he has little sympathy for anybody outside his own class. [*Hon. F. I. POWER: I have done something for the working man; what have you done?*] I suppose I have given more employment to them in a week than the hon. gentleman has done in all his life. Every shilling I have made in the country has gone towards giving them employment, and at this moment I am giving employment to 200 men. [*Hon. F. I. POWER: Why don't you put them on the land?*] I should be very glad indeed if a great number of them were on the land. It would be better for them than being about the city. But, as I said, the hon. gentleman has no sympathy with them, judging from the unfeeling interjections he makes. [*Hon. F. I. POWER: That is only when I hear hon. members speaking claptrap.*] I do not think the hon. gentleman's interjections are worth noticing further. The Minister who is responsible for this Bill claims that it will have the effect of largely increasing land settlement, and it seems to me to be framed with that one purpose—to encourage poor people to go on the land. I believe it has been framed with that object, and if it will act in that direction I shall have very much pleasure in giving it my support.

*HON. F. T. BRENTNALL:* I move that the debate be now adjourned.

Question put and passed; and the resumption of the debate under an Order of the Day for Tuesday next.

#### ADJOURNMENT.

#### EVENING SITTINGS.

The SECRETARY FOR PUBLIC INSTRUCTION: In moving that the House do now adjourn, I want again to refer to the progress of business. I do not see how it is possible to carry out the work of the session unless we have two afternoon sittings and two

night sittings, or three day sittings each week. I think members from the country are entitled to some consideration, not only for the sacrifices they have to make in coming down here, but also because it is a distinct disadvantage to have the business of the House carried on wholly by people resident in Brisbane. We want opinions from localities outside where we live, and the presence of country members here is a distinct advantage. What is the state of things? We have a Land Bill which will take at least four sittings, with its forty-seven clauses, nearly every one of which is a separate Bill. Then there is the Metropolitan Hospitals Bill, which is likely to be debated, and other measures are tumbling up from another place. I wish to repeat that I do not see how we are to get on unless we come to the understanding that we are to have two evening sittings in the week.

HON. C. S. MCGHIE: I was under the impression—and I asumed the hon. gentleman was aware of it—that we had come to an agreement the week before last to sit two evenings in the week. Why is the subject brought up again now? [The SECRETARY FOR PUBLIC INSTRUCTION: Because it has not been kept.] On the previous occasion we referred to the benefit evening sittings would be to country members. Without them we should be unemployed, and it is not good to be unemployed in Brisbane in the evenings. I think it will be generally agreed that since we have been sitting at night we have done more work and better work than we ever did in the daytime, and with less wrangling and bitterness, and every intention to get through the business. I think that if we sit two nights in the week that ought to be sufficient.

HON. F. T. BRENTNALL: I think the House ought to recognise with some gratitude the fact that Ministers and the other place are doing all they can to give us work to do before the session reaches very nearly its close. I do not recollect a session in which we have had more steady work from the very beginning. There was, as the Hon. Mr. McGhie said, a distinct understanding a fortnight ago that we should sit two evenings a week if required, for the sake, mainly, of members from the country. The feeling of disappointment last night and to-night was that very few members from the country were present, and that we have to depend mainly upon city members to keep up the House, and some of those do not seem very anxious to do that. It would be better if, all round, there was a little keener sense of the responsibilities that attach to the honourable position occupied by every member of the House. I do not know that there is the slightest objection, when there is work to be done, that we should sit in the evening. At any rate, some of us are prepared to do so. There is another aspect of the question. It was stated by the Minister that it would be necessary to make some adjustment with regard to the *Hansard* staff. [The SECRETARY FOR PUBLIC INSTRUCTION: That has been done.] I am very glad to hear it asserted that the necessary arrangements have been made. That being so, it is as little as members can do, as far as may be possible consistent with their other engagements, to be here and try to get through the business of the country.

The SECRETARY FOR PUBLIC INSTRUCTION: Then I will take it as a distinct understanding that we sit on two nights after tea. [Hon. F. I. POWER: Why not sit on Thursdays?] Because country members object

to it. I think I can engage to keep the Council occupied with work for the remainder of the session.

HON. A. HINCHCLIFFE: I hope that will be made a distinct understanding. As a city man, I am prepared to sit at any time the Council may decide, but I recognise that every possible consideration should be shown to members from the country. If it is definitely understood that we are to sit two nights regularly every week, I shall do my utmost to be present on each occasion.

Question put and passed.

The Council adjourned at ten minutes to 9 o'clock.