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APPENDIX D.

FIFTY YEARS OF LEGISLATION.

In the following epitome of Queensland legislation during the last half-century no mention is made of Land Acts, Local Government Acts, Revenue or Loan Acts, or Education Acts, those subjects being dealt with in the text of the book. The rule has been to notice in this appendix the first legislation of the Parliament on each subject exclusive of those above mentioned, and only to refer to amending Acts of a consolidating and extending character. Nor is any attempt made to furnish a digest of the Acts mentioned, but only to direct attention to what are deemed the salient points of each.

The first session of the first Parliament has been specially dealt with in "Our Natal Year."

THE FIRST PARLIAMENT: 29th May, 1860—22nd May, 1863.

It may not be generally known that in 1861, before Government railways were authorised in Queensland, an Act was passed incorporating the Moreton Bay Tramway Company, formed to construct a railway "from Ipswich to the interior of the colony." The company failed to raise the capital required, however, and the project fell through. In the same year a Loan Act was passed, but it made no provision for railway construction. In 1861 an Act was passed giving facilities for the naturalisation of aliens. A Fencing Act, a Carriers Act, and a Masters and Servants Act also found a place on the Statute-book. There were also passed a Savings Bank Act, a Supreme Court Act, and, among several others, twenty-two in all, the Real Property Act of 1861, which adopted the Torrens system of registration of titles, and may be regarded as one of the most useful reforms of the fifty-year period. An Act to facilitate the incorporation of religious and charitable institutions also became law. In 1862 an Act to provide for the appointment of a second Supreme Court Judge, at a salary of £1,500 a year, was passed, the result being the introduction of the late Chief Justice Cockle, much to the dissatisfaction of the late Mr. Justice Lutwyche, who, having been sole Judge before separation, preferred a prior claim to the appointment. Interference with political and party affairs was the alleged cause of this non-recognition of seniority; and the charge had some justification, as his Honour once issued an address to the electors through the Press urging them to vote for a Liberal candidate. Another noticeable measure was an Act to provide for the introduction of labourers from British India. In all thirteen measures were passed in this session, the last of the first Parliament.

THE SECOND PARLIAMENT: 22nd July, 1863—29th May, 1867.

In 1863 the second Parliament passed twenty-seven Acts, among them one empowering the Government to construct a railway from Ipswich to Toowoomba, "and such other lines as may hereafter be specified," and providing generally for the management of railways. The Inquests on Fires Act, the Liens on Crops Act, the Trading Companies Act, the Queensland Bank Act, the Civil Service Act—providing liberal allowances for retiring public officers—Police, Publicans, and Quarantine Acts, and other measures, made this a very fertile session. In 1864 no less than thirty Acts became law, including the Gold Export Duty Act, imposing a duty of 1s. 6d. per ounce on the precious metal. The Immigration Act of 1864, providing for the issue of land-order warrants by the Agent-General, instead of land orders, and generally restricting the traffic in these instruments, was passed. The Marriage Laws Act, the Military Contribution Act, appropriating £3,640 towards the cost of Her Majesty's troops in the colony, the Volunteer Corps Act, the Small Debts Act, the Roads Closing Act, the Bank of New South Wales Act, and the Brisbane Gas Company Act, with several others, became law. The publication of "Hansard" was begun in this year.

Twenty-two Acts were passed in 1865, among them one for the Prevention of the Careless Use of Fire, a Selectors Relief Act, the Industrial and Reformatory Schools Act, and eight measures amending the Criminal law. In 1866 twenty-six measures were passed, including the Friendly Societies Enabling Act, the Inquests of Deaths Act, abolishing coroners' juries and providing for magisterial inquiries at a cost of two guineas each as a fee to the presiding justice. The Standard Weight for Agricultural Produce Act and an Act declaring Port Albany, Cape York, a free port also became law, as well as a number of legal statutes.

THE THIRD PARLIAMENT: 6th August, 1867—27th August, 1868.

The third Parliament commenced its career in 1867 with a list of forty-eight Acts. The Constitution Act of 1867 and the Legislative Assembly Act of the same year laid the foundation of the Queensland Legislature, while the basis of our judiciary is the Supreme Court Act, the District Court Act, the Small Debts Act, and the Jury Act, all passed in the same session. Other important measures which were passed were Probate Act, Succession Act, Statute of Frauds and Limitations, Equity Act, Trustees and Incapacitated Persons Act, and the Polynesian Labourers Act, the latter the first of a long series of statutes legalising and regulating Polynesian labour. Most of the others were amendments of Acts passed in previous sessions. In August, 1868, the Parliament was prematurely dissolved.

THE FOURTH PARLIAMENT: 18th November, 1868—13th July, 1870.

The fourth Parliament opened in November, 1868, and the first session lasted till April, 1869. Only nineteen Acts were passed in the two sessions of 1868 and 1869. In the latter year two measures were passed to encourage the establishment of industries,



IN THE SCRUB COUNTRY, KIN KIN, NORTH COAST RAILWAY



ON THE BLACKALL RANGE, NORTH COAST RAILWAY

one by means of grants of land, while the other authorised bonuses for the manufacture of woollen and cotton goods—the growth of cotton having attained some prominence during the American Civil War in the early sixties. The principal work of the session, however, was the passage of the Pastoral Leases Act, and an Act to repeal the Civil Service Act of 1863, on the ground that it was imposing undue liabilities on the Treasury. The session of 1870 only lasted for a week, and was consequently barren.

THE FIFTH PARLIAMENT: 16th November, 1870—21st June, 1871.

The fifth Parliament lived only seven months. It met in November, 1870, and passed twenty-two Acts, among them being the University Act of 1870, giving the Governor in Council power to establish local examinations for degrees in connection with universities in Great Britain and Ireland. In this year an Act legalising the collection of border duties was passed. An Act providing for a pension of £400 a year to the Assembly's first Speaker also became law, but has not since been used as a precedent. By the Country Publicans Act a license for a house not within five miles of any town in which the Towns Police Act was in force was reduced to £15. The Gold Fields Homestead Act authorised the granting of agricultural leaseholds not exceeding forty acres on any proclaimed goldfield. A Wages Act enabled an employee to claim six months' pay from a mortgagee on taking over a property. In the session of 1871 only six Acts were passed, one repealing the proviso to section 10 of the Constitution Act of 1867 which required a two-thirds majority of both Houses to a bill altering the number or apportionment of members of the Assembly. The other measures of this session demand no notice here.

THE SIXTH PARLIAMENT: 8th November, 1871—1st September, 1873.

The sixth Parliament met in November, 1871, and passed six measures in its first session, none of them of more than temporary importance save the comprehensive Brands Act, which received the Governor's assent in the following year. The main session of 1872 was fertile in practical legislation, the Health Act and a Railway Act—providing for the fixing of compensation for land resumptions by a railway arbitrator, and empowering the Governor in Council to accept proposals for railway construction from private individuals or corporations—becoming law with twenty-four other measures. An Act of this year provided for the gradual abolition of the export duty on gold; another provided for homestead areas on liberal terms; and another for the sale of mineral lands. A number of legal measures, all of an amending character, also became law. And finally, a Loan Act, authorising the Government to raise £1,466,499 for railways from Ipswich to Brisbane and from Westwood to Comet River on the Central Railway, and other public works, gave a new impetus to development. In 1873 the Parliament met at the end of May, and after the session had lasted two months the Houses were prorogued for the purpose of a dissolution. Only six Acts were passed during the session, and those of no permanent significance except, perhaps, an equally elaborate and Algerine Customs Act.

THE SEVENTH PARLIAMENT: 7th January, 1874—2nd October, 1878.

The seventh Parliament opened on 7th January, 1874, and the Palmer Government, being defeated on the election for the Speakership, at once retired. After nearly three months' adjournment to enable the new Ministry to formulate its policy, the session was resumed at the end of March, and eighteen public and six private Acts were passed. Among the most important was the Audit Act, which, among other provisions, altered the opening date of the financial year to 1st July, instead of 1st January, with the object of getting the work done during the cool weather. But the Act failed in this respect, for Governments seldom care to call Parliament together much before mid-July, in time to provide for the first Treasury payments of the new financial year. On the other hand, the Assembly members usually protract the sittings until close to Christmas week, at whatever date the session opens. Among the other measures passed in 1874 were the Insolvency Act, of which Mr. S. W. Griffith was the author; the Crown Remedies Act, providing for the conduct of suits on behalf of the Crown; a Supreme Court Act, making provision for the appointment of a third Judge to be stationed at Bowen, and fixing the salaries and pensions of the Judges at the amounts still payable; a comprehensive Goldfields Act; an Act for the protection of oysters and the establishment of oyster fisheries; and an Act to encourage the manufacture of sugar. In 1875 sixteen Acts were passed, one of the two most important being the Western Railway Act, providing for the reservation of the land for fifty miles on either side of a straight line drawn from Dalby to Roma, and the sale of such lands to pay for the construction of a railway to connect the two towns. The other and great measure of the session, however, was the State Education Act, the scope of which is elsewhere explained.

In 1876 twenty-three Acts were passed, two of them being temporary Supply Acts, measures which first became necessary with the alteration of the date of the financial year. A Crown Lands Alienation Act, passed this year, is noticed elsewhere, as is also the Customs Duties Act, introducing a tariff incidentally protective. Mr. Groom's Friendly Societies Act became law, as also did Mr. Griffith's Judicature Act, and the Fire Brigades Act. A Municipality Endowments Act provided a £2 for £1 endowment for municipalities during the first five years after their establishment, and then £1 for £1. The Department of Justice was provided for, enabling a layman to hold the portfolio of Minister for Justice in a Ministry, and, so far as official practice was concerned, to qualify such Minister to discharge the duties of the Attorney-General.

In 1877, twenty-eight measures were placed on the Statute-book, including the Navigation Act, Bank Holidays Act, Chinese Immigration Regulation Act, an Act to punish disorderly conduct in places of religious worship, the Victoria Bridge Act, and the first of a series of enactments for the destruction of marsupials and the protection of native birds. But the most important piece of legislation was the Railway Reserves Act, which, before it was finally repealed, caused considerable trouble in regard to the disposal of the moneys received from the sale of land within the reserves which were set apart in the various districts to provide funds for the construction of railways in the several reserves.

In 1878, the last session of the seventh Parliament, only a few measures were passed, among them, however, being the Deceased Wife's Sister Marriage Act, the Intestacy Act, a comprehensive Local Government Act, and a Volunteer Act. An Electoral Districts Act redistributed the electorates of the colony, and increased the number of members of the Assembly from 43 to 55.

THE EIGHTH PARLIAMENT: 15th January, 1879—26th July, 1883.

In January, 1879, a new Parliament opened, and the ensuing five years contributed but a moderate number of Acts to the Statute-book. First in political importance was the Divisional Boards Act of 1879; then the Licensing Boards Act; the Orphanages Act; the Bills of Exchange Act; and the Life Insurance Act, providing among other things that after an insured person had held a policy for life assurance, endowment, or annuity for three years his age, unless in the case of fraud, should be deemed to have been admitted by the company, and also protecting the interest of the assured in the event of his insolvency. A short Act was passed requiring all moneys received under the Western Railway Act and the Railway Reserves Act to be paid into the consolidated revenue fund; and a Loan Act for £3,053,000 was also placed on the Statute-book. The Local Works Loans Act, referred to elsewhere, was also passed. The Rabbit Act, passed on the initiative of a private member, Mr. E. J. Stevens, was the forerunner of several measures having for their object the extermination of this national pest. In 1880, out of the twenty-four Acts passed, four were for appropriations, and four for private purposes. A new Pacific Island Labourers Act became law, providing for the engagement of all islanders under the inspection of a Government agent travelling in the recruiting vessel, restricting the employment of the islanders to tropical and semi-tropical agriculture, and making provision for their payment and treatment. The Post Card and Postal Notes Act provided for the issue of those instruments. The greatest political measure was the Railway Companies Preliminary Act, passed with the view of inducing capitalists to undertake railway construction in consideration of land grants.

In 1881 fifteen Acts, exclusive of appropriations, were passed, among which were the Macalister Pension Act, authorising the payment to the ex-Agent-General of a pension of £500 a year; the Pearl-shell and Beche-de-mer Fishery Act; the Sale of Food and Drugs Act, and the United Municipalities Act. In 1882, with the exception of the Tramways Act, nearly all the measures passed were amending Acts.

In 1883 only two measures were passed—the Queensland Stock Inscription Act and an Appropriation Act—dissolution following upon the defeat of the Government on the second reading of the Transcontinental Railway Bill, which was introduced to ratify an agreement made with a company, represented by General Feilding, under the provisions of the Railway Companies Preliminary Act of 1880, for the construction of a railway from Charleville to Point Parker on the Gulf of Carpentaria.

THE NINTH PARLIAMENT: 7th November, 1883—4th April, 1888.

The ninth Parliament opened on 7th November, 1883, and the Government resigned after being thrice defeated. Mr. Griffith became Premier, and he at once set to work to reverse the policy of his rival in several respects. The Assembly passed a bill to repeal the Labourers from British India Acts of 1862 and 1882, but the Council rejected it. The passage of the Chinese Immigrants Regulation Act (introduced by Mr. Macrossan as a private Opposition member), which restricted the number of Chinese passengers arriving by any vessel to one to every fifty tons register, and imposed a landing fee of £30 per head on such passengers, had a salutary effect in limiting this form of Asiatic immigration. The Pacific Island Labourers Act Amendment Act further safeguarded the interests of white workers in Queensland. The Railway Companies Preliminary Act was repealed, and its repeal put a stop to the negotiations which had been going on in connection with the Transcontinental Railway under the previous Government.

The chief measure passed in the regular session of 1884 was the Crown Lands Act, which has been dealt with elsewhere. A comprehensive Defence Act established the principle of compulsory service in time of war. Among other measures passed were a comprehensive Health Act, a Bills of Exchange Act, a Wages Act, a Pharmacy Act, and the Native Birds Protection Act; also the Patents, Designs, and Trade Marks Act. Many of the other Acts were legal measures, but one may be mentioned as of interest—the New Guinea and Pacific Jurisdiction Contribution Act, which provided for the amount of annual contribution by Queensland in the event of a British Protectorate being established over Eastern New Guinea and other islands in the Western Pacific. An Act of interest to civil servants was that which required all fees thereafter received by them to be paid into the Treasury. The Acts of this single session—the first of Mr. Griffith's Premiership—extended over 405 pages of the then quarto Statute-book.

The Officials in Parliament Act—passed to create an additional Minister, to readjust the division of portfolios between the two Houses, and to render officers in the Imperial and Queensland military and naval forces eligible to sit in the Legislative Assembly—had the effect of bringing about an innovation not intended at the time the Act was passed, and which had no parallel in parliamentary government in the Empire. The passage of section 3 involved the repeal of sections 5 and 6 of the Legislative Assembly Act of 1867, the latter of which made it obligatory for members of the Assembly to submit themselves for re-election upon taking office as Ministers. Curiously enough, the effect of this repeal was not discovered until certain Ministerial changes were made in 1893. The members of the McIlwraith Government in 1888 and the members of the Griffith-McIlwraith Coalition in 1890 went before their constituents for re-election; but since the latter year the practice has ceased, and the electors have now no opportunity of showing by their votes whether they approve or disapprove of Cabinet changes.

The session of 1885 was also productive of much legislation. There were a new Licensing Act containing local option provisions, a Federal Council (Adopting) Act, and an Undue Subdivision of Land Prevention Act, making the minimum width of

new streets 66 feet, and of lanes 22 feet, and buildings were not to be erected within 33 feet of the middle line of a lane; while suburban or country lands could not be sold in areas of less than 16 perches. This measure put a stop to subdivisions which could only be regarded as a grave abuse. The law relating to parliamentary elections was consolidated and amended. Another Act prohibited the introduction of Pacific Islanders after 31st December, 1890. Altogether eighteen measures, irrespective of appropriations, were passed. During this and the following session a series of conflicts arose over the power of the Legislative Council to amend bills dealing with appropriation and taxation. In 1884 a bill was introduced which made provision for granting to members of the Assembly payment of expenses at the rate of £2 2s. per sitting day, with a maximum amount of £200 per annum, and in addition payment of travelling expenses to and from electorates once a year at the rate of 1s. 6d. per mile. The bill was laid aside by the Council. It was reintroduced in 1885, and again laid aside by the Council. The Government thereupon included a sum of £7,000 in the annual Appropriation Bill for the payment of members' expenses, and the Council took the extreme step of amending the Appropriation Bill by omitting this vote. After communications had passed between the two Chambers, it was agreed to submit to the Imperial Crown Law Officers two questions to settle whether the Council possessed co-ordinate powers with the Assembly in the amendment of all bills, including money bills, and the Judicial Committee of the Privy Council decided against the Council. The following year, the Members' Expenses Bill was passed by the Council without any attempt at amendment. The Council having also amended the rating clauses of a Local Government Bill in 1885, the bill was laid aside by the Assembly. It was reintroduced next year, and again amended by the Council. Warned by the fact that a Divisional Boards Bill had been laid aside by the Council because the Assembly claimed that the Upper House had no power to amend rating clauses, the Assembly accepted the Council's amendments, but at the same time asserted their sole power of altering taxation provisions.

In the year 1886 no less than thirty-two Acts, exclusive of appropriations and private measures, were passed. Among them was the Elections Tribunal Act, which gave to a Supreme Court Judge, assisted by a panel of members of the Assembly acting as assessors, the decision of election petitions, as the trying of such petitions before an Elections and Qualifications Committee consisting of members of the Assembly had proved unsatisfactory. The Members' Expenses Bill was also passed. The important Justices Act was a measure of this session. The Labourers from British India Acts were repealed, the repealing measure having been rejected by the Council in the 1883-4 session, thus closing the door to the long-desired importation of coolie labour for pastoral holdings. Two measures of great importance to workers which were placed on the Statute-book in this session were the Employers Liability Act and the Trade Unions Act. The Offenders Probation Act embodied a new departure in the treatment of first offenders, which has since been copied by many other countries. Another Act which proved of material assistance to the working classes was the Building Societies Act. Several of the measures were amendments of the work of former Parliaments.

The session of 1887, though less fruitful than the three preceding sessions, was by no means barren. Twenty-one bills were passed, one of which made provision for a contribution to the British New Guinea civil list. The Divisional Boards Bill, which had been laid aside by the Council in 1886, was reintroduced. The taxation clauses were this year embodied in a separate bill—the Valuation Bill—and both measures became law. An Electoral Districts Bill was also passed, increasing the number of members of the Assembly to 72. No change has since been made in the representation of the State. The passage of this bill was urged as a reason for not passing the Australasian Naval Force Bill, the Opposition contending that no important legislation should be attempted after Parliament had agreed to a redistribution of seats, and Sir S. W. Griffith was in this way prevented from giving legislative force to the agreement which he had drafted, and which was passed into law in all the other colonies before its author finally succeeded in securing its passage in Queensland in the year 1891. The session closed in December, 1887, but the Assembly was not dissolved until four months later.

THE TENTH PARLIAMENT: 12th June, 1888—5th April, 1893.

The tenth Parliament opened on 12th June, 1888, and the Griffith Ministry gave place to that of Sir Thomas McIlwraith. Only ten public measures were passed, however, exclusive of appropriations. The struggle of the session arose on the Customs Bill, imposing protectionist duties, and increasing the complexity of the tariff. On entering Parliament in 1874, Mr. Macrossan had earnestly demanded, on behalf of the Northern miners, effectual anti-Chinese legislation, but the attitude of the Imperial Government compelled the Queensland Parliament to proceed warily. In 1877 an Act was passed requiring the master of any ship to pay £10 for each Chinese passenger landed, and forbidding more than one to every 10 tons burthen, a penalty of £10 being imposed in each case of breach. In 1884 the number to be introduced was further restricted to one Chinese for each 50 tons, with a landing payment of £30, and £30 penalty for each landed in excess of the prescribed number. In 1888 the representatives of the various Australasian Governments met at Sydney, as, owing to the unwillingness of the Imperial Government to give the Royal assent to the legislation desired, there was doubt as to whether a measure passed by an individual colony would be assented to. The conference agreed to a bill, and the Queensland Parliament passed it in 1888, but it did not become law until February, 1890. It placed the limitation at one Chinese passenger to every 500 tons registered, made the penalty on the master £500 for every Chinese landed in excess of the number, and, in default of payment, twelve months' imprisonment, and £100 for a master failing to report at the Customs. For failure to supply a correct list of Chinese passengers the master rendered himself liable to a penalty of £200 for each act of default, and £30 for permitting Chinese to land without payment of the landing tax. A Chinaman landing illegally, either overland or by ship, was himself liable to a penalty of £50, and, in default of payment, to six months' imprisonment.

A comprehensive Railways Act was passed, its main object being to entrust the control of the railways to three Commissioners. The other measures were not of permanent interest.

The session of 1889, under the Morehead Administration, was more productive. The Totalisator Restriction Act was among the measures passed, as was also the Trustees Act. The Civil Service Act, which embodied superannuation provisions on the basis of a 4 per cent. contribution from salary, was passed, but the superannuation sections were repealed in 1894 chiefly because of the representations of junior officers who alleged that the system was unjust. The Payment of Members Act repealed the Members' Expenses Act of 1886, and under it members were paid an annual salary of £300. The session was also notable by reason of the passage of the Defamation Act, introduced by Sir S. W. Griffith as a private member, by which journalists were relieved of the Algerine law under which their profession had previously been carried on.

The session of 1890 was marked by the formation of the Griffith-McIlwraith Ministry, and the passing of twenty-seven Acts, many of importance, one of them being the Married Women's Property Act. The dividend duty was first imposed in this session, and sketching fortifications was made a penal offence; but the more important measures of this year are elsewhere noticed.

In the session of 1891 a comprehensive Water Authorities Act, which is still in force, became law. An Act permitting solicitors to do work for their clients by agreement was passed, as was also an Act for the better protection of women and girls. In all thirty-eight measures, many of them of a legal character, became law in this session. The one of greatest importance was the Australasian Naval Force Act, to which allusion has already been made.

In 1892 thirty-nine Acts were passed, among which was one for the treatment and isolation of lepers; others provided for strengthening the law penalising bakers for selling bread under weight; for subsidising railway construction by grants of land; for the establishment of harbour boards, and the levy of harbour dues; for penalising the publication of indecent advertisements; for making a person accused of an indictable offence and the wife or husband of such accused person a competent but not a compellable witness for the defence; for raising the Chief Justice's salary to £3,500 with a view to securing the services of Sir S. W. Griffith; for reducing the payment of members of the Assembly to £150 per annum; and for taxing the receipts of totalisators on racecourses, a duty being imposed of sixpence in the pound of money passed through the totalisators. A new principle in rabbit legislation was introduced by an Act encouraging pastoral lessees to destroy the pest by granting them an extension of their leases as compensation for their outlay. The Pacific Island Labourers (Extension) Act reversed the decision of Parliament in 1885, and permitted the reintroduction of islanders for work in the sugar industry. The recruiting continued from this date until terminated by the Commonwealth legislation of 1901. This session proved a very long one, the Houses sitting from March till November.

THE ELEVENTH PARLIAMENT: 26th May, 1893—22nd February, 1896.

The eleventh Parliament was opened on 26th May, 1893, Sir Thomas McIlwraith being then Premier. A Ministerial crisis was produced on the Railway Border Tax Bill, which imposed a duty of £2 10s. per ton on every bale of Queensland wool taken across the border. Ministers tendered their resignations, but the Governor, Sir Henry Norman, declined to accept them. In a minute read in the Assembly, His Excellency expressed the opinion that the vote in question did not constitute a vote of want of confidence in Ministers, and he gave it as his belief that on most questions of importance likely to arise they would have the support of a substantial majority of members of the Assembly. Consequently Sir Thomas McIlwraith continued in office, and both Houses passed the bill. It was a retaliatory measure against the New South Wales Railway Commissioners because of the preferential rates conceded by them to draw traffic to Sydney that legitimately belonged to Brisbane. The Meat and Dairy Produce Act became law in this year; also the Sugar Works Guarantee Act, and the Co-operative Communities Land Settlement Act, which proved an utter failure in spite of the passing of amending Acts in the two succeeding years. Various financial measures noticed elsewhere were also passed, these last being rendered imperative by the banking crisis which then paralysed industry and commerce. At the end of the session, Sir Thomas McIlwraith's health failing him, he retired from the Premiership, which was taken by Sir Hugh Muir Nelson.

In 1894 the session opened on 17th July, and one of the most hotly contested measures was the Peace Preservation Bill, introduced in consequence of the disturbances connected with the shearers' strike in the West in 1891, and the apprehension that they would be repeated unless drastic legislation was enacted. Its passage was strenuously opposed by the Labour Opposition, and it was only forced through the Assembly by the application of the closure. Violent scenes culminated in the suspension of eight Labour members, the suspension being followed by an appeal by the ejected members to the Supreme Court, when that court decided that Parliament was the only tribunal for determining matters affecting its own jurisdiction. In all thirty-six measures were passed, but the majority were either financial or designed to amend existing statutes which caused friction in operation. The effort at this time seemed to be rather to pass practicable laws than enact measures embodying so-called advanced principles. The most noteworthy of these laws was the Agricultural Lands Purchase Act, which authorised the purchase by the Government of large estates at a cost not exceeding £100,000 in any one year, and the subdivision of the land into farms.

In 1895 thirty-five Acts were the product of the session, and they were generally characterised by the same adaptation of means to ends that was noticeable in the preceding year. In fact, during these two years the colonies were all suffering a recovery which did not incite to heroic legislation for securing the rights of man, including woman. Deserving of special mention are the Suppression of Gambling Act, and the Railways Guarantee Act which made provision for local authorities guaranteeing the State against loss in connection with the construction and working



BARRON GORGE, CAIRNS RAILWAY, NORTH QUEENSLAND

of railways built under the Act. In consequence of friction between the three Railway Commissioners, an Act was passed in this year reducing the number of Commissioners to one, Mr. Mathieson, the Chief Commissioner, being retained. A short measure of considerable value was the Standard Time Act, the object of which was to place Queensland in line with New South Wales and Victoria by adopting the time of the 150th meridian of east longitude as the standard time for the three colonies.

THE TWELFTH PARLIAMENT: 17th June, 1896—15th February, 1899.

In 1896 there was a general election, and the new Parliament opened on 17th June. Public confidence had been fairly restored after the financial crisis of 1893, and thirty-five Acts were passed, not one of which was of a highly contentious political nature. Even the Factories and Shops Act, introduced by the Government, was supported by the Labour party; indeed, no party or section opposed it, although the compulsory closing of shops at 1 p.m. on Saturdays throughout an area within the radius of ten miles of the General Post Office excited much individual opposition. Mr. Mathieson having accepted the position of Chief Commissioner of the Victorian railways, an amending Railways Act was passed empowering the Governor in Council to appoint a Commissioner for three years, reducing the salary from £3,000 to £1,500, and providing for the appointment of a Deputy Commissioner. Mr. R. J. Gray, one of the three original Commissioners, was appointed Commissioner, and Mr. Thallon, the present Commissioner, became his deputy. A measure of some importance repealed the existing Payment of Members Act, and made the new Act an integral part of the Constitution, the salary being fixed at £300 a year. The object, as stated by the Government, was to stop the incessant agitation that was carried on in political circles on the one hand for an increase, and on the other for a reduction of the salary.

In the session of 1897, Sir Hugh Nelson being still Premier, thirty Acts were passed. There was again a remarkable absence of measures of a party character, most of them being useful amendments of existing laws. Of these the Elections Consolidating Act was important. The Home Secretary, Mr. J. F. G. Foxton, deserves credit for introducing this session the Aborigines Protection and Restriction of the Sale of Opium Act, the first measure for the preservation and care of our fast-disappearing aboriginal blacks. It must be recorded with shame that the Government of Queensland should have allowed so many years to pass before taking steps to protect the race who had been dispossessed of their heritage from some of the curses attendant on our civilisation. Since 1897 the stigma no longer rests on our fair fame, everything possible being done now to save the natives from extinction. In this year, too, the Mareeba to Chillagoe Railway Act, which has proved very beneficial to the Cairns hinterland, became law. A comprehensive Land Act, occupying 110 pages of the Statute-book, was passed, and also an amending and consolidating Trustees and Executors Act.

The session of 1898—the last of the Parliament—opened on 26th July, and closed on 30th December. The principal work of this session was the passage of an amending Mining Act which greatly improved the condition of the working miners. Other measures were an Act to incorporate the Brisbane Technical College, and the Game and Fishes Acclimatisation Act, providing for the proclamation of districts, for an open season, for the issue of game licenses, and the appointment of guardians. Sir Hugh Nelson, in consequence of the death of Sir A. H. Palmer, had been translated to the Presidency of the Legislative Council, and the Premiership was assumed by Mr. T. J. Byrnes on 13th April. Mr. Byrnes died in the following September, and was succeeded by Mr. (afterwards Sir) J. R. Dickson.

On 1st December, 1899, Mr. Dickson and his colleagues resigned in consequence of a vote of the Assembly, and for seven days the Dawson Labour Ministry held office, but they were defeated immediately on the reassembling of the House. In the meantime Mr. Philp had been chosen leader of the Opposition, and on 7th December he returned to power as Premier with most of his old colleagues.

THE THIRTEENTH PARLIAMENT: 16th May, 1899—4th February, 1902.

The year 1899 was remarkable for the passage of two great measures—the Australasian Federation Enabling Act, passed in a session specially summoned for the purpose, which authorised a referendum to be taken on the new Constitution; and the invaluable and monumental Criminal Code Act, extending with its four schedules over 270 pages of the Statute-book. The Code was compiled by Sir S. W. Griffith, and was afterwards submitted to the whole of the Judges of the Supreme and District Courts before being presented to Parliament. A bill was also passed legitimising children born before marriage on the subsequent marriage of their parents. The other public measures of the session were for amending purposes.

The session of 1900 was a fairly active one, thirty-four measures being passed. A short Act of far-reaching importance empowered the Government to enter into arrangements with the Governments of the United Kingdom, Canada, Victoria, New South Wales, and New Zealand, for laying a Pacific cable. By a short measure the Government were empowered to prohibit the exportation of arms or naval stores. A great consolidating and amending Health Act was passed; also a measure, in connection with the appointment of Dr. Maxwell, of Honolulu, for the establishment of sugar experiment stations. In this year the Railway Commissioner was reappointed for three years at a salary of £2,000 per annum, being an increase of £500. The Factories and Shops Act of 1896 was repealed, and a more comprehensive measure passed. An amending Defence Act was passed providing, among other things, for the military training of boys between twelve and eighteen years. An Act also became law providing for the inspection of grammar schools by a graduate of a British or Australian University. Another measure provided for the holding of the first Commonwealth elections, and for the temporary division of the State into nine electorates for the House of Representatives election. Several bills

authorising the construction of railways to mineral fields by private companies evoked the bitter opposition of the Labour party. To force them through the popular House the Government were obliged to introduce an amendment of the Standing Orders, colloquially known as the "guillotine," and to closure the bills through the House.

In the session of 1901 twenty-seven Acts were passed. The Chief Justice's salary, on the retirement of Sir S. W. Griffith to accept the Federal Chief Justiceship, was reduced to its former amount of £2,500 a year. The first legislation to eradicate the prickly pear took place in this year. The bill was introduced by a private member, Mr. Bell, who has always taken a keen interest in the destruction of this pest. It was based on the principle that close settlement is the only effective remedy, and offered inducements to settlers to select infested lands. The Public Service Act was so amended as to constitute the members of the Ministry for the time being the members of the board. A measure was passed requiring every life assurance company carrying on business in Queensland to hold £10,000 in Queensland securities, and otherwise protecting policy-holders. An Agricultural Bank Act was passed authorising the Government to advance to settlers on the land loans for carrying out improvements. An Animals Protection Act was also passed for the more effectual prevention of cruelty to animals.

THE FOURTEENTH PARLIAMENT: 8th July, 1902—21st July, 1904.

The fourteenth Parliament opened on 8th July, 1902, twenty-seven public measures becoming law in the first session. An amending Aboriginals Protection Act, chiefly dealing with the sale of opium, was passed. The sum to be paid as duty on totalisator stakes or bets was increased to one shilling in the pound from the sixpence provided by the Act of 1892. A Railway Act amending measure was passed authorising the appointment of a Commissioner for a term of seven years, and making other changes to facilitate the working of the department. In consequence of the drought and Federal embarrassments, the Public Service Special Retrenchment Act was passed, reducing the salaries of public servants on a sliding scale; and an Income Tax Bill became law, imposing a tax of sixpence in the pound upon incomes derived from personal exertion, and one shilling in the pound when derived from property, incomes under £100 being mulcted in 10s., and when not exceeding £150 £1 a year. Provision was made for the appointment of a Government department for collecting the tax, and the last section enacted that the tax should cease on 1st January, 1905. The monumental Local Government Act of 1902 also became law in this year.

The next session opened in July, and closed in December, 1903, but in mid-September progress was suspended by a change of Ministry, the Morgan-Kidston Government assuming office. Among the measures passed after the change of Ministry was an Act providing that the senior puisne Judge resident in Brisbane should be the senior puisne Judge of the Supreme Court, and discretionary power

was given to the Governor in Council with regard to filling the vacancy created on the Supreme Court bench through the acceptance by Sir S. W. Griffith of the more dignified position of Chief Justice of the High Court of the Commonwealth. The Government were subjected to severe criticism for making no appointment, but the number of Judges was allowed to remain at four until the appointment of Mr. Justice Shand in November, 1908.

Parliament reassembled in May following, and sat two months, when a dissolution was granted on 21st July, in consequence of the Government being left without a working majority.

THE FIFTEENTH PARLIAMENT: 20th September, 1904—11th April, 1907.

The fifteenth Parliament opened on 20th September following, and sat until Christmas. Among the measures passed was a comprehensive Dairy Produce Act providing for the appointment of inspectors; the registration of premises, a fee being charged proportioned to the number of cows kept; for compulsory grading of butter for export; and for the general regulation of dairies. The Income Tax was continued, but gave relief to persons with small incomes, though on the whole it yielded more revenue. Owing to the exigencies of the Treasury, the Public Service Special Retrenchment Act was continued for a further period of nine months, but the rate of retrenchment was reduced by one-half, and provision was made for devoting any surplus revenue at the close of the year to the repayment to public servants of the amounts so deducted from their salaries, and in this way they received a return equal to 8s. in the pound.^(a) A Registration of Clubs Act and fourteen other measures were also passed.

An extraordinary session of twenty days was held in January, 1905, to reconsider the Elections Bill, rejected by the Legislative Council in December previously. This having been done, and the Council having agreed to the bill, Parliament was prorogued, and met for the regular session of the year in July following, the sittings being continued till the Christmas holidays.

The ordinary session of 1905 was a busy one, though the measures generally were short and of a practical nature. A distinguishing feature of the work of this Parliament was the humanitarian and social legislation which was placed on the Statute-book. The interests of workers generally were conserved by the Workers' Compensation Act, which made injuries or fatal accidents met with by employees a charge upon the industry in which they were engaged. The comfort of a very large number of workers in the pastoral and sugar industries was provided for by the Shearers and Sugar Workers Accommodation Act. A most valuable piece of legislation was the Infant Life Protection Act, the object of which was to prevent the alarming sacrifice of infant life in nursing homes from neglect, all such homes having to be registered and made subject to Government inspection. An Act imposing a

(a) See page 50, ante.

penalty of £10 upon any person selling or giving tobacco or cigars to a young person under the age of sixteen years was passed, as was also an Act forbidding the sale or supply of firearms to a young person under fourteen years, and also forbidding such young person to use or carry firearms, the penalty for a breach of the Act being £20. Another measure of interest, which was passed in response to the request of a large number of workers, was an Act providing for railway employees a Board of Appeal against disciplinary decisions of superior officers. A short Act became law giving the right to women to admission and practice as barristers, solicitors, or conveyancers. Quite a number of other small Acts was passed, among them being a Fertilisers Act, the object of which was to prevent loss to farmers by the sale of fraudulent fertilisers.

The most contentious measure of the session of 1906, which opened, as usual, in July, was the Railways Act, its principal object being to hold the ratepayers of a benefited area responsible for all losses in working a newly-constructed railway. It empowers the local authority to levy a railway rate to make good the deficiency, if any, after providing for working expenses and interest at the rate of three per cent. on capital expended on the line. If the local authority fails to levy and collect the railway rate, the Commissioner is empowered to do so. An important principle of the Act requires, when lands in a benefited area are being valued for rating purposes, that to the capital value shall be added the enhancement through the railway facilities provided. The object of the Act is undoubtedly good, in so far as it discourages landowners from agitating and bringing political pressure upon the Government in favour of railway undertakings not justified by the prospective traffic. It was supposed that persons desiring a new railway would hesitate to guarantee the Government against loss through its construction, but the applications for new lines have not been less numerous since the passing of the Act than when the burden fell entirely upon the general taxpayer. Yet there can be no doubt that many unwarranted undertakings have been quashed by the liability imposed upon local landowners.

During the session there were thirty-four Acts passed, among them one for the protection of opossums, native bears, and other wild animals specified in the schedule, by the proclamation of a close season, and the prohibition of the use of cyanide as poison by collectors of skins for export. The Mining Machinery Advances Act empowered the Minister to advance loans from moneys appropriated by Parliament to persons or companies erecting machinery for carrying on mining operations or treating metalliferous ores, such loans to be made on the basis of £1 for £1 of money expended by the applicant. A comprehensive Weights and Measures Act also became law. Another useful measure was the amending Public Works Land Resumption Act, the compensation provisions being greatly improved. The Etheridge Railway Act also passed in this session despite the objection of several members of the Labour party to "syndicate" lines. The opposition of these members, however, was not characterised by the obstructive tactics adopted in regard to similar measures in 1908.

THE SIXTEENTH PARLIAMENT: 23rd July to 31st December, 1907.

The sixteenth Parliament was elected in May, 1907, but none of the three parties, into which the Assembly was divided by the cleavage between the moderate and the extreme sections of the Labour party consequent upon the adoption by the latter of the socialistic objective at the Convention held earlier in the year at Rockhampton, came back with a majority, and little legislation was found possible, the only public Acts passed relating to Appropriations, Children's Courts, Poor Prisoners' Defence, and an amending Income Tax measure raising the exemption to £200, and giving other relief to taxpayers. Towards the end of November the Government, failing to pass several democratic measures through the Council and to obtain adequate support from the Labour party, resigned, and Parliament was dissolved on 31st December on the advice of Mr. Philp, who had been called on to form a new Government from the Opposition party, and had failed to secure a parliamentary majority.

THE SEVENTEENTH PARLIAMENT: 3rd March, 1908—31st August, 1909.

The result of the appeal to the constituencies was to leave parties much as before, the Kidston and Labour parties being slightly strengthened numerically, and the Philp party—the Government at the moment—weakened correspondingly, they and the Kidston party numbering 25 each, while the Labour party were 22 strong. Mr. Philp's appeal having thus failed, he retired, and Mr. Kidston, being recalled, sought to secure for his Government more than casual support from the Labour party. The House met on 3rd March, 1908. The session lasted barely seven weeks, and among the fifteen measures which became law were the following:—An amending Constitution Bill repealing the provisoes to section 9 of the principal Act, the first of which required a two-thirds vote of both Houses to any amendment for varying the mode of appointment or number of members of the Legislative Council; and the second, that any such amending bill should not receive the Royal assent until it had lain thirty days on the table of both Houses of the Imperial Parliament. Another Constitution Bill provided for a referendum to the electors when a bill passed by the Assembly had been twice rejected by the Council. The first of the above-mentioned bills received the Governor's assent forthwith, but as to the second such assent was reserved, and the bill transmitted to England. On 19th August, however, the King's assent was proclaimed, and the incompatibilities between the two Houses were thus satisfactorily adjusted by a comparatively simple process. A measure which aroused strong party feeling was a bill to amend the Elections Act by repealing the postal voting sections, substituting provisions to enable absent voters to vote at any polling place in the State, and also ensuring greater secrecy by having the ballot papers from places where a small number of votes are recorded counted in some larger centre. A useful Land Surveyors Act was passed, requiring registration after approval of candidates by a board to be constituted under the Act, and prescribing a variety of other regulations for the purposes of securing the competence and protecting the interests of surveyors generally. Other measures placed on the Statute-book included an Old Age Pensions Act, which has now lapsed in consequence of the passing of a Commonwealth pensions law; an Act for the Inspection of

Machinery and Scaffolding; an amending Factories and Shops Act containing many democratic provisions; a Wages Boards Act, which has been kindly taken to by both employers and employed, and promises to adjust most of the differences between masters and men; a Religious Instruction in State Schools Referendum Act, the poll to be taken on the same day as the polling for the first Federal election after the passing of the Act; and an amending Technical College Act dissolving the councils of both metropolitan technical colleges, and vesting the property and future management in the Government. Two bills were also passed authorising the construction of railways to the Mount Elliott and Lawn Hills mineral fields. These bills directly led to the Labour party assuming an attitude of open hostility to the Government, and brought the latter and the Opposition, led by Mr. Philp, together, as the policy put before the electors by these two parties was identical in almost every respect.

Before the opening of the second session on 17th November, 1908, the Kidston and Philp parties were fused into one on the common basis of the policy enunciated by Mr. Kidston in 1907 at Rockhampton. A reconstruction of the Cabinet preceded the meeting of Parliament. When the session closed on 22nd December very little legislative work had been done, most of the Government time being occupied with consideration of the Estimates, the Labour party, which had then become the Opposition proper, again offering obstruction to Government measures, and again compelling resort to the closure. An important measure of a non-party character was passed, however, for a revision of the statute law in many important details. The most significant measure of the session was the Loan Act of 1908, authorising the borrowing of £3,208,000, the vote affording proof of the determination of the Government and Parliament to enter upon a vigorous policy of railway and public works extension.

The third session of the seventeenth Parliament opened on 29th June, 1909. The two sides of the House were so evenly balanced, owing to several supporters of the Government having crossed to the Opposition benches, that the majority of the Government was reduced to one. Finding themselves impotent to transact public business, the Government advised the Lieutenant-Governor to grant a dissolution, provided the House would grant Supply. This was done, and His Excellency accordingly dissolved the Assembly on 31st August.

THE EIGHTEENTH PARLIAMENT: 2nd November, 1909.

The eighteenth Parliament met on 2nd November. The Address in Reply was adopted without division on the 5th, and Parliament at once proceeded to the business outlined in the Opening Speech of His Excellency the Lieutenant-Governor, a laudable desire to transact business without unnecessary discussion being evinced. The most important measure was the University of Queensland Act, which was passed in time to enable the dedication ceremony to take place on 10th December, Queensland's jubilee day. Of vital importance to Brisbane and its suburbs was the Metropolitan Water and Sewerage Act. An amendment of the Workers' Compensation Act and a Workers' Dwellings Act also became law. Resolutions were also passed approving of the construction of railways in various parts of the State.