committee, and, if I am in order, I shall move
that the name of Mr. Groom be omitted with
the view of inserting the name of Mr. Fitzgerald.

The SPEAKER: I would point out that an
amendment has already been made in the motion
in words which occur later than those the hon.
member proposes to omit. His amendment there-
fore is not in order.

Mr. FISHER (Gympie): I should like to say
a word or two in reply to what the Premier has
stated. I think there are sixty officers who have
the custody of papers similar to these, and in the
only one instance in which the papers have been
asked for they cannot be found. If that is so,
how are we to know that papers are not missing
in other cases.

The PREMIER: This inquiry will deal with
only one of the officers.

Mr. FISHER: I was going to say that
I think the inquiry should cover a wider scope.
At any rate it may reasonably be argued that if
we are to find papers when required, they may not be forthcoming in
other cases when required. The representa-
tion of the country is based on the genuineness
of these papers, and if they disappear then all
confidence in the Government, or the Opposi-
tion, Parliament will go with them. For that
reason I consider the matter is of importance,
and that a committee should be appointed to
effort to clear up the mystery which appears
to be troubling the people of the colony.

Mr. STORY (Balonne): If it comes to a
division I will vote with the leader of the
Opposition, first of all as a matter of justice and
character. The work of passing it through the
House and his own educa-

Mr. GIVENS: Where's the hon.
gentleman not take the House into his con-
side the matter. Was
Returning to the question put and passed.

UNIVERSITY OF QUEENSLAND BILL.
First Reading.

The House in committee having affirmed
the desirability of introducing this Bill, it was
introduced, read a first time, and the second
reading made an Order of the Day for Tuesday
next.

CRIMINAL CODE BILL.

Second Reading.

The ATTORNEY-GENERAL (Hon. A.
Butler, Moreton) moved that the second reading of this Bill, it must ask hon.
members not to be alarmed at its voluminous
importance, must be very well aware. It is usual
for the Government to take the business in the
order which is most convenient. The intro-
duction of this Bill was set down for yesterday,
but owing to some error, or some slight modifica-
tion being necessary, it was delayed until to-day.
The object is to introduce the Bill so that it may
be circulated as soon as possible. This has been
done before without any explanation being
required.

ORDER OF BUSINESS.

The PREMIER moved that the Orders of the
Day, Nos. 1 to 5, inclusive, be postponed until
after the consideration of Order No. 6 as follows:

Consideration in Committee of the desirability of introducing a Bill to incorporate and endow
the University of Queensland.

Mr. DAWSON: I think the hon. gentleman
at the head of the Government might give the
House some reason for this postponement. I
have no particular objection to it myself, but I may say that I was reminded very sharply
this afternoon by an hon. gentleman sitting on the
Treasury bench that it was unusual even to
adjourn a debate; and I now propose to adjourn
five Orders of the Day, in order to introduce
one other order.

The PREMIER: This is a purely formal matter.

Mr. DAWSON: It may be, but why does the
hon. gentleman not take the House into his con-

Mr. GIVENS: Now it has been subjected by a body of selected
experts—some of whom I make bold to say may
claim to rank amongst the ablest lawyers that
Australia has yet produced—it will be both
safe and a proper thing to take the Bill very
largely upon trust. Now, the Bill is what it
professes to be—that is, a codification of the
existing criminal law in force in the colony of
Queensland, and advantage has been taken of
the opportunity afforded by bringing in this Bill
of rectifying certain incongruities and of em-
bodying a few suggested amendments, to which
I shall draw the attention of the House as I proceed. These amendments are, in the opinion of the Government—and I think will prove to be also in the opinion of hon. members of this House—very desirable improvements upon the law as it now stands. But whether they are to be accepted or not will be a matter for the House itself to decide when those amendments come to be considered after the Bill has gone into committee. I do not think anyone will dispute the truth of the proposition that I submit when I say that no criminal code will be satisfactory that does not accurately contain provisions declaratory of the common law, which forms so large a proportion of the criminal law of the land. Such provisions are all contained in this Bill. In addition to this there are to be found definitions of the nature of certain classes of criminal offences that will be invaluable to judges for the purpose of correctly charging juries, and that will enable every intelligent person to understand what are the ingredients, so to speak, necessary to constitute certain offences under the provisions of law.

All these declaratory provisions and definitions, wherever they occur, are set out in the clearest terms, and have been subjected to the severest scrutiny, and the language employed is as simple and as free from technicality as it is possible for language to be, consistently with clearness and sufficiency of statement. Before proceeding to refer to various provisions of the Bill, it is due to hon. members that I should say a few words explanatory of its history. In the year 1893, after the distinguished lawyer who now occupies the position of Chief Justice was raised to the bench, Sir Thomas McIntyre, who was then Premier, was so impressed with the value of the work of consolidation and amendment of the laws relating to justices of the peace that he caused a draft of a Criminal Code for the colony of Queensland. That was a task which hon. members will acknowledge, I think, was one of great magnitude, requiring for its efficient fulfilment the possession of natural and acquired qualifications of a very high order. But difficult and exacting as the task was, I am happy to say that, in the Island of Queensland, Sir W. Griffith fearlessly undertook it. In the course of his untiring labour the learned draftsman found it necessary, in order to perform his work efficiently, to begin with the preparation of a digest of the statutory criminal law in force in Queensland.

Mr. DAWSO : What was the title of that Digest?

The ATTORNEY-GENERAL: He did not call it a Digest of the Criminal Code.

Mr. DAWSO: How long did each meeting last?

The ATTORNEY-GENERAL: I do not call it a Digest of the Criminal Code. I say he framed a Digest of the whole of the existing statutory law in force in Queensland—such statutory law as it is within the competence of this legislature to either repeal or amend. Now, this statutory law comprises—I ask hon. gentlemen to give their attention to the various provisions of it—first, the criminal statute law of England in force in 1828, and extended to the colonies by the Act of Geo. IV. c. 83, to the extent last repealed by the Queensland Parliament. I may state that several of those statutes have been in whole or in part repealed by the legislature of New South Wales before separation, or by this legislature since. The whole of those statutes unaltered up to the present time, so far as they are applicable to this colony, are comprised in the existing criminal law of Queensland. Secondly, there is comprised in this statutory law the seven criminal law consolidation Acts passed by this Parliament in 1895. And then we have the numerous statutes containing penal provisions that are scattered in a great many curious ways and in many different directions. When the digest I have spoken of was prepared in this way, it was sent to the Attorney-General—my lamented predecessor, the late Hon. T. J. Butler—on the 1st June, 1896, together with an explanatory letter. The digest was followed by the draft of the Code of criminal law, which, accompanied by a lucid explanatory letter, was forwarded to the Attorney-General on the 29th October, 1897. This Digest Code was printed in double columns. I hope members have seen it. They had an opportunity of seeing it during the past year; but if they have not seen it I shall be very happy to show it to anyone who desires to have it. That Digest Code, as I have said, was printed in double columns, each article contained in the Code having set opposite to it the statement of the existing law, as contained in the statutes of Queensland, or some other note indicating the source whence that statement of the existing law in the Code was derived. During the session of last year my hon. colleague, the Postmaster-General, who was then the Minister of Justice, introduced the Draft Code in the form of a Bill into the Legislative Council. But as the time at the disposal of the Council was so short, it was considered advisable not to proceed with it last session. It was, however, resolved to recommend that the Bill should be submitted for full consideration and report to a Royal Commission, for the purpose of deciding upon several matters to which I shall draw the House's attention. In accordance with that recommendation a Royal Commission was appointed, consisting of the following:—All the judges of the Supreme Court, with the exception of Mr. Justice Cooper, who was absent from the colony, all the judges of the District Court, the Crown Prosecutors of the Supreme Court, and the Crown Solicitor. To this Royal Commission Mr. J. L. Woolcock, barrister-at-law—now Parliamentary Draftsman—was appointed secretary. The Code was examined carefully by the Commission, who did so under the circumstances of which I shall now inform hon. members. The Commission were informed that they were appointed "for the purpose of examining the Code and the Bill for its enactments, and to report to His Excellency on the 23rd of May last, the expediency of enacting such a Code:—1st, the expediency of enacting such a Code; 2nd, the completeness of the Bill; 3rd, having regard to the existing criminal law of Queensland; 4th, the changes proposed by the Draft Code to be made in the existing law; and 5th, the omissions, or alterations which might be thought expedient to be made in the Draft Code, or, in the Bill, or either of them." The Commission held twenty-six meetings, and furnished their report to His Excellency on the 23rd of May last.

Mr. DAWSO: How long did each meeting last?

The ATTORNEY-GENERAL: Some of them lasted nearly all day. I was present at a good many of them, and can speak therefore from experience as to the length of time that was occupied by some of those meetings.

Mr. DAWSO: You can speak feelingly.

The ATTORNEY-GENERAL: I should like to say a few words in order to inform hon. members of the ideas of the Commission with respect to the necessity for a code. The members of the Commission, I may say, were unanimous of opinion that it is expedient to enact a code of criminal law for Queensland, and, indeed, as was pointed out by Sir Samuel Griffith in his letter forwarding the Draft Code to the Attorney-General, the desirability of a collected and explicit statement of the criminal law seems to require no argument. All the civilized nations of the world, except some English-speaking peoples, have reduced their criminal law to the form of a code. The
The ATTORNEY-GENERAL: We have got extraordinary orders. The ATTORNEY-GENERAL: Some of these are to be found particularly in connection with the law relating to forgery. The enactments in reference to this offence are contained in no less than sixty-five different statutes, sixteen of which are Imperial statutes of a date anterior to 1828. The provision on other subjects was found to be very little less embarrassing. All these have been stripped of their technicalities and obfuscations, and not only reduced within reasonable limits as to space, but set forth in clear and unambiguous language, the meaning of which is clearly possible to mistake. Besides all this complex statutory law relating to crime, there also exists a vast body of what is known as "common law"—that is, unwritten law—law which has never been put in statutory form at all, and that is to be found only in statements that are contained for the most part in the text books of very many eminent writers on the subject of criminal law, or that are to be deduced from the decisions of the judges who have presided in the criminal courts from time to time. That is what we understand by the common law. When it is remembered that ignorance of the law does not excuse anyone who commits a breach of the law, it becomes, I say, instantly apparent that such an extensive body of law ought, in all fairness to the community that is bound under more or less serious penalties to obey it, to be reduced to writing in such a form that every intelligent person who is able to read should have an opportunity of knowing for himself what the law really is.

HONOURABLE MEMBERS: Hear, hear!

Mr. Dawson: Is it to be translated into Chinese?

The ATTORNEY-GENERAL: We will leave them to follow in our reformatory footsteps. As hon. members will see, the Bill is a very short measure indeed, but the Code itself is contained in the 1st schedule. Hon. members will see that the Bill repeals the several statutes set out in the 2nd, 3rd, and 4th schedules to the extent mentioned in those schedules. The repealed statutes included in the 2nd schedule are Imperial statutes which, so far as their provisions extend to Queensland, the Queensland Parliament is competent to amend or repeal. The repealed statutes, or parts of statutes, included in the 3rd schedule are provisions of statutes relating to criminal law, passed by the legislature of New South Wales, before Queensland was erected into a separate colony, and also the provisions of statutes passed by the Parliament of Queensland since separation.

The 4th schedule contains the particulars of amendments other than repeal of certain statutes of New South Wales and Queensland. If hon. members will kindly refer to section 3 of the Bill they will see what a most important provision is enacted there—that is, that from and after the coming into operation of the Code no person shall be liable to be tried or punished in Queensland as for an indictable offence except under the provisions of the Code or some other statute law of Queensland, or under the express provisions of some Imperial statute which is in force in Queensland. Section 6 relates to civil remedies, and enacts that when any Act of Parliament of the Code to be lawful, no civil remedy lies for it, but that in other cases civil remedies are not to be affected. I shall not draw the attention of hon. members briefly—because I am not going into very minute particulars of detail at this stage—to what the Code actually contains. I may state, speaking generally, that the Code is an attempt to cover the whole ground of what may be called the living criminal law, including procedure. That will be all found set out in detail, and I shall have much pleasure in drawing attention of hon. members to the particular points as the Bill passes through committee. This includes, as I have already intimated, all the rules of the unwritten law which are relevant to the question of criminal responsibilities and the administration in courts of criminal jurisdiction, together with all offences at common law which are not such as ought manifestly to be abolished. The intention in the enactment of a Code is such that no prosecution thereafter shall be commenced as for an indictable offence except under the provisions of the Code or some other statute in force in Queensland. That is to say, we have in this Code embodied all the existing statute law of Queensland, with the exception of minor character to which I shall refer later on, but it will be competent for this House as the
years go on to pass other statutes upon other subjects, which will impose penalties of various kinds for breaches of their provisions. These statutes of course, being passed subsequently to the date of this Code, will not have a place in the Code, so that it is right and proper for the Code to establish that there shall be no prosecution or punishment for the offences against the criminal law of Queensland that is not imposed under the provisions of this Code or some other statute law which has been passed by this Parliament.

Mr. HARDACE: Why not some other subsequent statute law?

The ATTORNEY-GENERAL: Of course, it may include even that if the House thought it desirable to make alterations in regard to offences and punishment for offences that are set out in the Code itself. It would be quite within the competency of the House to do that, and to make the punishment such as provided by the statutes, making the alterations or leaving it just as it would be for the purpose of making fresh laws upon fresh subjects. To recapitulate: The Code practically includes the criminal statute law in force in 1829, and then applicable to the colony, which has not since been repealed, and it also includes the seven criminal consolidation Acts passed in 1855, included in which you have the Offences against the Person Act, the Offences against Property Act, the Coinage Act, and other Acts of that sort; and then you have the numerous provisions of the statute law and the provisions declaratory of the common law that I have already referred to together with definitions and many useful provisions as to criminal procedure. That is in brief what the Code may be said to contain. Now, I may point out to hon. members, for the purpose of drawing a sharp distinction, what the Code does not contain. You may say, first, it does not include the law embodied in imperial statutes which are in force throughout Her Majesty's dominions, irrespective of local legislation, such, for example, as the laws relating to piracy, the laws relating to slave trade, the laws relating to foreign enlistment, the laws relating to kidnapping, and the laws relating to merchant shipping. These are laws that have been passed by the Imperial Legislature, and that have been made applicable to all parts of the British dominions. And therefore, imperial statutes passed by which the courts in Queensland have had jurisdiction in regard to them. For example, though Queensland itself has no jurisdiction whatever over offenders who commit offences outside the territorial waters of Queensland, yet by certain imperial enactments men who are guilty of committing offences on the high seas may, if they are found afterwards within Queensland or any other part of the British dominions, be tried in the particular part of the British dominions where they are found in all respects to the same extent as if they had been convicted in England and tried and punished in the courts there. Such laws as these are not to be found repeated in this Code. It only deals with laws, as I said before, and as I cannot too emphatically state again—laws passed previous to the separation of Queensland becoming a colony either up to 1828 by the Imperial Parliament or by New South Wales up to the time of separation, or passed since separation by this Parliament. These are the statute laws which are embodied in this Code in simple language which is still current to the judgment of all hon. members. Those statutes which are not passed by the Imperial Parliament which have universal application to all parts of the world upon subjects upon which Queensland is not competent to legislate, are not found in the Code. Not only so, but there are certain provisions of the English criminal law that were in force in 1828, whether statutory or by virtue of the common law, that are manifestly obsolete or inapplicable to this colony. This Code takes no notice of them. Hon. gentlemen will concur with me that in a criminal code prepared for the colony of Queensland we have no right to take into consideration laws relating to such obsolete matters as the statutes of prisondom or statutes relating—

Mr. DAWSON: We had cases brought under a statute of George III. not so long ago.

The ATTORNEY-GENERAL: Or statutes relating to various denominations or to blasphemy and offences called forestalling and regaining. If hon. members are curious to know.

Mr. DAWSON: We know what forestalling is.

The ATTORNEY-GENERAL: If hon. members are curious to know about those, I shall be happy to give special information; but I think it would be pedantic on my part if I were to unnecessarily describe at any length the nature of the offences comprehended under these various designations. But, though these things or some of them, exist on the statute-book of the old country, where they are reluctant to wipe out some of the ancient consolidation Acts, and to introduce these in any shape or form into this Code—in fact, the Code remains, in my estimation, unimpeachable by the declaration of any law upon any such unnecessary subjects as these.

Then, again, the Code does not contain any reference to offences which may be regarded as in the nature of police regulations, such, for example, as certain clauses in the Vagrancy Act, and some in the Towns Police Acts. Then, again, procedure before justices, whether for the purpose of summary conviction or for the purpose of deciding whether a primâ facie case has been made out against a man charged with an indictable offence, is not dealt with in the Code. These are not included, because they are already included in that admirable summary of the law which is contained in the Justice's Act, which was passed in 1866, and which has been found so useful by the large body of magistrates who administer the law in various parts of the colony, by legal practitioners, and by the general public as well. And there are some indictable offences that may be regarded as being in contravention of laws passed for the purpose of regulating such matters. For instance, the offence relating to the export of cedar without paying duty, certain offences with reference to the railway companies, and a few offences against the law relating to the construction of land grant railways, and the like. Hon. gentlemen will see at once that provisions of statutes dealing with the reconstruction of banks and with the construction of land grant railways which never were constructed it would hardly be proper to place in a Code of this character as they are only temporary laws which may be repealed at any time. Now with regard to the completeness of the Code itself, I have this to say: that the Commission were perfectly unanimous in their opinion that the proposed Code comprised all the provisions which in the actual circumstances of the colony it is necessary or desirable to include in a Code of criminal law. It consists then, as I have already intimated, of statutory law which, with the exception of the matters referred to in the report of the Commission, is all the statutory law and provisions declaratory of the common law. It is not necessary for me to go into detail as to such declaratory provisions, as they are all set out in the double column Draft Code which was laid on the table of this House and the
Criminal Code Bill. [ASSEMBLY.]

Criminal Code Bill.

COUNCIL IN 1897. I may, however, for example, refer to the section to which I shall allude in the course of the examination of the Code in the existing law. The section in question is section 5, and it seems to me that it relates to a very important branch of the law—criminal responsibility. It reads—

Ignorance of the law does not excuse for an act or omission which would otherwise constitute an offence, unless knowledge of the law by the offender is expressly declared to be an element of the offence.

It is a person who is criminally responsible, as for an offence relating to property, for an act done or omitted to be done by him with respect to any property in the exercise of an honest claim of right and without intention to defraud.

And then in the succeeding section you find an expansion of the law in the clearest and most concise language with regard to motive, which often figures so very largely as an element in criminal offences. This section of the Code, I may say, received the most careful and anxious consideration, not only of the learned draftsman who is chiefly responsible for the work, but also of the several members of the Commission who were associated with him in the work of reconsideration and revision. I may say also in regard to this part of the work that the bulk of the Commission it has been so admirably done that it has been very little criticized with in the process of revision. Chapter 25 deals with the definition of assault, and the law of justification and excuse. These are very important things in the judgment of the Commission, and it seems to me that no Code would be perfect that did not deal with such clauses as those which are mentioned in the chapter. Then from section 291 onwards we find some very important provisions set out, stating what constitutes the crime of murder. I shall have occasion a little later on to refer to some of those sections for the purpose of pointing out to hon. members how they will operate if they pass into law. Then you have in Part VII, a very important branch of the law relating to preparations to commit offences, which is set out for the first time, as far as I know, in language clear and concise and easily understood. There are also some very useful provisions with reference to the law as to accessories after the fact; and here we find declaratory provisions which, in the opinion of the Chief Justice and other members of the Commission, are accurate statements of the law, and are set out in the Code in the process of revision. There is one exception with regard to the existing law to which I wish to draw the attention of hon. members, and it is to be found on page 152, section 548. It is a provision with reference to conspiracy, and it is a statement of the existing law, with the exception of the provisions contained in subsection 5, which is not the existing law, but which has been inserted in accordance with a very recent law passed in Great Britain. Instead of permitting the law in regard to conspiracy to be as it was, it provides that any person who conspires with another to "prevent or obstruct by means of any act or acts, if done by an individual person would constitute an offence on his part, the free and lawful exercise by any person of his trade, profession, or occupation," will be guilty of a misdemeanour.

That limits the misdemeanour in the matter of the conspiracy mentioned in that paragraph to acts done by a number which would be offences if they had been done by one man. I think hon. members will agree that this is in accordance with the more modern idea which prevails in England and America of the making of a body of men guilty of acts done as a body which would not be wrong if done by only one man. I propose to draw the attention of hon. members to certain changes proposed by the Code in the existing law.

The codification of the law necessarily involves a number of changes of a minor and consequential character. It is not necessary for me to advert to all the changes proposed, but I shall allude to some of the more important of them. Take the case of the word "felony." The word "felony" will not be found throughout this Code from beginning to end. It has been proposed to discontinue the use of the term which has really ceased to have any definite or useful meaning, and to divide offences cognisable by the law of Queensland into two classes—"crime" and "misdemeanour." "Crime" being offences such as were comprised under the old system under the heading of "felony," and "misdemeanours" being offences of a lesser character than a "felony." I think hon. members will agree that the abolition of the term "felony," and the substitution for it of the term "crime," and the report of the Commission, I think, is unanimously agreed in recommending. It is that the criminal law should extend to cases in which an offence is begun in Queensland, and completed elsewhere, or begun elsewhere and completed in Queensland. Now, for example, I draw hon. members' attention to this fact, for they may not be aware of it; At the present time, suppose a man is standing in Queensland, near the border line at Wallangarra, and fires from a revolver at a man standing in New South Wales, and kills him. That man cannot be punished by the courts of Queensland; it would be an offence which was not committed in Queensland, and our courts would therefore have no jurisdiction. On the other hand the offender being in New South Wales would not be amenable to the jurisdiction of the courts in New South Wales. The result would be just the same the other way about. Or suppose a man in Queensland is looking down from a cliff over the border, and signals a man in New South Wales. He may prepare his poison, carry it across the border, and poison some one in New South Wales to administer the poison. The man with whom the crime originated would not be punishable by the law of Queensland as it is at the present time. In this respect it is proposed by the Code to make one important change, to make a very salutary alteration. Hon. members will find the subject in section 12 at page 20, which provides:

This Code applies to every person who is in Queensland at the time of his doing any act or making any omission which constitutes an offence.

With regard to offences which are of such a nature that they comprise several elements, if any act or omission or events actually occur which, if they all occurred in Queensland, would constitute an offence, and any of the facts or events or events occurring in Queensland, although all or some of the other facts or events or events which, if they occurred in Queensland, would be elements of the offence, occur elsewhere than in Queensland; then—

(1) If the act or omission which, in the case of an offence wholly committed in Queensland, would be the initial element of the offence, occurs in Queensland, the person who does that act or makes that omission, will be guilty of an offence of the same kind, and is liable to the same punishment, as if all the subsequent elements of the offence had occurred in Queensland; and

(2) If that act or omission occurs elsewhere than in Queensland, and the person who does that act or makes that omission afterwards comes into Queensland, he is by such coming into Queensland guilty of an offence of
the same kind, and is liable to the same punishment, as if that act or omission had occurred in Queensland, and he had been in Queensland when it occurred:

But in any such case it is a defence to the charge to prove that the accused person did not intend that the act or omission should have effect in Queensland.

This section does not extend to a case in which the
only material event that occurs in Queensland is the
death in Queensland of a person whose death is caused
by an act done or omitted to be done at a place not in
Queensland, and at a time when he was not in Quee-

Although that language, to read it over casually,
may seem a little involved, when you come to
examine it very carefully it resolves itself into the
simplest elements, and is capable of being
most easily understood. In other words, it
may seem a little involved, when you come to
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Mr. GIVENS: Would it not be a sufficient defence
for any respectable man walking with a lady
ATTORNEY-GENERAL: No, unless the
lady was under his immediate care; the
section limits it to persons in certain relationship.
If the insult were offered to the man himself, of
course it would be the same thing. For instance,
supposing one man was engaged in the face of
another man, or committed some other outrage
of that kind—which is more an outrage on one's
feelings than anything else—if the man so insulted
were to strike the other man, or use some force to
him, it would be a defence to plead provocation—
that he was insulted in such a way that an ordinary
person would be likely to resent. And if such
an insult were offered to a person under the
immediate care of any person he would be justified,
on behalf of that relation or person in his
immediate care, in resenting it by assaulting the
person who employed the insult. As to the
defence of provocation, section 208 says—

A person is not criminally responsible for an assault
committed upon a person who gives him provocation
for the assault, if he is in fact deprived by the provoca-
tion of the power of self-control, and acts upon it
on the sudden and before there is time for his passions
to cool; provided that the force used is not disproportionate
to the provocation, and is not intended, and is not such
violently, as to cause death or grievous bodily harm.

Whether any particular act or insult is such as to be
likely to deprive an ordinary person of the power of
self-control and to induce him to assault the person by
whom the act or insult is done or offered, and whether
in any particular case, the person provoked was actually
deprieved by the provocation of the power of self-
control, and whether any force used is or is not
proportionate to the provocation, are questions of

This is to say, if a man is charged with assault-
ing another, and the prosecution rests his defence on
the fact that the assault was committed under provocation,
then it will be for the jury to decide, in the first place, whether
the provocation which provoked the assault was of such
a nature as was likely to make an ordinary person
angry, and take him off his guard, so that
without refection he would strike a blow. In the
next place it would be for the jury to say
whether the force used in resenting the insult was disproportionate to the nature of the insult
itself. For instance, if one man were to use
abusive, vituperative epithets towards another,
and that other man struck him a blow with his
fists, the jury would probably come to the
conclusion that the punishment was not dispro-
portionate to the provocation. But if a man
insulted by another using such epithets towards him,
were to pick up an axe or a hammer and
strike him a blow, it would be for the jury to say
whether the means used for the punishment
of the insult were disproportionate to the provo-
cation, and they would probably fix. But at the
present time there is no provision in our law
under which a man can justify an assault on the
ground of provocation. The judges and magis-
trates take provocation into consideration, but it
is considered that this matter should be
clarified, so that there should be no room whatever
left for misdirection on the subject. I am bound,
however, to inform the House that in the recom-
pendation of this alteration in the law, the
Commission were not unanimous. The majority,
consisting of Sir Samuel Griffith, Mr. Justice
Chubb, Mr. Justice Paul, the Attorney-General,
Judge Miller, Judge Noel, and Messrs. Janiessen
and Gill, favoured the proposed change, but
the other members of the Commission, Mr. Justice
Real, Mr. Justice Power, and Judge Mans-
field, did not concur in it. Some of the Com-
mision thought it was necessary to put this
alteration in the Code; others thought that, has
much as these rules are as a matter of fact,
so far as regards the actual result, carried
into effect now, there was no need to embody
them in the Code. There is another alteration to
which I wish to draw the attention of hon.
members, and that is the alteration in the law
of wilful murder. It consists in the distinction drawn
between wilful murder and murder. Hon.
members will find on page 89, a definition of wilful
mutter as the unlawful killing of one person by
another, who intends to cause his death; then in
section 292, a most important definition—of what constitutes murder other than
wilful murder. It says-

"Except as hereinafter set forth, a person who unlaw-
fully kills another under any of the following circum-
stances, that is to say—"

(1) If the offender intends to do to the person killed
or to some other person some grievous bodily harm
(2) If death is caused by means of an act done in the
commission of an unlawful purpose, which act is of such
a nature as to be likely to endanger human life.

As an illustration of the first condition I may
mention where a man actually brings about the
depth of another by the use of
an act done in the
commission of the unlawful purpose, which act is of such
a nature as to be likely to endanger human life.

"As a case of two men on, say, Saturday
night. They say, "We will go and have a race
of what constitutes murder other than
wilful murder. It says-

"Although he does not intend to take the other
man’s life, if death ensues then, according to
the definition, it is murder. Take the case of two men on, say, Saturday
night. Their horses are harnessed to
vehicles, or are being ridden by the
man, and down the street they go at a gallop through throngs of people. That being an unlawful act likely to
destroy human life, if somebody is killed as
a result of it—even though there may be no inten-
tion to hurt anybody— it would be murder.

Subsection 3 reads-

If the offender intends to do grievous bodily harm to
some person for the purpose of facilitating the comis-
sion of a crime which is such that the offender may be
punished without warrant, or for the purpose of facilit-
ting, or giving him the help of, an offender who has committed or
attempted to commit any such crime.

That is so plain that there is no necessity for me
to give an illustration of it. So with No. 4—

If death is caused by administering any stupefying or
soothing thing for either of the purposes last afore-
said. Say a person breaks into a house, and in order
to carry out the crime of stealing puts chloroform
under the door, or by other means causes the sleep-
ing person to be deprived of their
consciousness, and, in doing that, causes death—
although he had no intention of doing anything
beyond robbing the house— he is guilty of murder.

Subsection 3 reads—

If death is caused by wilfully stopping the breath of
any person for either of such purposes.

Let us say a person round the throat to pre-
vent him from crying out, and it results in their
death, it is murder.

In the first case it is immaterial that the offender
did not intend to hurt the person who is killed.
In the second case it is immaterial that the offender
did not intend to hurt any person.
In the last three cases it is immaterial that the
offender did not intend to cause death or did not know
that death was likely to result.

Mr. HARDACRE: Is that a definition or a
restatement of the law?

The ATTORNEY-GENERAL: It is a
restatement of the law. I may say briefly
that judtces are in the habit of telling juries—
which is really the law—that murder is
unlawfully causing the death of a person with
malice aforethought. If a man is in the absence of
malice aforethought, they may find manslaughter.

The history of the interpretation of the term
malice aforethought is a long and
necessity imply ill-will, premeditation, or the
intention to cause death. It is manifest there-
fore that murder, which, in its legal
significance, means something different from the
common language of the day, and it is unnee-
sary to perpetuate the anomaly. Therefore
murder has been divided into two classes—wilful
murder, when death is intended to be caused;
and murder, when death is not intended to be
caused. Then there is a provision to this effect:

That, in the case of a man charged with and
found guilty of wilful murder—that is, where he
will go to work with the intention of taking a
man’s life and succeeds in that object—it will
be the duty of the judge to pass sentence of
death. But in the case of a person found
guilty of murder, but not wilful murder, it will
be lawful for the judge to pass sentence of
death to be recorded. The result will probably be that
where a man is found guilty of murder, but where there are circumstances which make it a case
of murder other than wilful murder, the Executive
would probably take it as a very strong indication that, in the opinion of the judge, the
capital penalty ought not to be inflicted.

Mr. GLASSEY: Would it not be much better to
define the offences and make a different set of
puniishments for each.

The ATTORNEY-GENERAL: It would
hardly be safe to institute two sets of punish-
ment. You will find that the definition I have
read embodies the existing law. In that case the
deduction can be made, in effect say that he does not think the offence
is sufficient to warrant the execution of the
offender; and the Executive can take that as
an indication that the capital penalty should not be
carried out.

Mr. GLASSEY: The Executive is not bound to
do so.

Mr. HARDACRE: Why not say “murder of the
first degree,” and “murder of the second
degree”?

The ATTORNEY-GENERAL: The same
thing is virtually understood without using those
words. We have principals in the first degree
and principals in the second degree; these
in the second degree are accessories. To be
an accessory to the murder is a
offence under the
Bill. We have the murderer himself—
who is the principal offender—and then we have accessories before and after the fact, who
will be offenders in the second degree.

The explanation is proposed to be made with regard to
the law of murder or to its punishment. The
only alteration is in the form of procedure, for
the purpose of doing away with the confusing of
juries. Juries are confused when they have a
judge summing up for an hour or more
explaining the meaning of malice aforethought.
The judge usually begins thus: “Gentlemen, the
prisoner is charged with the offence of killing a
man with malice aforethought.” He then goes on
to say there are two ways of explaining malice
aforethought. A man is said to be guilty of his
offense with the deliberate intention of taking his
life, and does; and another way is that, without any
deliberate intention to take the man’s life, he does
an act, the natural and probable result of which is
to cause death. Then he goes on to give a series
of elaborate illustrations showing what constitutes
malice aforethought. I say it should be for the
law to make clear the distinction between
what is malice aforethought and what is not.

HONOURABLE MEMBERS: Hear, hear.

The ATTORNEY-GENERAL: With regard to
this matter, I may state that the Commission
were absolutely unanimous. There is another
offence, to be found on page 91, section 313, which
involves a slight change in the existing law, but
one which does with the taking of a great
deal of unnecessary medical evidence in certain
cases, and which involves very much contradic-
tion and very unsatisfactory results. The
section will commend itself, I am sure, to the good
sense of hon. members. Then take the cases of
a killing referred to on page 107. There is a slight
alteration in the existing law there, but it is
not a very violent alteration. The definition
of stealing is found in section 391, page 107, in
which there are changes to this extent: Under
the law as it stands at present, the essential

element of the offence of larceny is the taking of property. The alteration is one of a very minor character, which makes the taking of it itself. There are also provisions dealing with injuries to property. Under the Justices Act, magistrates have power to deal with trivial cases of stealing, and under this Code they are given the same power with regard to trivial offences with regard to injuries to property. This appears in section 480, page 151. These are very useful provisions, as they assimilate the law in these respects. These provisions are analogous to those contained in the Justices Act, under which justices very properly deal with trivial matters, with a view to avoid the waste of time and considerable cost to the country. A man up for trial by jury, which means a great waste of time and considerable cost to the country.

To proceed with the Code now, I may say that various other provisions have been omitted from this Code, because in the opinion of the Commission, they are sufficiently dealt with elsewhere. A lot of other provisions relating to poaching—stealing game at night—and of the Commission, they are sufficiently dealt with elsewhere. A lot of other provisions relating to poaching—stealing game at night—and of the Commission, they are sufficiently dealt with elsewhere. A lot of other provisions relating to poaching—stealing game at night—and of the Commission, they are sufficiently dealt with elsewhere.

The ATTORNEY-GENERAL: Yes. Their powers are clearly defined. A number of provisions regarding fishing in private waters, killing or taking pigeons, and so on, have been omitted from this Code, because in the opinion of the Commission, they are sufficiently dealt with elsewhere. A lot of other provisions relating to poaching—stealing game at night—and of the Commission, they are sufficiently dealt with elsewhere.

The ATTORNEY-GENERAL: That is true, because under the existing law a man who procures, advises, or helps him to do so, it would be necessary before the fact, and would be liable to be hanged. It is common law, not statutory law anywhere. It is proposed in this Code to include that section which makes a statutory provision, to the effect that a man who induces or counsels another man to commit suicide shall be guilty, not of the offence of murder, but shall be guilty of aiding to commit suicide.

Mr. GLASSEY: What about section 59?

The ATTORNEY-GENERAL: That is the section of the Code which contains the law as to whether they are really applicable to the circumstances of the case. These relating to games and the defacing of the coin are mentioned. I may inform hon. members that there are laws under which a man who commits suicide is beyond the reach of the tribunals of any country.

Mr. LESINA: What about the provisions taken from Codes in England? The ATTORNEY-GENERAL: They were taken from Codes in England. Section 35 provides—

Any person who—

(a) Procures another to kill himself; or

(b) Counsels another to kill himself and thereby induces him to do so; or

(c) Aids another to killing himself;

is guilty of a misdemeanour, and is liable to imprisonment with hard labour for life.

Of course, a man who kills himself—commits suicide—is beyond the reach of the tribunals of any country. But under the existing law a man who procures, advises, or helps him to do so, it would be necessary before the fact, and would be liable to be hanged. It is common law, not statutory law anywhere. It is proposed in this Code to include that section which makes a statutory provision, to the effect that a man who induces or counsels another man to commit suicide shall be guilty, not of the offence of murder, but shall be guilty of aiding to commit suicide.

Mr. GLASSEY: That is, if a man wishes to shoot himself, and another person buys a pistol or hands it to him, would he be guilty?

The ATTORNEY-GENERAL: If the pistol with the knowledge that it would be used in a certain way, and for the purpose of enabling suicide to be committed, he would be guilty of an accessory before the fact, and would be liable to punishment as a principal in the second degree, the penalty being imprisonment for life.

Mr. LISAIA: What about exercising temporal influence?

The ATTORNEY-GENERAL: That has been left out. It was contained in the Code in the first instance, but it was thought undesirable by the Commission to recommend such a provision. Section 59 provides—

Disturbing the Legislature.

Any person who, while in Session, being an officer of a House of Parliament, whether in his own capacity, or in the capacity of a member of any committee, or in any situation under which he is subject to the respect due to his authority—

is guilty of a misdemeanour, and is liable to imprisonment for three years.

Then section 58 reads—

Hearsay Refusing to Attend or Give Evidence before Parliament or Parliamentary Committee.

Any person who—

(a) Being duly summoned to attend as a witness or to produce any book, document, or other thing, in his possession, before either House of Parliament, or before a committee of either House, or before a joint committee of both Houses, refuses or neglects to attend or to produce anything which he is required or directed to produce, or which is relevant and proper to be produced; or

(b) Being present before either House of Parliament, or before a committee of either House, or being present before a committee of both Houses, or before a joint committee of both Houses, refuses or neglects to answer any lawful and relevant question;

is guilty of a misdemeanour, and is liable to imprisonment for two years.

Mr. MAXWELL: Could a man, under this last clause, incriminate himself?
Mr. Fisher: And preventing an honest man from getting an equal opportunity.

The ATTORNEY-GENERAL: Very often. The Government have brought down the Bill, therefore, with these two provisions from the existing law left out. The provisions with regard to the defacing of coins in circulation has been left in the Code, although there was not unanimity in the Commission as to whether it was desirable or not that it should be retained. In addition to several alterations, many of them of a verbal nature, which it is unnecessary for me to remark upon at any length, the Commission recommended certain substantial amendments of the Code prepared by the Chief Justice which it is necessary I should call the attention of the House to in perhaps a little more detail, but with such brevity as I can manage. There is the subject of grievous bodily harm. When the ordinary layman sees that expression he takes it to mean any bodily harm of such a nature as to endanger or be likely to endanger life, or to cause or be likely to cause permanent injury to health. Unfortunately, however, by reason of judicial decisions, the legal meaning of this term is something quite different, and has been so extended as to include an injury that would cause no serious interference with health or comfort, though only of a temporary character. The Commission, however, going on the principle laid down by the learned draftsmen, considered that the term “grievous bodily harm,” employed in the Code, should have, as nearly as possible, the meaning the words convey to any ordinary man. Therefore, they propose the definition of the term set out in section 1, and draw a distinction between bodily harm of a temporary character and the greater crime of rendering life or causing permanent injury. There are two other provisions to which I will draw the attention of the House for a moment which I hope will commend themselves to the judgment of the House. The first relates to an offence that, considering the occupation of the galleries, I shall not name; hon. members will understand it; it is an offence at the present time punishable with death. The Commission discussed this matter at very great length, and though there was not quite uniformity, I think Sir W. G. Griffith and Mr. Justice Chubb were the only two dissentients—the rest of the Commission agreed that there ought to be an alteration of the law in that particular. I myself have always been strong in opinion that that ought not to be a capital offence, and, as I say, the whole of the Commission, with those exceptions, agreed that it would be well to have the law altered with relation to it. There may be many reasons which could be suggested why the law ought to be altered, one of which is, that the crime in question is often followed by murder for the purpose of obliterating evidence. However, I confidently submit the alteration to the House in the belief that it will commend itself to hon. members all round; and it will bring the law into accordance with the law in South Australia, Western Australia, New Zealand, Tasmania, and of Great Britain itself. As far as I am able to ascertain, the only Australasian colonies in which this crime is punishable with death are Queensland, New South Wales, and Victoria. There is only one other offence to which I shall direct attention where a change has been recommended by the Commission, and inserted by the Government. That is the punishment for robbery under arms where there has been wounding. That is a provision that was introduced by the law of New South Wales in the days of bushranging under Gardiner and Ben Hall and that celebrated gang. In order to put down bushranging to this effect—that if a man committed robbery, being armed, and if during the course of the robbery the victim of the robbery was wounded by the robber, the penalty should be death, although the wounding might occur in a few seconds from the effect of his wound. I am sorry to say that a case happened in Queensland some twenty years ago, when, under the law of Queensland as it stands today, a man was actually put to death for an offence committed under these circumstances. A man armed with a revolver went into a bank and demanded the money which the teller had in his possession and a scuffle ensued. During the course of this scuffle the man who went into the bank for the purpose of stealing grabbed some of the money and put it in his pocket, and the revolver went off, inflicting a slight wound—a mere scratch—on the teller—a wound which did not even confine him to his bed. The man was charged in Toowoomba with the offence of robbery under arms and wounding, and he was sentenced to death, and in spite of all that I myself, Sir James Garrick, Sir O'Doherty, and a few others did by holding public meetings—although a young barrister I had the temerity to take part in the business—but, in spite of all we could do to save the man's life, the poor unfortunate fellow was hanged.

Mr. Story: But he shot another man at the time.

The ATTORNEY-GENERAL: No, he was sentenced for the offence of robbery under arms and wounding.

Mr. Leary: He tried to kill Murphy. Anyhow he shot him.

The ATTORNEY-GENERAL: At all events that is the case. I remember Dr. O'Doherty took an intense interest in it, and he came and induced myself and Sir James Garrick to Mr. Garrick—and a number of others—to take an interest in the matter. There was a meeting held in the Town Hall, and many speeches were delivered. Subsequently a writ of error was taken out, and the matter was argued before the Full Court, Sir W. G. Griffith, Mr. Chubb (now Mr. Justice Chubb), and myself were the counsel for the defence, but the counsel for the prosecution, Lord Denman, and Mr. Justice Chubb, and Mr. Justice Chubb, and myself were the counsel for the defence, but the counsel for the prosecution, Lord Denman, and the man was hanged. I do not think that a law which permits a man to take his life for that kind should be perpetuated. A law which would apply to a condition of things when bushranging prevailed should not continue to be punishable with death. I have rapidly gone through the main features of the proposed law. I have shown that the Commission entrusted with the very laborious and difficult task of embodying all this proposed Code in the form in which it is now presented to this House have made certain recommendations—which have been nearly all adopted by the Government—in regard to changes proposed to be made in the existing law. I have endeavoured, under very considerable disadvantages—I have endeavoured to the best of my ability, in the short time at my disposal, to impress hon. members as clearly as I possibly could what are the leading features contained in the Code; and, as I said at the commencement, I repeat here that I must not suppose that they have such a formidable task before them in dealing with the Bill that they cannot do the job in the session. They cannot go on postponing it session after
The ATTORNEY-GENERAL: Every case stands on its own merits. It is limited under the Code to three.

Mr. LESINA: Can we abolish the triangle and the cat?

The ATTORNEY-GENERAL: It is open to hon. members to do that. I shall not object to an hon. member moving that whipping or anything of that kind be eliminated, but I am not saying that I will accept it on behalf of the Government. It will be open to discussion; and, after dealing with a few things of that sort, I hope hon. members will be prepared to let the Bill, as a Bill, go through on its merits. If hon. members see their way, as I trust they will, to pass this Bill, it will not only be a tribute to the advanced intelligences of the legislature of the colony of Queensland, but also a noble monument to the genius and industry of the gentleman entrusted with the great task which has been fulfilled so admirably, and a monument also to the learning and ability of those members of the Bench and of the legal profession who so ungrudgingly gave so large a share of their time to provide the colony of Queensland with a Code of Criminal Law second to none in any part of the civilised world.

HONOURABLE MEMBERS: Hear, hear!

Mr. DAWSON (Charters Towers): The hon. gentleman, just before sitting down, said he had run rapidly over the different clauses of the Bill and indicated their operation, and he reminded me that it was a very dry subject. I would like to take the opportunity of complimenting the hon. gentleman on the very excellent speech he delivered.

HONOURABLE MEMBERS: Hear, hear!

Mr. DAWSON: Whether the subject was a dry one or not he certainly made it very interesting. I was delighted with it, and I am satisfied that the people who are fortunate enough to be able to read it in Hansard also will be delighted with the hon. gentleman's very lucid explanation of the Code. I am not going to inflict my two hours' oration on the Bill upon the House to-night. The hon. gentleman has put the case so fully before us, and has raised so very intricate points, and has given expression to certain opinions which certainly conflict with opinions held by many hon. members—he put his case so fully and so well before the House, and there is really so much of this document—708 clauses—also the Royal Commission report attached to it, which is larger than the Code itself—that I think it is only a fair thing that we should have a little time, not only to digest this, but to understand the position of the hon. gentleman who has just concluded his address, and with that object in view I beg to move the adjournment of the debate.

The PREMIER (Hon. J. R. Dickson, Bulimba): I am very pleased to think the very able speech with which my hon. colleague has introduced to the House the second reading of the Criminal Code Bill has been so very favourably received, and that the Code itself is considered to be well worthy of consideration by this House. Considering that it is a matter of technical knowledge and consideration, I think the House could hardly be expected to proceed with the second reading of the Bill this evening; therefore I quite concur in the desire expressed by the leader of the Opposition that the further consideration of the second reading should be postponed. I hope this matter, which has engaged the considerate attention of the land and learned counsel for such a considerable time, and is now presented to us in the form of a Code for our ratification, will be dealt with during the ensuing week, which is to be devoted to non-controversial business, we shall be able to make some
progress with this measure before other matters come on for consideration. I think it is fortunate that we have a truant time at present to consider a measure of this importance, because I fear if such a large measure came on when we were fully engaged in a short session there would be small chance of its being passed through with that deliberation which it should receive.

Mr. Lesina: Couldn’t we leave this to the Federal Parliament?

The ATTORNEY-GENERAL: Oh, no! Question—That the debate be now adjourned—put and passed; and resumption of the debate made an order for Tuesday next.

SECOND READING.

The ATTORNEY-GENERAL (Hon. A. Roddige, Mayor): This is a Bill of a very brief and simple character.

As hon. members are fully aware, we have branches of the Supreme Court at Townsville and Rockhampton, and the exigencies of court business often require the absence of the judge at Townsville or Rockhampton from his post. In their absence, small, unimportant formal matters, which require at present the sanction of a judge, have to be postponed at very considerable inconvenience and cost to the parties concerned, and I think it is necessary, under the provisions of this short Bill, that in cases where unimportant applications have to be made they may be made by the registrar of the court, who is always a legal man, and will have authority to dispose of them. If the matters are such as in the judgment of the registrar ought to be postponed and taken before a judge, he will have power to order that to be done. I mentioned last night a case that often occurs where a man desires to be adjudicated insolvent to avoid debts. He comes to the court himself and wants to be adjudicated, and that cannot be done if the judge is away. We propose that the registrar shall perform that duty. I may say that the judges of the Supreme Court have been consulted about this, and they all agree that it would be a useful thing—that it would facilitate public business and tend to public convenience. It is not intended to allow the registrar to deal with any matter of a contentious character, or any matter that requires any very great or elaborate learning or astute capabilities on the part of the officer.

Mr. Glassby: Supposing you have vexatious opposition.

The ATTORNEY-GENERAL: If there is any opposition, of course the registrar cannot deal with the matter.

Mr. Glassby: But supposing a person, for reasons of his own, raises opposition of a vexatious character?

The ATTORNEY-GENERAL: Then the matter will have to be postponed, but the judge would probably make that person smart when he takes over the business.

Mr. Glassby: But the person may not be worth powder and shot.

The ATTORNEY-GENERAL: Well, that cannot be helped. Of course these vexatious matters will only be dealt with under the rules framed by the judges. The other portion of the Bill proposes to amend section 9 of the Supreme Court Act of 1895 by omitting a few words which really must have got into it by mistake. They do not affect the vital part of the section at all. Section 9 of course contains that mis-description. I move that the Bill be now read a second time.

SECOND READING.

The ATTORNEY-GENERAL: This Bill is also very brief in its character. It is intended to do away with possible mischief that may arise in connection with the law as it stands at present. A law is on our statute-book called “The Deeds Registration Act.” In fact, there are several of them, passed in the seventh year of the Queen’s reign, and which were at that time applicable to all parts of the colony of New South Wales, except Port Phillip. Of course, there was no such place as Queensland then. Under sections 8 to 10 of that old law it became incumbent to register transactions in connection with the sale of property in order to give validity to the transaction. Since that time the Queensland legislature has passed a number of laws, among others the Mercantile Act of 1867, the Bills of Sale Act of 1891, the Land Act of 1897, and the Mining Act of 1898. All these are important as providing for the registration of all instruments with respect to transactions in connection with property dealt with under those statutes. It so happens that under that Act, the provisions of the statute passed in 1848 still remain on our statute-book, so that it is really incumbent upon parties, if they would have their transactions really valid in law, not only to register them under the Acts I have mentioned, but also under the old Act.

Mr. Glassby: With double expense.

The ATTORNEY-GENERAL: Yes, with double expense, and there is neither sense nor reason in it. Then, again, the old statute provides that registration shall have priority, not in accordance with the date, but in accordance with the time of registration under that Act. The object of the Bill is to abolish the necessity for registration under the old Act, and to permit of the registration provided by the Acts which I have mentioned, and that such registration shall be sufficient for all purposes. I move that the Bill be now read a second time.

Question put and passed; the commital of the Bill made an Order of the Day for Tuesday next.

LOCAL WORKS LOANS ACT AMENDMENT BILL.

SECOND READING.

The TREASURER (Hon. R. Philp, Townsville): This Bill simply affects the rate of interest now being paid by local bodies. At the present time, all the local authorities, the different harbour boards, water boards, and other boards, are borrowing money from the Government at 5 per cent. per annum. Some time ago a Royal Commission on Local Government sat in Brisbane, and one of the recommendations of that commission was, that we should reduce the rate of interest paid by local authorities from 5 to 4 per cent. After making an exhaustive inquiry, we find that we can do that now. At present something like £2,000,000 is lent by the Government to local authorities, municipalities, waterworks boards, grammar schools, harbour boards, co-operative dairy companies, sugar-mills, and rabbit boards, and they are all paying 5 per cent. per annum. We find this money is only costing us at the rate of £3 13s. 6d. per cent., and as time goes on and more money is lent to the different bodies this rate of course will be reduced, because we are borrowing less money now at a little over 5 per cent.—the last two loans at £3 1s. 9d. and £2 2s. 8d. We propose to make...