Queensland

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LEGISLATIVE ASSEMBLY.

Thursday, 27 June, 1872.

Imprisonment of Polynesians.—Electoral Districts Bill.

IMPRISONMENT OF POLYNESIANS.

Mr. GROOM rose and said he begged to move the adjournment of the House, and that he did so for the purpose of enabling him to make a statement in reply to certain observations that were made to the House by the honorable the Colonial Secretary last week, when he (Mr. Groom) was unavoidably absent, in connection with the treatment of certain Polynesians on Westbrook station, which he brought under the notice of the House on the 13th of June last. The honorable gentleman was reported to have said that the assertions which he then made were not founded on facts, and, in confirmation of his statement, laid upon the table certain documents, which appeared both in "Hansard" and in the journals outside. Now, he had since made it his business to make further additional inquiries as to the case of these Polynesians, and he must repeat—although the honorable the Colonial Secretary might be satisfied in his own mind, judging by the documents sent to him by the police magistrate of Toowoomba, that his (Mr. Groom's) assertions were not founded on fact—that there was not one statement he made which was not correct, and that his statements were, on the contrary, confirmed by the further inquiries he had made on the subject. It would be observed that the report of the police magistrate was a very garbled one; and there were statements in it, attributed to the Polynesians, that were never made by them. Those statements seemed to have been put into the report by the police magistrate to support his case, and to make the worse appear the better reason. If the copy of the depositions contained in the report was a correct extract from the records of the police

court of Toowoomba, all he could say was, that the records were kept in a disgraceful manner; and it also shewed the careless way in which the police business at Toowoomba was conducted. He was astonished that the honorable the Colonial Secretary, with that shrewd common sense which they all gave him credit for possessing, did not observe the absense of any mention of the information from the depositions. As the men were arrested upon a warrant, it was to be presumed that there must have been a sworn information upon which the warrant was issued, and that it would be in the possession of the court. Now, it was usually the practice, at the opening of the case for the prosecution, to read the information upon which the case rested; and the prosecutor, in his examination-in-chief, was generally asked the question, if the information was correct. Well, on reference to the copy of the depositions in this case, it would be found that, in the evidence of Mr. Ross, no such question was asked. Nor did it appear that any information whatever was read in the court, and the natural inference from that was, that there was no information in existence at all; and that the men were, therefore, illegally in custody. Looking over the depositions, he thought it would be seen that there was no case against the men at all; nor was the report of the evidence of Mr. Ross correct. For instance, he was asked, "Did you engage these men yourself?"—and he answered, "No." He was again asked, "Have you the agreement under which those men were engaged?"—and the reply he gave was, "No; he could not produce it." And, on reference to the depositions of Mr. Ross, it would be seen that this part of the evidence, important as it was to the case, did not appear. Now, though there was no evidence whatever as to any agreement of any kind, those men were brought up, under warrant, for breach of a written agreement which was not produced, and convicted and sentenced to various terms of imprisonment, and, in one instance, with hard labor. He submitted that, under such circumstances, those men were illegally in custody. The police magistrate had no authority whatever to deal with the case of those men under the fourth section of the Master and Servants Act. Under that section of the Act, if a servant received money or goods in advance, on account of an agreement, and refused to enter upon the service, he became liable to imprisonment with hard labor. It might be quite true that McLean and Beit paid £11 or £12 for the introduction of those men; but, surely, it would not be contended that, because they had done so, and had given the men a few pipes and tobacco and some pint-pots and pannikins, that that was to be regarded either as payment of money in advance or of goods on account of agreement? It would be an insult to the common sense of honorable members to attempt to make them believe such nonsense. As to there being any agreement with those men, it rested altogether upon hearsay evidence; and which the police magistrate, knowing his duty, should have discarded, and should have adjudicated on the case purely upon the evidence adduced before him. But he understood that Mr. Ross himself did not know of any agreement, for he had said that he received the men at Oakey Creek, on a consignee's order, just as he would receive a bale of merchandise. There were also two boys sent up with the men, but there was nothing seen of them in this case; and he understood that they were transferred to a gentleman in the bush, on payment, by him, of the sum of £5 each. Now, the police magistrate was by virtue of his office the protector of the Polynesians at Toowoomba, and he must have heard of the transfer of those two boys, for the report of it was quite current in the town. They were taken from Ipswich to Toowoomba with the men, but on the subsequent appearance of the men at Toowoomba from Oakey Creek, the boys were not with them; and yet the police magistrate made no inquiries respecting them. As he had stated already, it was quite absurd to say that because those men received a few pint-pots, pipes, and tobacco, they came under the provisions of the fourth clause of the Master and Servants Act, and were liable to imprisonment with hard labor, for breach of agreement, on account of having received wages or goods in advance—for those were only the ordinary articles which employers generally supplied. No doubt every honorable member recollected the conduct of the honorable gentleman at the head of the Government, in the case of the Polynesians who were employed by Captain Towns, who paid them by giving them a few red handkerchiefs, knives, tomahawks, and old rusty guns; but as soon as the honorable the Colonial Secretary heard of that, he ordered the articles to be returned, and the men to be paid in sterling coin of the realm. Now, it was because he believed that those men had not been treated rightly and justly, and that, as they were strangers here, and did not know the laws of the country, he had considered it to be his duty to take up their case, and to bring it before the House. He might here inform the honorable gentleman at the head of the Government, that any report he might receive from the police magistrate at Toowoomba, with reference to this case, would not be regarded with much confidence by the public, inasmuch as the decisions of that gentleman, of late, were generally considered to be largely tinged with partiality; and they had not given that satisfaction with which the decisions of a court of justice ought to be received. He said this with much regret, but he knew it to be the case; and that there were some people who preferred taking their cases to the District Court, rather than have them dealt with by the police magistrate, because they had

greater confidence in the soundness of the law, and in the impartiality of the District Court Judge. Now, he maintained, that under all the circumstances of the case, those men were most illegally brought before the court, inasmuch as the agreement, for the breach of which they were arrested, was not produced in court; and Mr. Ross himself admitted that he did not engage the men, but that he merely received them on a consigner's delivery note. He had heard it stated that the reason the agreement was not produced arose out of the circumstance of Mr. Kellet, by whom they were forwarded, having broken his leg at the Ipswich races. (No, no.) Well, he did not say that of his own knowledge, but only repeated what parties interested in the case affirmed and alleged as the reason for the agreement not being produced. The police magistrate, in the report he had sent down, had been very unguarded; for, in place of confining himself to a simple narrative of facts, he introduced matter into his report that was totally irrelevant to the case; and he thought that his doing so betrayed a consciousness that he was in the wrong. What had the payment of £11 or £12 by McLean and Beit for the introduction of those men to do with the case? It was the duty of the magistrate to deal with the case on the grounds upon which it was brought before him, and on the sworn testimony adduced in support of it. But now, that he had apparently discovered that he had made a mistake, he said that because Mr. Beit had paid £11 or £12 for the introduction of the men, and had given them a few pint-pots, pannikins, pipes, and tobacco, they therefore came under the operation of the fourth section of the Master and Servants Act, on the ground that they had received goods on account of agreement. Now he was borne out in the view he took of the case by an authority which he was sure every honorable member would accept, and that was "Plunkett's Australian Magistrate," as revised by Wilkinson. In that authority it was laid down that magistrates should be very careful in dealing with cases under the Master and Servants Act. In this case, if they looked at the depositions, they would see that they were of an *ex parte* character, and that they exhibited a considerable amount of carelessness in connection with the proceedings of the court; and were altogether different from what they should expect to receive from a police magistrate, and especially from a gentleman who had so long held that position, and was so well acquainted with the law as bearing upon cases coming within the jurisdiction of the police court. Amongst the cases referred to by Wilkinson there was this case:—

"*Description of Offence*].—A few cases are given at greater length, from which the Magistrate will learn what care is required in describing the offence in summary convictions and commitments. In the first case, as has been already referred to, p. 256, a return to a *Habeas Corpus ad subjiciendum* set forth a document, being a conviction and committal under Stat. 4 G. IV., c. 34, s. 3, which recited an information and complaint by the agent of D., that the prisoner had contracted to serve D. for a term, and did, before the contract was completed, *absent himself from his service*, and did *thereby then and there neglect to fulfil the same, contrary to the form of the Statute, &c. In re Seth Turner*, 9 Q. B., 80. And the document added: 'Therefore it manifestly appearing to me' (the Justice) that the prisoner 'is guilty of the said offence charged upon him in the said information and complaint, I do hereby convict him of the offence aforesaid, and I do hereby order and adjudge that' the prisoner, 'for the offence aforesaid, be imprisoned,' &c. Upon motion to discharge the prisoner, it was held that the information shewed no offence, as there might be some lawful excuse for the absence, though the statute simply makes the party's absenting himself from service the ground of complaint, and that the conviction therefore was bad. 'The information,' said Patteson, J., 'does add that the prisoner did, by absenting himself from service, 'thereby neglect to fulfil the same,' contrary to the statute: but that is not a direct charge; it is only an *inference from what precedes;* if the absenting does not constitute an offence as laid, the inference is not warranted. It therefore comes to this,—whether it is necessary to negative lawful excuse? I think it is, and that the absence must be shewn to be wilful, or without lawful excuse. As this information is framed, it would have been proved by shewing that the prisoner had stayed away because he had broken his leg.' In *Lindsay* v. *Leigh*, 11 Q. B., 455, an action of trespass for false imprisonment was brought against a Magistrate, for committing the plaintiff (a collier) to prison, under a warrant which alleged that the atter had been guilty of divers misdemeanors,—particularly, that he had absented himself from the service of his master before the term of his contract with him was completed, contrary to the form of the statute, &c. The plaintiff succeeded in obtaining a verdict in his favor, it being held that the legality of the imprisonment depended upon the sufficiency of the commitment alone, and that this, being in the nature of a conviction, was bad, for not averring either that the contract was in writing, or else that the service had been entered upon. 'Every imprisonment,' said Parke, B., in delivering the judgment of the Court, 'which is to affect a man's liberty or property out of the course of the common law, ought, on the face of it, to shew the authority sufficiently, and I think this would not. I do not consider it necessary to say whether the objection is well founded, which appears to have prevailed in *Seth Turner's* case to a similar warrant, viz., that it does not state that the plaintiff absented himself *without lawful excuse*, because I think that the commitment is invalid, as it does not bring the case within the statute, 4 G. IV., c. 34, by the averment either that the contract to serve was in writing, or that the service was entered upon,—one of these two ingredients being essential to give the Magistrate jurisdiction to commit to hard labor."

Now he thought that those words applied with great force in this case, for there was no evidence here to support a conviction, but there was evidence of a lawful excuse for the

Polynesians leaving the station. As foreigners, and not knowing the laws of this country, those men were purely under the protection of this House; and that the more especially as they were without the means of making their case known in the Supreme Court. As he had just said, there was in their case evidence of lawful excuse for their leaving the station, for the superintendent had told them to go back to Brisbane, as he was sick of Polynesians, and had refused to give them the necessary blankets to protect them against the severity of a cold climate, which they naturally felt, all the more keenly from having been accustomed to a tropical climate. Now it was not till twenty-four hours after their arrival in Toowoomba to make known their complaint to the magistrate, that Mr. Ross came in and applied for a warrant to apprehend them for leaving their hired service. There was no information appended to the report as supplied by the police magistrate; and the whole of the case, as contained in his two reports, shewed clearly to him that the case was tinged with partiality throughout, and highly discreditable to the gentleman entrusted with the administration of justice in Toowoomba.

The COLONIAL SECRETARY said that it was quite impossible for him to reply to the speech which had just been delivered by the honorable member for Toowoomba; for the honorable member had made some statements which he (the Colonial Secretary) was not in a position either to admit or contradict, and could not at once possibly do so. The speech of the honorable member, however, would be reported, and he would forward a copy of it to the police magistrate at Toowoomba. He knew that some of the statements made by the honorable member were not correct, and if the others were correct he would see that the matter was attended to. As to the transfer of two boys to another employer, on the payment of £5 for each of them, that was as illegal a proceeding as could be committed under the Act; for no Polynesian could be transferred from one employer to another without the sanction of the Government, and no such sanction had been given in this case; and if it was proved that such a transfer had taken place, he would take care that the parties concerned in it were properly dealt with. However, from the information he had, he hardly thought it would be possible that anything of the kind had taken place. According to his information, four of the boys had gone on to another of Mr. Beit's stations, previous to the quarrel with the men. He could not go into the facts of the case further than they were reported by the police magistrate; and he would take notice of this fact, that the statements made by the honorable member for Toowoomba were founded wholly upon hearsay evidence, which was no evidence at all. If the honorable member knew anything of his own knowledge, it might be good evidence; but so far as he had gone all his statements were founded upon hearsay evidence. However, if he could prove that a transfer of two boys took place, on a premium being paid, he would take care that the parties concerned were adequately punished.

Mr. GRIFFITH said he did not know anything about the particulars of the case except so far as they appeared in the reports furnished by the police magistrate; but it appeared to him upon the face of it that the case was one which deserved the serious attention of the Government, and especially of the Attorney-General. Those Polynesians were strangers, and knew nothing of the laws of the country; and on that account they came under the protection of the Government much in the same way as lunatics and persons of unsound mind. It appeared to him that they had been wrongly convicted, and he had no doubt that, if they had been white men, they would have been discharged from custody long ago. It appeared that in this case there were no informations lodged against the men, or, if there were, they were not produced at the trial; nor was there any evidence to shew that the men were employed by McLean and Beit, or that there was any agreement at all, either verbal or written. Now, while verbal evidence was admissible in support of a verbal agreement, it could not be received in support of a written agreement. In such a case, the document, if in existence, must be produced in proof of an agreement having been entered into; and, in a case which was brought before the Supreme Court recently, in which he was engaged, the court would not receive verbal evidence as to the nature of the written agreement; and, accordingly, he did not argue the case further. Now, under all those circumstances, and especially as the attention of the Attorney-General had been directly called to the case, he hoped it would not be allowed to pass without a careful inquiry being made into it. The case was one which demanded the immediate attention of the advisers of the Crown, and he had no doubt that it would receive that attention which it required.

The COLONIAL SECRETARY said there could be no doubt that those Polynesians were properly engaged, for copies of their agreements were in the Immigration Office.

Mr. MILES said that, from his knowledge in respect to such cases, he was under the impression that the Polynesians in this case were illegally convicted, for there was no copy of agreement produced in court at the trial, as required in all cases under the Master and Servants Act.——

The COLONIAL SECRETARY: There were copies of the agreement in the Immigration Office; and there could be no doubt that they were legally engaged.

Mr. MILES: Well, it did not satisfy him that those men were legitimately convicted, because copies of their agreements were in the Immigration Office. He understood that,

according to the law, the agreements should have been produced in the court, in the first instance, before any conviction could take place under the Master and Servants Act; and as that had not been done, he maintained that the men had been illegally convicted; and that, as a matter of course, they were illegally in custody. It appeared to him that the men were apprehended upon a warrant that had been issued upon insufficient grounds. It was the custom, he believed, on the part of the employers of Polynesian laborers, to supply them with blankets and other common necessaries; but that rule, it seemed, had not been observed in this case. The men asked for blankets, and Mr. Ross, the superintendent of the station, told them to go to work, and that he would give them blankets by-and-bye; but, according to the evidence of Mr. Ross himself, they had eight miles to go to work. Now, he held it was the duty of the Government to see that those men were properly protected. They had introduced a Bill into the House, and had passed it, for the protection of those men; and having done that, it seemed to be considered that that was enough. Well, he did not think so; for no matter how many laws were passed on the subject of the introduction of Polynesian laborers, they must not allow those men to be treated as if they were so many wild beasts. He thought that the honorable member for Drayton and Toowoomba deserved great credit for bringing this matter before the House. If they had been white men, they would not have been allowed to remain in prison for twenty-four hours; but as they were black men, the Government, it seemed, sat quietly down under the shelter of the report of the police magistrate who tried the case, and whose conduct in the matter was called in question. The conduct of the police magistrate, he thought, as far as he could judge by the depositions as laid before the House, was disgraceful; for he ought to have demanded, before the issuing of a warrant, that the agreement should be produced; but he did not do so, neither was there any information or agreement produced in court. The honorable the Colonial Secretary stated that the agreement was in the Immigration Office, but that was not sufficient for the satisfaction of the law. It ought to have been produced at the trial. Now, the nature of the case, and the way in which it had been treated, was such, that, for the sake of the character of the colony, there ought to be a full investigation into it.

Mr. FYFE argued that the natives of the South Sea Islands had as good a right to come to this colony as the natives of any other country had; and that, if there was any interference with their right to do so, it was an interference beyond the mere relations as between the colony and the South Sea Islands. It was an interference with the principles upon which international law was based; and by dealing with the question in the way they had done, they were virtually dictating to the Imperial Parliament, instead of being subject to the legislation and instructions of the Imperial authorities in the matter of the importation of foreign laborers of the South Sea Island class. He maintained that the House had no power whatever to deal with the question, and that they could not prevent anyone coming to the colony from any part of the world. Anyone could come here from any part of the world, and as soon as he landed on the shores of this colony, the laws peculiar to his own country ceased to be binding upon him; and so widely applicable was that principle, that it extended to the black as fully as to the white; and as soon as the Polynesian set foot upon the soil of the colony, he ceased to be a Polynesian, and at once became a British subject—at any rate, so far as regarded protection and the maintenance of his individual rights.

Mr. LILLEY said he did not wish to prolong this discussion, but he would suggest what he thought to be the only way of dealing with the case, so far as those Polynesians were concerned, and that was, that if they had been wrongly convicted, they should at once be set at liberty. Polynesians must be convicted upon as legal evidence as anyone else; and —especially in their case, because of the peculiar circumstances by which it was surrounded—they had not been convicted on legal evidence, the Government would do well at once to order their release. There was no international question involved in the case at all, for people came here from all parts of the world; and those who came here from civilised nations, which had established and recognised laws of their own, were received here as persons who, it was presumed, knew generally the nature of the law as it applied to individual rights. But as regarded the Polynesians, the case was quite different. They were a helpless and ignorant class; and they did not know the nature of the law of civilised countries; and that was the reason why they were thrown upon the protection of the Government, and it became the duty of the Government, under such peculiar circumstances, all the more strictly to see that those people were not unjustly dealt with. In some of the remote parts of the country they would be subject to the dominant will, and even sometimes to the tyranny of the gentlemen by whom they were employed; and hence the Government ought to see, that in cases where they were convicted, they were, at any rate, properly and justly convicted. He must say, for his own part, that he hoped the system of importing Polynesian laborers would soon die out of itself, or if it did not, that it would soon be put an end to by the British Government. However, he was sure that the honorable the Colonial Secretary was fully alive to the importance of this part of the question, that so long as those people were

brought here they must not be harshly dealt with.

The ATTORNEY-GENERAL said that, as this case had been brought before his notice so prominently, he could assure the House that he would give it his immediate attention; and, referring to the case as it appeared now, he must say that he thought the men had been convicted under the wrong section of the Master and Servants Act. He did not agree with the honorable member for Maranoa, that those men were wrongly convicted on the ground that there was no agreement produced, because, if the information had been laid under the third section of the Master and Servants Act, they might have been legally convicted; but he thought that the magistrate, in convicting them under the fourth section of the Act, had made a mistake.

Mr. STEPHENS said that, so far as he could see by the depositions, there was no evidence of any agreement of any kind whatever. Now, for the purposes of a legal conviction under the Master and Servants Act, there must be an agreement proved, either verbal or in writing; but here they had no evidence of anything of the kind whatever, and the police magistrate seemed to have convicted those men without being satisfied as to the existence of an agreement in any shape or form. It therefore seemed to him that, such being the case, the conviction must be bad. It almost seemed that they could not touch this Polynesian question without getting into trouble about it. Here they had the police magistrate, who, by virtue of his office, was the protector of the Polynesians; and it seemed that, with a view to the better discharge of the duties of that office, he convicted those men and sent them to gaol, where they would be well cared for. But, the reason he gave to the honorable the Colonial Secretary for sending them to gaol seemed to be that Mr. Beit had bought them, by paying £11 or £12 for their introduction, and giving them a few trifling articles, such as pipes and tobacco and pannikins; but such supplies as those, he apprehended, could not be considered as goods in advance; and, if not, the men were wrongly convicted. Now, he quite agreed with the honorable member for Fortitude Valley in the hope he expressed—that the time would soon come when this traffic would altogether cease, and cease to be a disgrace to the colony. On the face of the documents which were before the House on the subject, he must say that the whole case was a disgrace to any civilised community.

Mr. HANDY said he altogether agreed with the honorable member for the Maranoa, in considering that the honorable member for Drayton and Toowoomba deserved the fullest credit for bringing this case under the consideration of the House; and he would urge upon the honorable the Attorney-General the great necessity there seemed to be for instructions being given to magistrates, not to decide cases that might be brought before them, without sufficient evidence being produced. He observed that an honorable member opposite laughed at that, but he could tell him that he (Mr. Handy) held in his hand a letter which shewed a grosser case against white men than that of the Polynesians, which had been brought before the House by the honorable member for Drayton and Toowoomba. The letter stated that there had been much talk of a case that was lately brought before the Tambo bench. Some Danes who were employed on a station in that district, were ten days on rice and meat; no tea, flour, or sugar. At least the rice was stopped when they brought their sheep to the yards; and they started for a summons; but their employer saddled a horse and galloped into town, and met them again on the way with a warrant for disobeying orders, namely, not taking out their sheep, and they got three months each. The writer of the letter said, that he believed the consul had been written to on the subject, and asked him (Mr. Handy), if he was acquainted with the consul, to tell him that it was a cruel case. Now, that was a case of great hardship. The men could not keep up with their master, who was on horseback, while they were only on foot, and he got into the township before them, and got out warrants for their apprehension for disobeying orders. Now, the men had given notice before they left the station, that it was their intention to proceed to the township to see a magistrate in order to obtain redress of their grievances; but the master arrived before them, and under the warrants he obtained they were arrested and convicted, and sentenced to three months' imprisonment. He thought that shewed there was great partiality in the way in which cases were dealt with by the magistrates in remote country districts in favor of the employer. He hoped the honorable the Attorney-General would take some steps to see that a proper remedy was provided for such a state of things, now that his attention had been so particularly called to the necessity there was for his doing so.

Mr. MOREHEAD said that the honorable member for Drayton and Toowoomba, in bring forward the charge he had made, had done so in a straightforward manner, and had distinctly stated what he meant; but his example in that respect had not been followed by the honorable member for Brisbane, Mr. Handy. That honorable member had brought forward a charge against some station holder in the Tambo district, but as he did not mention the names of the parties, he left the charge to rest against the whole of the stations in the district. Now, he would call upon the honorable member to name the party to whom he referred.

Mr. HANDY said he declined to state in the House the name of the party mentioned in the letter; but he would hand the document

to the honorable the Colonial Secretary to act upon it if he thought fit to do so.

Mr. MACDEVITT said he thought it was a most extraordinary thing that, on a question of this nature, involving the individual rights of those Polynesians, so little should be said upon it by those gentlemen in the House who were employers of this kind of labor.

Mr. RAMSAY: Name the employers.

Mr. MACDEVITT: He was called upon by the honorable member for the Western Downs to name the employers; but he thought that if the honorable member would visit the constituency which he represented he would find that there were in that district several who employed Polynesian laborers.

Mr. RAMSAY said he could assure the honorable member that there were very few of the squatters in the western district who employed Polynesians.

Mr. MACDEVITT: Well, he believed that that was not from any objection to do so, but because of the efforts that had been made to put a stop to the employment of such labor. Now, the honorable the Attorney-General had stated that if those Polynesians had been convicted under the third section of the Master and Servants Act, the conviction would have stood good. He was astonished that the honorable gentleman should have said so, because it might go forth to the police magistrates throughout the country that they would be quite justified in convicting, in such cases, upon such evidence, under the third section of the Master and Servants Act. Now, he believed that if the honorable gentleman would go through the Acts, he would find that there could not, in the case of Polynesians, be a conviction under the third section of the Master and Servants Act. In the case of white laborers, it was required that there should be a parole or a written agreement; but he believed that, in the case of Polynesians, the agreement must be in writing. As to the question involved in this case, he thought that no one could help re-echoing the statement which had been made by the honorable member for Fortitude Valley, that it was to be hoped the time would soon come when the employment of this kind of labor would no longer be required; or, at all events, when the evils connected with the employment of Polynesians would be corrected; and that they would not be allowed to go into the far interior, where there was no more care for them than there was for the sheep and cattle with which they were entrusted. When they went into the bush, they were at the beck and call of their employers, and there was no protection whatever for them. Now, such a case as the one which had been brought before the House, shewed that there were great abuses connected with the employment of Polynesian labor in the interior; and some gentlemen, who were anxious for the employment of that kind of labor, had told him that it was almost impossible to stop the abuses connected with the employment of Polynesian laborers on stations; and, such being the case, he thought that the sooner the House took some action in the matter the better. He had no personal knowledge of the case which had been brought before the House, but he had met a gentleman who was travelling in the Western Downs when the case occurred, and, from what that gentleman had told him, he believed there was some foundation for the statements which had been made respecting it.

The ATTORNEY-GENERAL said he desired to direct the attention of the honorable member particularly to the distinction between the third and fourth sections of the Master and Servants Act. He would find that one of those clauses dealt only with the case of persons entering into an agreement and breaking it, and the other with the case of persons entering upon an agreement and deserting it. Now, here the men had entered on an agreement and deserted it.

Mr. FERRETT said that if the honorable member for the Kennedy had as much experience as he (Mr. Ferrett) and others had had of those Polynesians, he would be somewhat surprised at the amount of their intelligence and ability.

Mr. MACDEVITT said he must confess that he could not pretend to such an extensive knowledge of dark labor as the honorable member could.

Mr. FERRETT: If the case before the House was such as the honorable member for Drayton and Toowoomba had represented it to be, it was certainly a very serious one indeed. It was no matter to him whether the honorable member for the Kennedy knew anything about the employment of black labor or not; but he would, at any rate, advise the honorable member to keep his taunts and personal remarks to himself. He (Mr. Ferrett) was not in the habit of making personal remarks; and if he were to begin and do so he might be able to make them of a somewhat stronger kind about the honorable member than he could make about him. It had been attempted to shew that a man had no right to pay money for the introduction of Polynesians, and then transfer them to another employer of labor. Now, he must freely confess that he had paid the sum of eighteen pounds for the introduction of Polynesians, and when he found that, on their arrival, he had no need for them, he had transferred them to another employer, and he did not see there could be any harm in that; and there was no law whatever to prevent it. The honorable member for the Kennedy had very pointedly stated that all the honorable members on the Government side of the House were employers of Polynesians. Well, he was not inclined to pass that remark over, and he could tell the honorable member that he (Mr. Ferrett) stated upon the hustings that he was an employer of Polynesian labor; and he stated at the same time, as he stated now, that he

would not do injustice to a black more than he would do an injustice to a white man. As to the question between master and servant, he had always understood the law to be that if a man entered into an engagement and accepted his employer's rations, he took a partial consideration for his services, and thereby rendered himself liable to the provisions of the Act in that respect. He was no lawyer, and he might be wrong, but he believed he was correct. He should very much regret to take advantage of a servant, and the man who would do so ought to be punished. As to the Polynesians, he had had some in his employment for some time, and he had never had so much as one case of dispute with them.

Dr. O'DOHERTY said that this question had taken quite a different issue from the one upon which it was introduced by the honorable member for Drayton and Toowoomba. He was not a legal authority, and he therefore was not prepared to give any opinion as a legal authority upon the question. However, he might observe that it seemed to him the honorable the Attorney-General appeared to consider that the police magistrate was quite justified in convicting those men.

The ATTORNEY-GENERAL: No.

Dr. O'DOHERTY: Well, at any rate the honorable gentleman's interpretation of the Act differed from that of the legal gentlemen on the Opposition side of the House who had spoken on the subject. Now, he thought that this matter ought not to be allowed to rest at this stage, but that some inquiry should be made as to whether those men were legally or illegally convicted; and he trusted the honorable the Colonial Secretary would see to that, as he fully believed he would. So far as his knowledge of this Polynesian question went, he thought that a good deal of care was required on the part of the Government; for he understood that, in the matter of their introduction and employment, there was a good deal of evasion of the Act practised. He thought that it was of very great importance that the Government should direct their attention to this part of the question. So long as Polynesian labor was allowed to be introduced into the colony it was of the utmost importance that the Government should have a watchful regard over the way in which it was disposed of, and see that throughout the whole of the proceedings in the matter of their employment there was a consistent compliance with the terms of the Act. He understood that a practice, something of this kind, was pursued: that a person could send in an application for a certain number of Polynesians, who were to arrive, but, on the arrival of the vessel, he sent in word to the depot that he would not require them; and then anyone else could go to the office, and, on paying a certain sum per head, could get the number of laborers he required. Now that, he believed, was one of the ways in which the provisions of the Act were perverted. He hoped the case now before the House would be fully inquired into, in order that any illegal treatment that might exist should be put a stop to.

Mr. CLARK said he thought that great credit was due to the honorable member for Drayton and Toowoomba for having brought this matter before the House; and, for his own part, he hoped it would be thoroughly investigated. He must say that there was a feeling in his mind that there was something wrong in the case; and he thought it was not only due to the House but also to the police magistrate himself, who had acted in the case, that the whole particulars of it should be fully inquired into. He had known the Police Magistrate of Toowoomba for many years, and he thought that it was, certainly, a very strange thing that a gentleman of his long experience as a magistrate should have fallen into such a mistake as this—if there was a mistake.

Mr. GROOM said he desired to assure the House that all he had stated was not founded solely upon hearsay evidence; and what he maintained was this, that the depositions which had been forwarded to the honorable the Colonial Secretary were not the depositions that ought to have appeared on the records of the court. He had asked the gentleman who reported the case for the local journal, as to the evidence that was given in the case, and he told him that besides the other questions in the depositions Mr. Ross was asked the following questions:—

"Have you engaged these men? No.
"Have you seen the agreement? No."

Now, in the depositions forwarded to the honorable the Colonial Secretary, those questions and answers were not given at all. He was quite satisfied with the extent to which the discussion had gone, and he would now, with the leave of the House, withdraw the motion for adjournment.

The motion was accordingly withdrawn.

ELECTORAL DISTRICTS BILL.

The COLONIAL SECRETARY moved—

That the Order of the Day for the adoption of the report on the Electoral Districts Bill be discharged from the paper, and that the House resolve itself into a Committee of the Whole for the further consideration of the Bill.

Agreed to.

The COLONIAL SECRETARY moved the adoption of the sixth clause with a verbal amendment.

Mr. GRIFFITH moved that the clause be amended to read as follows:—

Between the 31st day of October and the 30th day of November in the present year Preliminary Revision Courts shall be held for the purposes hereinafter stated for each of the electoral districts created by this Act except the electoral districts of Warrego and Burke.

He proposed this amendment, he said, for the purpose of shortening the time for the completion of the rolls. If the existing rolls could be completed by the 31st of October, for the purposes of election, they would be sufficiently completed for the purposes of election. Whether it would be worth while to save time in the matter of a new election under this Bill, was, of course, altogether another thing.

The COLONIAL SECRETARY said he could not see what advantage there was to be gained by this alteration, for he could scarcely call it an amendment. The clause, as it now stood, was an amendment on the original clause proposed by the honorable member for East Moreton himself, who now proposed to again amend it. Now, if they were only legislating for East and West Moreton, and for Drayton and Toowoomba, and the Downs, he could understand such an amendment being made, and being admissible. But from some of the far off districts the rolls had to be sent down to Brisbane to be printed, and had then to be sent back again, and he did not see how that could be done within the limit of time proposed in the amendment of the honorable member. He could not see what gain the country would have by shortening the time for the holding of an election by two or three months. It was clear that a session of the House, as at present constituted, or a similar one, would have to be held next year; and it would be absolutely necessary that there should be; and by no way by which they might shorten the periods could they succeed in having a new House under this Act in time for the session of next year. As he took it, there must be a session next year of the House as at present constituted, and therefore, as he had said, there would not, he thought, be anything gained by shortening the periods between the several steps in the completion of the rolls for the purposes of this Act. So far as the preparation of the rolls in the neighborhood of Brisbane was concerned, the proposition of the honorable member might be quite practicable; but in the far distant districts it could not possibly be carried out, for all the rolls had to be sent from those districts to be printed, and then they had to be returned before any election could take place upon them. He did not see that any benefit would be derived by adopting the amendment of the honorable member; and he thought it would be better to let the thing work itself out.

Mr. STEPHENS thought that when they were legislating on the question of representation, it was just as well to do so definitely, where it was possible. It would, most certainly, be desirable if they could define when the Act should come into operation. The reasons which had been given by the honorable the Premier, had rather had the effect of convincing him that the amendment of the honorable member for East Moreton was necessary, or, at any rate, one like it; for it was generally known to be the case, whenever a general election took place under the present system, some of the rolls were imperfect; but the consequence of that would be, under the proposed Bill, that if any returning officer neglected his duty, by not completing the roll by a certain time, a general election would be postponed indefinitely—and that was not the object of honorable members on his side of the committee. The amendment of the honorable member for East Moreton was, therefore, a very proper one, as it was to the effect that the revision courts should be held between the 31st October and the 30th November, and that if there should happen to be an election, before then it should be upon the old rolls. He thought it would be much better if the matter was fixed on some definite arrangement, as it would be more satisfactory to the committee and the country if the time for the Act becoming law was fixed.

The ATTORNEY-GENERAL said it appeared to him that the honorable member for South Brisbane had based his objections on a ground different to that assumed by the honorable member for East Moreton, and he was willing to admit that there was some force in the objections just raised by that honorable member, as it was quite possible that some of the rolls might not be corrected in the time they ought to be, and that, consequently, the operation of the Act might be delayed. He certainly thought it would not be right to postpone the operation of the Act over all the country, because one or two rolls were not ready. That, however, was very different to the amendment of the honorable member for East Moreton. He thought that the Government could very fairly accept the proposition of the honorable member for South Brisbane.

Mr. GRIFFITH said that the answer he should give to the remarks just made was a very simple one—that if some of the electoral rolls were not ready by the time he had mentioned, let those rolls be taken which were in force under the old system. That was what he had already pointed out to honorable members.

Mr. LILLEY said that under the old electoral law in England, the sheriffs or other officers of the Crown could be amerced for omission of their duty regarding the completion of the rolls; but such a practice could hardly be resorted to in the colony, because, under our laws, the returning officers were not paid for the duties they performed, and they could not expect gentlemen to accept the office of returning officer if they were liable to be amerced. That was, however, a stronger reason for protecting the public from any accidental or wilful neglect of duty on the part of those officers. He was quite sure that the honorable the Premier would see that, supposing some gentlemen had not sufficient time to complete the revision of the rolls, the operation of the Act all over the country should not be suspended. He thought he would leave it to the honorable

member to see that those gentlemen were drummed up to perform their duty. The wording of the clause at the present time, "So soon as," was as doubtful as the answer of the Sybil; but he was quite sure that the honorable the Premier would accept some alteration by which the Act should be made to come into operation as early as honorable members could reasonably expect, perhaps by agreeing that when three-fourths of the rolls had come in.

Mr. HEMMANT trusted the honorable the Premier would see his way clear to accept the amendment of the honorable member for East Moreton, as it would be a great improvement on the Bill as it now stood. It was very evident to him that two or three days spent now on the Bill would save a great deal of time hereafter, and the honorable member had brought forward a proposition for shortening the time by four months, at least, at which a general election could be held under the proposed Act; and if there was no insuperable objection to such a proposition, it would certainly, if adopted, afford a great deal of satisfaction to the people outside. He thought there was no ground for the objection of the honorable the Premier that the amendment would be all very well if the committee was only legislating for East and West Moreton, and Drayton and Toowoomba; but that it could not be accepted as regarded the more distant districts, as the rolls would not be ready. He had ascertained from the honorable member for Maranoa, that the rolls from St. George could be printed in three weeks, and he presumed that the case would be the same as regarded other districts. He thought the amendment would be very satisfactory, as it would have the effect of fixing some definite time, and thus be adopting the practice of the Imperial Parliament. Of course, a Bill like that before them had attracted considerable attention throughout the country, and the provisions which had been made for the revision courts would soon be ascertained, and the fact, therefore, of a certain date being fixed by the Bill for holding the revision courts would be more generally made known through the country by the reports in the papers than by any proclamation in the *Government Gazette*.

The COLONIAL SECRETARY did not think the argument of the honorable member, as regarded the time occupied in communicating with St. George, was of much value, as the honorable member had seemed to have forgotten that there were such places as Burke, and the Mitchell, and others which were more distant than St. George. He could not agree to fix any particular day, as many of the rolls, as he had said before, might not be ready; but he was quite prepared to meet honorable gentlemen opposite, and say, that as soon as possible after the 31st October, the proclamation should issue. That, he thought, would meet all the objections which had been brought forward. The Government would thus be guided, in issuing the proclamation, by the number of rolls that had been sent in, and he did not suppose, for one moment, that any Government would think of stopping the issue of the proclamation, simply because two or three of the rolls had not been received, any more than they would think of stopping the meeting of Parliament, because one or two writs had not been returned. The rolls ought mostly to be perfected by the 31st of October, and he was, therefore, quite willing to accept, as an amendment, the words, that as soon as possible after the 31st October, the Governor should issue his proclamation.

Mr. STEPHENS thought that the proposition which had just been made by the honorable the Premier, would be worse than ever; and, in fact, that it would be better to make no alteration whatever, as he considered that there would be nothing to prevent the proclamation being issued at the end of December, or any other time; and, at that rate, it might be more than two years before the Act came into operation. He thought some definite date should be fixed.

Mr. HEMMANT said, in regard to the observations of the honorable the Colonial Secretary, that he had not forgotten the existence of the Mitchell, the Balonne, and Burke, but that he had merely mentioned that he had been told that the rolls of St. George could be printed in three weeks or less. He thought they would not take two months, at any rate.

Mr. MOREHEAD said, as regarded the Mitchell, they might take twice that time.

Mr. STEPHENS said that presuming that was the case, it was no reason why the coming into force of the Act should be delayed for two months. The roll for a small place like the Mitchell could be made up in a very short time, and surely they need not delay the time for the Act coming in force, simply because one or two small rolls might not be printed.

Mr. MILES said he had explained to the honorable member, Mr. Hemmant, the time that would be occupied in transmitting the rolls from St. George, and could not see that there would be any difficulty in the way of passing the amendment. He thought that, unless some time was definitely fixed, it would be much better to have the clause swept away altogether; and he was positive that, if some time was not fixed, the Bill would never come into force. So far as his own district was concerned, he might say that, whenever an election had taken place, the roll was not perfect; and yet it was stated by the Bill that all rolls must be perfect before the Act could have the force of law.

Mr. HANDY thought the difficulty could be obviated by adopting a suggestion of the honorable member for Fortitude Valley, that on receipt of three-fourths of the rolls, the proclamation should go forth for holding the revision courts.

Mr. GRIFFITH wished to point out, again, that the principal object of his amendment

was to avoid any unnecessary delay in issuing the proclamation, and to give them a better starting-point than they now had. In mentioning the month of November, he had only been guided by the fact that, if an election took place in December, it would be on the new rolls. If the revision courts could not be held until all the rolls were ready, the case would be different; but although it was most probable that the most distant ones would not be ready, he believed that they were not likely to be very much increased, and therefore no great hardship would be inflicted if the old rolls were used.

The COLONIAL SECRETARY said that the honorable member appeared to have forgotten that any election during the present year must be on the old rolls, according to the Electoral Act, and not on the revised roll. He would repeat that he was quite ready to accept the amendment "as soon as possible after the 31st October."

Mr. STEPHENS said he could not understand why there should be any doubt in the Bill, or why some fixed time should not be mentioned. If an election took place in November it would have to be conducted on the rolls now in course of construction. Now, wherever the new rolls had come into force legally, they would have to be used, and they certainly would be good enough for the purpose; then why should they wait for the remainder of them before the proclamation was issued? He could see no reason for any indefinite delay.

Mr. GRIFFITH said that so far as he understood the Act, the rolls would come into force on the 30th September; and, therefore, if any election took place before the 31st December, it should be conducted on those rolls. If the rolls were not ready by the 30th September—if that was too soon—he would recommend the middle of October. Anything to get rid of the two months' delay.

The COLONIAL SECRETARY said he had no objection to say the 31st December.

Mr. WIENHOLT thought that the honorable members opposite appeared to be very unreasonable in the matter. They, first of all, got clauses introduced, and then they were not satisfied with them, but now wanted to amend them. It appeared to him that the members of the town districts had everything to do with the matter, and that the outside districts were not considered at all.

Mr. LILLEY said that every consideration had been shewn for the outside districts by honorable members on his side of the House. He thought that the proposition of the honorable the Colonial Secretary, that the time fixed should be the 31st December, or as soon before as convenient, would meet the views of all, and would allow ample time. At any rate, if a certain time was fixed, some assurance would be given to the country that the Act would come in force.

Mr. THORN said he quite agreed with the remarks of the honorable member for Western Downs, that not sufficient consideration was being shewn to the outside districts. Now, he would like to ask the honorable member for the Kennedy his opinion as to the time that would be occupied in revising the roll in his district, sending it down to be printed, and returning it to the electorate. He would also ask the honorable the Premier to say how the rolls had been sent down to the Government, as the honorable member had had some experience on the subject. If he had been rightly informed, only four rolls had been sent down to the honorable member's office at the proper time, and how then would it be possible that they should all be sent back to the returning officers within a month?

Mr. HEMMANT could not really see any foundation for the complaint of the honorable member for Western Downs, as no change that took place could alter the position of honorable members opposite, whilst, on the other hand, honorable members on his (Mr. Hemmant's) side of the committee, had for a long time clamored for additional representation, and he thought that great credit was due to them for the way in which they had grappled with the Bill. So far from not giving the outside districts any consideration, he might say that every attention was being paid to them. The honorable member for the Mitchell had mentioned, that sometimes four months would be occupied in getting the rolls down from that district and returned there; but he could not understand how that could be, according to the mail routes, and the time specified as occupied by the mail. It would be impossible to get in all the rolls from the country districts, as the people in them were very dilatory in sending them in; but that difficulty had been met by the suggestion of his honorable colleague, that where the new rolls had not come in, the old rolls should be used by the revision courts. The new rolls would not affect the representation of the outside districts fifty per cent. so much as they would the more thickly populated districts. That was so from a variety of circumstances; and therefore he thought that the amendment proposed by his honorable colleague would be an advantage—that some time should be fixed.

Mr. THORN thought the difficulty would arise in districts where there were two or more revision courts, as care would have to be taken that a man did not place his name twice on the rolls; that was where a delay would arise, and it would be impossible to have the rolls sent down to the Government Printer in the time specified. For instance, supposing there was a revision court at St. George, and another at Surat, it would be the duty of the Returning Officer for Balonne to preside over both.

Mr. MOREHEAD might inform the honorable member for East Moreton, Mr. Hemmant, that there was no cross mail from the Mitchell to Clermont, and also that there

might be delays in the mail between Springsure and Clermont, either through drought or floods.

Mr. FYFE said that he had lost his election at Clermont, on the occasion of his opposing the late Mr. Atkin, entirely through his name not being on the roll, and that shewed the necessity for allowing plenty of time; but he thought all such matters could very properly be left to the honorable member at the head of the Government, who must be better informed on the subject than any private honorable member who knew very little about the outside districts. It struck him it would be better to leave it to the integrity of the Minister, as he thought everything connected with the administration of the laws should be left to the Ministers.

Mr. FERRETT said that he had every reason to believe that what had been asked for by the honorable member for East Moreton, Mr. Griffith, had been asked for in all sincerity on his part; but when the honorable member went beyond that and made statements, backed up by the honorable member's colleague, who had no knowledge of the outside districts, he (Mr. Ferrett) must differ from him. He had had the honor of representing the Maranoa district when Queensland was first named, and, unfortunately for him, he had had to go over a very great deal of that country at a serious cost to himself; he, therefore, knew something about travelling in the outside districts. It had been asserted that it would be very easy to get down the roll from Balonne in three weeks, but he would ask the honorable member for Maranoa whether it was ever done in that time; at any rate, he was not aware that it had been. Then, again, they had been told that in the outside districts there would not be much difference between the new and the old rolls, which was a very great libel, as he believed that those districts would shew that they could compare very favorably in that respect with what he would call the pocket boroughs of some honorable members opposite; in fact, he believed that the increase would be seventy-five per cent. more in proportion than in Brisbane.

Mr. HEMMANT said honorable members who had said so much about distances, appeared to have ignored the fact that there were such things as printing offices in some of the more distant districts, where it was quite possible that the rolls could be printed, as, for instance, in the Kennedy, so that the argument of having to send the rolls to Brisbane to be printed, had nothing to do with the question. With regard to the charge of speaking about what he knew nothing about, namely, the distances from different places, and the means of communication, he might say, that he did not profess to know much from his own experience; but when tables giving all that information were published by the authority of the Postmaster-General, it was very easy for any person to form an opinion on those matters. Although one honorable member opposite might have travelled over the country between Clermont and Springsure, still, from looking at the tables, he (Mr. Hemmant) might possess just as much information on the subject as the honorable member; and he must say, that he could not see any reason why it should take four months to have the rolls from the Mitchell district printed and sent back. Although, however, such a delay as that might occur, he did not think that it would be desirable for the committee to delay providing for the whole country, for the sake of such an exceptional case as that mentioned.

Mr. STEPHENS said that if the honorable member, Mr. Griffith, would withdraw his amendment, he would propose that all the words, including "days" in the twenty-seventh line of the clause, be omitted, and that the following be inserted in lieu thereof:—

The Governor in Council shall appoint and notify by proclamation in the *Gazette* some day or days in the month of December in the present year.

Mr. GRIFFITH said he had no objection to withdraw his amendment in favor of that of the honorable member for South Brisbane.

The amendment was then agreed to.

The COLONIAL SECRETARY proposed the addition of the following words to the clause, which would be rendered necessary by the amendment which had just been carried:—

Provided that if any such Preliminary Revision Court has not been held it shall be competent for the Governor to approve of the proceedings at any Revision Court held within a month of the appointed time and the proceedings thereat shall be valid.

Amendment agreed to, and clause, as amended, passed.

The COLONIAL SECRETARY moved that clause 24 be amended, by adding the words "or under 'The Elections Act of 1872.'"

Agreed to.

The COLONIAL SECRETARY moved that the fifty-second and fifty-third lines of the clause be omitted, with the view of inserting the following:—

It shall nevertheless be lawful for the Governor to appoint other Courts of Petty Sessions in addition or substitution to the courts mentioned in the Act for any of the districts named and the courts so appointed shall be courts for the performance of the matters required by this Act.

Mr. GROOM thought it would be better to have the appointment of such courts published in the newspapers of the district, as there were a great many people who never saw the *Government Gazette*.

Mr. HANDY said he could not understand the object of the amendment, as if the two last lines of the clause as it stood were taken into consideration, they would be seen to contain the same thing.

The COLONIAL SECRETARY pointed out that it was the same thing, but altogether different, as it made it much clearer.

The amendment was carried.

The House resumed, and the Chairman reported progress.

The COLONIAL SECRETARY moved—

That the House resolve itself into a Committee of the Whole, for the purpose of reconsidering clauses Nos. 15, 18, 31, 33.

Motion carried.

On the motion of the COLONIAL SECRETARY, the portion of clause 15 providing that after the preliminary rolls had been printed, the Governor should notify by proclamation in the *Gazette* a day for the sending in of claims, was struck out; and the clause was further amended, requiring that all claims should be sent in on or before the 31st day of March, 1873.

Clause 18, in so far as it provided that the intervals of time between all necessary proceedings should be calculated by reference to the day to be appointed for each district, was amended by the striking out of the words "to be," between the words "day" and "appointed," so as to read—"on the day appointed"—and in order to make it correspond with the 15th clause as amended.

The clause, as amended, was agreed to.

Clause 31, providing that in the event of vacancies or dissolutions, before "all the first electoral rolls for the districts created by this Act are completed," elections should take place in all respects as if the preceding portion of the Act had not been passed, was amended by striking out the words "all the first electoral districts created by this Act are completed," and inserting in their stead the words "the 31st day of August, 1873."

On the motion of the COLONIAL SECRETARY, the following proviso was added to the clause:—

Provided that if the first electoral rolls for any of the districts hereby created except the district of Burke shall not be regularly made out or shall not be perfected before the said thirty-first day of August the rolls mentioned in the twentieth section of this Act shall wholly or in part as the case may require be used as the rolls for such districts until such first electoral rolls shall have been perfected.

The clause, as amended, was agreed to.

Mr. LILLEY said he now wished to propose the series of amendments which he had mentioned in the course of a previous debate. He had prepared them with the view of providing for the addition of members from time to time, as the demands of the colony might require. He would explain the amendments as he went along, and he hoped that honorable members would agree with him in the opinions he might express upon the subject to which they referred. He believed that if the amendments were adopted, the public would have occasion to congratulate themselves upon having obtained a good and substantial reform in the system of representation. The amendments, printed copies of which were in the hands of honorable members, consisted of fifteen new clauses, which he proposed should be inserted after clause 32 of the Bill. The first of them was as follows:—

1. So soon as the first revision of the electoral rolls of the colony under "The Electors Act of 1872" shall have been completed and copies thereof deposited with the Colonial Secretary for the time being the Colonial Secretary shall transmit duplicate copies thereof to the Clerk of the Legislative Assembly who shall ascertain the total number of electors whose names shall be on such rolls and the number obtained (excluding fractions) by dividing such total by the number of the electoral districts of the colony shall be the "quota" for the purposes of this Act.

This clause, as would be seen, provided that there should be a certain quota of electors for the purposes of this Act, and that, he might state, was the foundation of all the other clauses. He thought that it would be best to entrust the discharge of the duty of calculating the quota to the Clerk of the Legislative Assembly; because, while, as an officer of the House, he would be answerable to them for the faithful performance of the work, at the same time, he would not be subject to any political influence. As it would be of no avail to him to make the calculations in any particular way, he thought that he was the best person to perform this duty. The second clause was as follows:—

2. After the completion of every subsequent revision of the said electoral rolls the like process shall be repeated and the quota ascertained in a similar manner.

Then clause three:—

3. So soon as the Clerk of the Legislative Assembly shall have ascertained such quota he shall notify the number constituting such quota by advertisement in four successive publications of the *Government Gazette* and in such notification shall state as well the number of names on each of the several electoral rolls as the gross total and the number obtained by such division as hereinbefore directed.

That was the check upon the Clerk of the Legislative Assembly. This clause provided for giving the fullest information to the public; and would enable them, wherever any doubt arose, to ascertain if the duty had been faithfully and correctly carried out. Clause four was as follows:—

4. The inhabitants of any electoral district or of any portion of any electoral district or of any districts or portions of districts in immediate contiguity with each other may petition the Governor that such district may be divided or that any portions of such contiguous districts may be separated from the electoral districts to which they respectively belong and that such division or such portions may be constituted a separate electoral district and empowered to return subject to the provisions of this Act a member to represent the same in the Legislative Assembly and that a writ for such purpose may be issued accordingly at future general elections.

That clause was quite in accordance with the old law of representation, under which when

a district had become of sufficient importance to be entitled to have additional representation, the burgesses petitioned the Crown on the subject, and sometimes the Crown, in such cases, summoned the burgesses to return one of their number to Parliament. So honorable members would see that this clause was quite in accordance with an old constitutional principle. Clause five :—

5. Every such petition shall describe the electoral district or districts from which such new electoral district is proposed to be separated and shall set forth clearly by verbal description the boundaries of the new electoral district petitioned for and shall also have appended to it a list of the names and places of residence of the electors residing within or entitled to vote within such boundaries and shall also state the number of electors remaining in the electoral district or districts from which such new district shall be proposed to be separated.

Then clause six was as follows :—

6. No such petition shall be received if the number of electors qualified to vote within such boundaries as aforesaid shall be less than the quota hereinbefore referred to or if the number of electors left in the remaining portion of the district from which such new district shall be proposed to be separated shall be less than such quota or if in any electoral district from which a portion shall be taken to make up such new district the number of electors after such portion shall be taken shall be less than such quota.

Now, here they had a basis as to the number of electors. It did not go on the adult male basis, or the population basis, but took the number of the electors on the roll, which, he thought, was the fairest basis they could take, because, by it, they would be able to avoid the extreme views of either party. It seemed to him that the basis was one which must clearly be unobjectionable to honorable members on either side of the House. It was in accordance with public opinion, and it would have this advantage, that it would be a fair medium between the two parties, and would be a very fair basis for any district upon which to claim an increase of representation.

7. Every such petition shall on its transmission to the Governor be forthwith sent to the Clerk of the Legislative Assembly who shall compare the same with the electoral rolls in force for the time being and ascertain whether the provisions of the preceding clause shall have been complied with and thereupon shall return the petition with a certified copy of his finding thereon.

8. If the Clerk of the Legislative Assembly shall certify that the provisions of this Act with respect to the maintenance of the quota for the time being in the several electoral districts or the proposed electoral district have not been complied with the petition shall be returned to the petitioners with a copy of such certified finding.

9. If the Clerk of the Legislative Assembly shall certify that the provisions of this Act as respects the quota as aforesaid have been complied with in any such petition the Governor shall appoint a day for hearing the petitioners or any person or persons in their behalf as well as any person or persons who may desire to be heard in opposition thereto and of such day three clear months' notice shall be published in the *Government Gazette* such notice being repeated in the *Gazette* published not more than fourteen days previous to the day appointed for such hearing.

It seemed to him that it must be apparent to every honorable member that the greatest care was taken here that there should be the utmost publicity given, and that parties would have every opportunity of being heard. That there should be due notice, and that, in fact, there should be no hurry in granting additional representation. The authority of deciding in the matter was vested in the Governor, and that was a provision that was in accordance with the ancient prerogative of the Crown in such cases, and it was recognised in the earliest charters and statutes as an existing and well-known and undoubted right. He did not know in whom they could place the power to determine a matter of this kind with greater safety, and with greater authority than in the Representative of the Crown, who must be sufficiently far removed from all party influences as not to give an unfair or partial judgment. Besides, if the quota were found to exist, he supposed the right to additional representation would be granted unless there were some insuperable objections. At all events, they would have this confidence, that the matter would be fairly dealt with.

10. No notice of opposition to any such petition shall be received by the Governor which shall not be given at least six weeks prior to the day appointed for the hearing of such petition nor shall any person or persons be entitled to be heard in support of any opposition thereto failing such notice.

11. If upon the hearing of such petition as aforesaid it shall appear to the Governor with the advice of the Executive Council that the provisions of this Act shall have been fully complied with it shall be lawful for him to order that at the next general election and at all elections subsequent thereto that may be necessary a writ shall be issued for the summoning of the electoral district thus authorised to be created to return a member to serve in the said Legislative Assembly and to prescribe who shall be the returning officer and to make any other special directions that may appear to be necessary fully and effectually to carry out the intentions of this Act and of "The Electors Act of 1872" in connection therewith

12. Within one month after the separation of any new electoral district under this Act a court of revision under "The Elections Act of 1872" shall be held within such new electoral district and a court or courts for the district or districts from which the same shall have been separated and copies of the electoral rolls completed at such revision or revisions shall within fourteen days from the date of such completion be forwarded to the Colonial Secretary who shall transmit copies thereof to the Clerk of the Legislative Assembly and such revised rolls shall be the rolls to be thereafter used in the computation of the quota hereinbefore prescribed.

Now, in those clauses it was provided that there should be the fullest publicity given to all proceedings on either side, and that the matters should be determined by the highest authority; and the thirteenth clause required that the whole matter should be laid before Parliament, before action was taken upon it. So that every possible safeguard was put upon the exercise of the Royal Prerogative. Clause 13 was as follows:—

13. A copy of every such petition and counter petition (if any) as aforesaid and of all papers and records of proceeding relative thereto shall within one month from the final hearing of a determination upon such petition be laid before Parliament if then sitting or if not so sitting within seven days from the commencement of the session then next ensuing.

The fourteenth clause provided as follows:—

14. The creation of any new electoral district under the provisions of this Act shall not affect the right of any member of the Legislative Assembly to sit for the remaining portion of the district for which he shall have been elected and from which such new electoral district or portion thereof shall have been separated until by operation of law he shall become disqualified for so sitting.

That clause preserved the sitting members' seats till the next general election. The next and last clause of the series was the fifteenth:—

15. The Governor in Council may make and publish such regulations as may be necessary under this Act for the conduct of all proceedings relative to the reception and hearing of petitions presented in conformity thereto and for the apportionment of expenses and for the payment of fees attendant upon such hearing Provided that copies of such regulations shall be laid before Parliament within seven days from the commencement of the session next following the framing and publication of such regulations.

He had prepared those clauses with the view of meeting what be believed to be the wish of the House and of the country, that there should be a system of representation that would be self-acting, and moving by such a steady and silent process as would avoid the angry agitation that was always connected with the demand for increased representation. They rested too upon a reasonable foundation, and he hoped honorable members would agree to them. It had been said, and with much common sense, that nothing seemed so absurd as that a representative body, such as this or the Parliament at home, should be sitting in an imperfect condition, and reforming from time to time the constitution under which it sat. Now, by this process, there was an acknowledged right and basis for a certain number of electors in any constituency to have additional representation; and there would be no great struggle for an undue representation by one party or another. The principle embodied in those amendments determined the right to representation without reference to parties at all; and there could be no unfair conduct on either side. The matter would be dealt with out of the House. It would be placed first in the hands of an officer of the House, and second in the hands of the Governor, who it was to be presumed would be above party feeling in the matter, or at all events, would not be likely to have any very strong party feeling with regard to the politics of a country where his executive residence would be only for a prescribed period of years. Then they would have the legislative body exercising a check upon the prerogative in the matter of bringing additional members into the House. Considering the amendments as a whole, he thought they were calculated to effect a great and beneficial reform in their present system of representation, and to make the Bill now before the House somewhat more perfect than it would be without them. The adoption of those amendments would obviate for a long time to come any angry agitation for increased representation; and they could not help seeing that, under the Bill as it was in its present shape, there would be a demand for additional representation, and that probably within the next eighteen months. He would now move the adoption of the clauses, to follow clause 32 of the Bill.

The SECRETARY FOR PUBLIC LANDS said he thought they would all admit that if what the honorable member proposed were practicable, and could be carried out without effecting any injustice, and that if there was not here any disturbing element which would render it ineffectual, it would be an admirable thing; but when he came to consider it, he could not but arrive at the conclusion that it was totally inapplicable to the circumstances of a colony like this, where there were territorial divisions. In the United States of America—he would quote from "Hare's Treatise on the Election of Representatives," where he referred to the representative system of America, to shew that the system proposed in the resolutions of the honorable member was not adapted to the circumstances of this colony. Hare said:—

"If the American constitution had not fixed, as a fundamental law, the proportion of every state in the House of Representatives, and had not made that proportion to vary with the relative wealth, population, or importance of the several states, without the necessity of recurring from time to time to the Federal Legislature, it would have left the constitution open to internal contests, which must have endangered, if not destroyed, the Union. The number of members in the House of Representatives was fixed at one for every 228th part of the population, to be determined at the census which is taken every ten years, a fractional number in any state exceeding one-half of the quotient entitling that state to an additional member. All question as to the number of members to represent respectively the several states is thus reduced to the incontestable standard of figures. As a state becomes relatively more populous, it selects a greater proportion of the House,—as it becomes less so, its share descends. In the

twenty-seventh Congress one member was chosen for every 47,700 persons; in the twenty-eight, one for every 70,680 persons. Since 1850, one member has represented 93,420 persons, and the number of members has been 234. The conflict of town and country, of city and borough, of seaport and inland town, among ourselves will never cease, until we have been enabled to introduce a compensating or corrective power, founded on the same flexible, and yet unchanging basis."

So the honorable member was quite right in principle, and no doubt it would be a most admirable thing if they could adopt some self-compensating system; but it was impossible for them to do so, because they had started with territorial divisions. If they had at the outset adopted Hare's system—and the amendments were in some respects like Hare's system — it would have worked, because by that system it did not matter whether the required quota was within the district or not, for if the electorate did not have the quota, the number was made up from other constituencies; so that the only advantage under Hare's system was, that an electorate might return some favorite of its own—some local celebrity, to whom the electors desired to do honor—for the essential principle of the system was, that the members were returned by the whole country. Hare, in another part of his work, after going into some reasoning on the subject, said:—

"It would be necessary to fix the numbers of the population, or the rated value of property, or some other measure, on attaining which any borough or local division should be entitled to elect a representative, if such election were to add an additional member to the representative body; but when, under the operation of another rule, the aggregate number of members can never be exceeded, and the relative and proportionate weight of every constituency is preserved, whatever may be its mutations, the constitution is relieved from the necessity of prescribing any measure, whether of number, or value, or other denomination. It may then be left wholly to the option of any body of electors proposing to form themselves into a separate constituency, and having reasonable grounds for doing so, to take proceedings for that purpose. The application for the privilege would be some evidence that the constituency deserved it, for nothing would be gained but the power of being represented in their corporate character by some man chosen by the majority, and between whom and the electoral body the connection of member and constituent may be a source of mutual gratification."

Now, Hare pointed out that under his system, that would be the only advantage that would be derived from any constituency having a separate member, or having its name attached to a particular member; because his system was, that the members were returned by the whole country. It was the principle, which, in theory, the constitution of Britain and of this colony rested upon—namely, that every member was returned for the whole country, and not for the particular district by which he was elected. Now, Hare's system, he maintained, would not be applicable in this country at all. Though in America they had a self-compensating system, yet every sovereign state had a territorial division system, the same as in this colony; and any one state—let them take the State of Maine, for instance — and it was possible that the same discrepancies existed there as existed here—that state might return, say, three members. One of the members might be returned by one-tenth of the electors, and another member might be returned by another tenth, while the third member would be returned by the whole of the other electors in the state. So, if that were the case, there was no equality in the matter of representation, any more than there was here. He fully admitted that the honorable member was perfectly correct in theory, as regarded the principle of his amendments. Then Hare had this note:—

"The fundamental error of the American system has been in coupling the above law, which is essentially just, with arbitrary geographical divisions, that fetter the action and minds of the electors, and are inevitably attended with the injustice of placing every man, in the great business of representation, at the mercy of the majority of his locality, and therefore at the mercy of the few who are most expert in marshalling that majority. This (which was also the great error of our Reform and Municipal Corporation Acts) was in America confirmed and rivetted, as it were, by the federal law of the 5th June, 1842, c. 47, that compels the division, for electoral purposes, of every state into so many parcels of contiguous territory as shall be equal to the number of its representatives."

That was what had given rise to what was called "jerrymandering" in America. Now, what was the proposition of the honorable member? It was this, that any number of electors in a district, amounting to a quota, as provided for in the first of his amendments, might petition the Governor for an additional member. He failed to discover how the honorable member was to deal with the case of a number of electors who might get dissatisfied and cut themselves off from their district. What was to become of the quota in a case of that kind? He could not see how the honorable member was to deal with such a case.

Mr. LILLEY: It was provided for by the sixth clause.

The SECRETARY FOR PUBLIC LANDS: It appeared to him that those amendments would give extraordinary powers to the Governor in the matter. They also proposed that courts should be held, and, that being the case, they ought also to provide regulations for the holding of those courts. He thought that clause 11 should state where the court was to be held, who was to hold it, and what should be the rules by which its proceedings should be guided. If it was to be a court that would be guided merely according to equity and good conscience, he did not think they could have a more fallible element. Hu-

man action, even when guided by law, was fallible enough—and the uncertainty of the law was proverbial—but when they gave a magistrate or judge power to act according to equity and good conscience, they placed themselves entirely at the mercy of the individual opinions of that man, and it might be at the mercy of the particular bent of his mind. Now, that would not be a right thing to do, and he did not think that the course proposed was one that would work; because, from the necessity of their case, they had started wrong for the adoption now of such a system. There was no doubt that Hare's system was a sound and proper one; but they found it impracticable, because of the country being so sparsely populated in some districts, to introduce it here. Its operation in connection with the present system would be objectionable also, because it would take out of the hands of Parliament, and put into the hands of others, a power to do what they liked. But, perhaps, the honorable member would contend that any body of electors who chose to cut up their division, and left a quota in the electorate, out of which they took themselves, should be entitled from that fact to obtain separate representation. Now, if that was the case, how would the honorable member deal with a case of this kind—how would he deal with a case such as that of the Canoona rush, where there was a large population which lasted for only about a month; or the case of the Cape River gold fields, where there were several thousand of a population at one time; but they remained for only two or three months, and now there was scarcely any population there at all? The principle of the amendments was very good in theory, but the difficulty would be to work it out in connection with practical details. He had no doubt, that if the honorable member could shew that the system could be wrought out satisfactorily, it would receive full consideration from the honorable the Colonial Secretary, and might be adopted; but for his own part he must say, that he did not see how it would work. It would be of great advantage to the country that they should have eliminated all political feeling when dealing with measures of reform; and the result of territorial divisions must cause additional agitation; and he believed that as soon as they had passed this Act, there would be an agitation for further additional representation. However, as he had already said, he did not see that the system the honorable member proposed in his amendments would be practicable.

Mr. WIENHOLT said that though he was prepared to admit, that very great credit was due to the honorable member for Fortitude Valley for preparing and bringing in those clauses, the more especially as he had done so with the view of settling the question as to granting additional representation; still, he did not see how they could adopt them, because if they were to do so they would be at once admitting that population alone was the basis upon which the future representation of the colony should be placed. Nor could he agree with the honorable the Minister for Lands in considering that the system propounded in those clauses was in theory correct? for, in his opinion, the true system of representation was, that while the towns and large centres of population should be fairly represented, there should not be given to them a preponderating influence as against the producing classes in other parts of the country. Now, it was admitted that the large towns and centres of population had much better opportunities of making their wants known than the scattered populations in the country districts; and they had means of organising for the purpose of carrying out their views, which the country districts had not. He held that, if those amendments were added to the Bill, their effect would be to throw the entire power of the Government of the country into the hands of a few large towns. ("Hear, hear," and cries of "No, no!") Well, it was quite plain to him that the country districts, and more especially the outside districts, would never have anything like the full number of their electors on the roll; and some districts, from a variety of causes, would not, he was sure, have a fourth or a third of the electors on their rolls, while in Brisbane and the large towns of the colony they could get every single elector placed upon their rolls. Now, was it a fair thing, he would ask, that they should revise and adjust the representation of the colony by those rolls? It would be monstrous if they were to acknowledge at once and for all, that the large towns were to govern the whole of the colony in future. If they were to have a large town springing up in their midst, with the assistance of one or two other large centres of population, the towns would be able to rule the country for ever. He thought that if those resolutions, for he would not call them amendments, were adopted and added to the Bill, they would for ever throw out from any chance of having a voice in the government of the country, the whole of the producing interests in the colony.

Mr. FYFE said he must admit that the effect of the amendments, if adopted, would be to diminish the political power, in that House, of the class to which the honorable member who had just spoken belonged. There was, no doubt, a difficulty in dealing with a question of this kind, but he did not see how it could be got out of, except by the adoption of a population basis. The amendments of the honorable member for Fortitude Valley would place a drag upon the wheels of the aristocracy, and not upon the wheels of the democracy, in this instance. The honorable member who had just sat down, had spoken about the producing interest being represented. Well, he admitted that that interest should be represented, but up to

the present time, there had only been one interest represented in the colony, and that was the interest to which the honorable member himself belonged, and at this moment they had a preponderating political power in the government of the country. He believed that if the amendments were adopted, though there might be some difficulty found in carrying them out, they would effect a great and beneficial reform. The honorable the Minister for Lands had quoted largely from Hare; but Hare was nobody. He was a mere theoretical writer. His work was only a written theory, and was of very little use, as it could not be brought into practice. Now, they were here to make laws for the colony, and they did not require to go to England or America, or anywhere else, to learn how to legislate for this country. Still, it was well that such men as Hare did exist, for their information might be some check and some guide to them. It was not Mr. Hare's theory which the honorable the Minister for Lands had said so much about, that was to be the safeguard of the people of the colony, as he looked upon all theories as being inapplicable to the wants of the colonies; they wanted something practical to go upon. What they required was a system which would secure representation to the districts that required it; and there was no necessity for them to go to America, or elsewhere, to seek for specimens of legislation, as they themselves were far better able to legislate for their own requirements. The clauses, as they at present stood, gave to the Governor an extraordinary power which he did not quite agree with, and it seemed strange to him that in all such Bills power was left to the Governor which ought to rest with the Legislature. He believed, however, that the clauses would be a safeguard to the people, and if they were not passed now, the honorable member for Fortitude Valley should introduce a Bill for triennial Parliaments, as they should not have one Government in power in perpetuity. If those clauses were passed, power would be given to the Governor to give additional representation to a district under certain circumstances without consulting the Legislature; and that, he thought, was a most extraordinary and dangerous power, which, if some check was not retained by the Legislature, might lead to abuse. What they had to provide against, was one interest bearing down another, or, in other words, that as population increased the rights of all classes should be protected. Under the circumstances he thought it would be judicious to support the clauses of the honorable member for Fortitude Valley, rather than leave the Bill in its present form, and then if any wrong was found in their working it would soon be made known by the voice of the country.

Mr. THORN said there was no doubt that the honorable member for Western Downs had hit the right nail on the head, in the remarks he had made in reference to the clauses, when he pointed out that they would have the effect of swamping the power of the country districts, as compared with that of the towns. The honorable member for Fortitude Valley knew as well as he (Mr. Thorn) knew, that great difficulty under the old Elections Act was experienced in getting people to put their names on the rolls; but although the difficulty was great then, it would be much greater under the present Electoral Act—and that the honorable member was of that opinion, had been proved by his sending a gentleman into some of the country districts to get people to put their names on the roll. That was one of the greatest objections to the clauses. Now, going to his own district of West Moreton, which was a large farming district, he supposed that only forty or fifty applications had been sent in under that Act, when there ought to be at least a thousand. That alone, he thought, would prove a fatal objection to the clauses; for, however good they might be for the towns and the centres of population, they would be worth nothing as regarded the country districts. If they were passed, the towns would be doubly represented before very long, whilst the representation of the farming and country districts would not be at all increased. The honorable member for Fortitude Valley was very well aware that the object of the Bill of the honorable member the Premier, was to give increased power to the country districts, as it gave only eleven members to the towns, and the rest to the country; and he believed the honorable member had introduced his clauses in order to checkmate the influence of that measure. They would give the large towns, and not the producing interests, a larger share of representation. If the clauses were passed, it would be necessary to appoint officers to see that persons had their names put on the roll; and that the honorable member knew very well. By his clauses, however, the honorable member would endeavor to swamp the farming districts, and to make them play second-fiddle to the towns.

Mr. LILLEY: No such thing.

Mr. THORN: They would have that effect. Now, something had been said about having triennial Parliaments, but he would like to know what Parliament, but the first, had lasted three years; since that one, the average had only been about twelve months. He thought it would be better to depend upon the alteration of the Bill at some future time, instead of adopting the proposed clauses, as, if they were passed, there would be no difficulty in dummying the rolls of the towns to any extent. He need not go further than the roll for East Moreton, which was, he believed, the largest in the colony, and had upwards of 2,000 names on it.

Mr. HEMMANT: 3,500.

Mr. THORN: Well, to his knowledge, there were about one thousand names put on that roll which had no right to be there; for

people would be negligent, instead of putting down their five shillings and having names struck off. He thought that the Registrar-General was the best judge of the number of voters in a district, as, in the last returns published by him, he was only astray in two districts. He could never consent to the propositions of the honorable member for Fortitude Valley, as they aimed merely at giving to the large towns of the colony and the centres of population an undue preponderance over the farming and country districts.

MR. MACDEVITT said it seemed to him that not only did the honorable member for Fortitude Valley deserve credit for the attempt he had made to establish a system by which a provision would be made whereby every district of the colony should have, in future, a self-acting system of representation, which would be beneficial to the whole of the colony; but he also deserved credit for the justice of that provision. He thought that if the honorable member succeeded in his present attempt—and he had no doubt that the honorable member would succeed, if not on the present, on some future occasion—he would deserve the everlasting gratitude of every person who took an interest in the working of our constitution. If there was any one thing to justify an attempt, even although it be an unsuccessful one, to settle that question of self-adjusting representation permanently, he thought it was the agitation which had been going on for years past in the colony, respecting it. Honorable members had seen what evils had been brought about by such agitation; they had seen that it had brought about an adjournment which had been entirely condemned by the highest authority as a breach of the constitution—they had seen that it had produced a most undesirable state of feeling of excitement throughout the whole colony; and they had seen that there had been more than one dissolution caused by it, and that after successive Governments had been bringing the subject under the notice of Parliament, it was only at the present time that they had succeeded in getting a Bill through committee, which had for its object the adjustment of representation. It had been argued by the honorable member for Western Downs, that the adoption of the clauses now before the committee would be attended with great evils; but the honorable member had not pointed out what those evils would be, and he (Mr. MacDevitt) thought that, at any rate, they could not be greater than the evils and inconveniences which the country had experienced in endeavoring to get the present measure of reform. He thought that if the honorable member for Western Downs would assist in bringing about justice whenever required, he would free the country from the stigma which must otherwise rest upon it when justice was delayed; because it was a well-known fact, that when justice was delayed, justice was denied: and the greatest evil from which the country had suffered, had resulted from a denial of that justice. Now, he thought that the honorable member who had introduced the clauses, had had no reason to complain, at least, of the manner in which those clauses had been criticised by the honorable the Minister for Lands. He thought that the earnestness which had been shewn by that honorable member in discussing the subject, might well encourage the honorable member for Fortitude Valley to persevere, for he thought that the honorable the Minister for Lands would not, on more mature consideration, see any of the difficulties he had alluded to, in agreeing to the proposals. The honorable gentleman had stated as one of the difficulties, that there was a disturbing element in the population of this colony, which would prevent the application of the clauses to it; but that element he (Mr. MacDevitt) had failed to perceive existed. The honorable gentleman had also quoted from "Hare," to shew that that element existed in the States; but there was no doubt whatever that the system had worked well in that country, and whatever the disturbing element might have been there, it had never kept the population there, as it had in this colony, in a state of turmoil for years. Whatever dissatisfaction might exist in the States of America as to the apportionment of representation, agitation was never resorted to there, as the people possessed the knowledge that when the time arrived—every five or six years—there would be a re-adjustment, and they would be entitled to return a member to Congress; and it was that knowledge that made them wait securely and quietly. Then again, there was said to be another difficulty in the way, which arose from the rushes of population from one part of the colony to another, on particular occasions, as, for instance, the present great influx of persons into the Warwick district, owing to the mineral discoveries there, and the influx of persons into a gold-mining district. The honorable Minister for Lands had put a case, of how it would work if there happened to be another such a rush as that to Canoona some years ago, where a large population came into the colony one month and were away the next. But such a case as that would have no effect whatever, for those men who had come one month and went away the next would never have been placed on the electoral rolls; therefore, it was an extreme case. Although it might be admitted that there were cases where the population, from particular causes, was greatly increased, yet that instanced by the honorable gentleman could only be looked upon as an extreme case, as it was not the colonial experience that where a particular population came to the colony, it decreased suddenly. There was no doubt that the gold miners changed their residence to different parts of the country; but, on the whole, the gold-mining community was greatly on the increase, and the experience of other colonies had shewn that the gold-mining communities

possessed a greater number of farmers than any other community. For instance, if a person were to go to those parts of Victoria which were first opened up by the digger, he would there find that farming operations were carried on, and other similar occupations, in a far greater proportion than in other places where there had been no diggers. Therefore, that difficulty, at least, did not seem to exist. But in the arguments of the honorable Minister for Lands, he adduced one from Mr. Hare, which was worth noticing, particularly as it struck a blow, in his opinion, at the principle they were endeavoring to introduce in the present Bill:—

"The fundamental error of the American system has been in coupling the above law, which is essentially just, with arbitrary geographical divisions, that fetter the action and minds of electors, and are inevitably attended with the injustice of placing every man, in the great business of representation, at the mercy of the majority of his locality, and, therefore, at the mercy of the few who are most expert in marshalling that majority."

Now, he thought that that would apply, not according to the argument of the honorable the Minister for Lands to this particular case, but to the principle of single electorates, which he very much regretted had been embodied in the Bill before the committee. He thought that in no case was it more true that the representative was at the mercy of his locality than in the case of an electorate represented by a single member. It was such electorates as that, that a Government could bribe, and it was such electorates as that, where the dominant majority, having great influence, could control, in an arbitrary manner, the return of a member to the Assembly; whereas, if the electorates were enlarged, it was almost impossible to produce the same effect. The honorable member for Western Downs had alluded to the proposition of the honorable member for Fortitude Valley as being "monstrous";—well, he believed that there was a fossilized order of politicians which looked upon as monstrous any course of proceeding by which the rights of the people were to be recognised; but that order, fortunately, was not being increased in numbers, and the people had no sympathy with it. So far from the proposition being monstrous, however, what was it? Why, it was a proposal to legitimately place the people on the rolls of the colony, and was, therefore, the truest and safest that could be adopted, and the best they had yet heard. Now what argument had been raised about the adult male basis of which honorable members opposite contended so much in favor? Why, those honorable members contended for that basis, upon the assumption that from that body were derived the voters in the colony. Now, if it was to be advocated on the ground that from that body voters were derived, it was surely fair to take the voters as the basis of representation; if they gave so much weight to the class from which the voters were derived, then far more weight should be given to the voters themselves. He thought that that bugbear which had been raised up by the honorable member for Western Downs—that the towns and centres of population would have a great advantage over the country districts—had no foundation whatever. He knew himself that so far as he had had experience of people in the country, on account of the adult male population preponderating, there were a greater number of names on the rolls. If that be so, then it would be in the power of those who supported the adult male basis, to accept the proposition now before them. But he thought, in considering proposals of that sort, they should rise above all the speculation of parties in that House, and he could not help saying that it was lamentable in the extreme to hear an intelligent observer of events in this colony, like the honorable member for Western Downs, deprecate a proposition because it would, in his opinion, give a majority of representation to the towns. If the towns deserved it, why should not they have it? If there was superior intelligence and wealth, why should not that population have a preponderating weight in the representation of the country? And if the people in the country did not possess the same power, it was because they had not a title to the same power. He could see no objection to that whatever. There was one objection which he saw to the propositions of the honorable member for Fortitude Valley; but as he thought it was one which could be remedied, he should not only vote for the clauses, but also express a hope that they would be passed; and if they were not, that they would be pressed, as the Redistribution Bill, which was now in a fair way of being passed, had been pressed forward for so long a time. Now, the objection to which he had referred was, that the clauses, if adopted, would establish permanently the system of single electorates, which he considered would, beyond all doubt, be a most unfortunate thing for the country. That system the country had been compelled to accept from want of another. It had accepted an imperfect measure on the principle that it was better to have half a loaf than no bread. But he thought that the honorable member for Fortitude Valley would confess that it would be a misfortune to perpetuate the principle of single electorates. In every other respect he accepted the propositions, as he did not see the disturbing element in their application to which the honorable the Minister for Lands had alluded; on the other hand, he thought it would be a fortunate thing for the colony if they were accepted by the committee.

Mr. Stephens said he thought all honorable members were agreed that they should remove from the discussion of the clauses introduced by the honorable member for Fortitude Valley all considerations of a personal

character, and anything approaching party strife—and it was in that way that he intended to deal with the question. He wished, however, to point out that the objections of the honorable the Minister for Lands were quite groundless, as the clauses were in exact accordance with the Bill before the committee. That Bill, although not on a population basis alone, still only gave additional members on the ground of population. There was not a single electorate to which a member had been given, except on the ground of population—even the Balonne was not an exception—and it was the smallest electorate; but its creation had been defended on the ground that it contained so large a population that it deserved to be separated from the district of which it was formerly a portion. Now, the clauses before the committee would have the effect of making that principle self-acting on the very mildest application of the population basis. Those clauses did not in any way propose to take a member away from any place, however small it might be; even the Mitchell and Warrego would still have a member each, even if they decreased in population, although he was happy to say that they were increasing, and there was every prospect that they would continue to do so; so that the clauses did not propose to take away at all, but only to increase in the mildest and most moderate manner. Now, supposing the new Bill gave forty-two members to a population of 120,000, that number divided would give each electorate about 3,000, whilst by the clauses the population would have to increase to 6,000 before it could claim additional representation. Even the very largest of the present electorates would have to increase more than one-third before it could put in a claim for another member. Now, whilst an electorate having 3,000 of population and one having only 700 or 800 were each allowed one member, he thought the Government would admit that if an electorate increased to 6,000, it had a claim to another member, supposing that an electorate of 800 was allowed a member; so that the increase was of the mildest description, even as the Government recognised it. Still, although the amendments were of the mildest character, he thought, if adopted, they would have the effect of stopping discussions outside as to there being another Bill, and it would cause the present Bill to last much longer than it was likely to last otherwise. He believed himself that all the agitation on the subject of representation would be avoided if the Bill, with the clauses attached to it, were passed into law. The honorable Minister for Lands had based his objections solely on the ground that he could not see that the system was workable; the honorable member had not mentioned many reasons for arriving at that conclusion, but one he had mentioned could be removed by the clauses. One objection was, what would be done with a small three-cornered electorate? and that was answered by the sixth clause, which said:—

"6. No such petition shall be received if the number of electors qualified to vote within such boundaries as aforesaid shall be less than the quota hereinbefore referred to or if the number of electors left in the remaining portion of a district from which such new district shall be proposed to be separated shall be less than such quota or if in any electoral district from which a portion shall be taken to make up such new district the number of electors after such portion shall be taken shall be less than such quota."

That was to say, that if a district contained 6,000 inhabitants, and a line was drawn across it, the inhabitants on the side which petitioned to be made into an electorate must shew that they had not only the quota, but that the same quota remained on the other side. Then, there was a question as to how the quota should be ascertained, but that was very simple, as power would be given to the Governor to appoint a day on which claims might be heard, and according to the ninth clause—

"of such day three clear months' notice shall be published in the *Government Gazette*."

Now, if a district contained the average quota, and the portion proposed to be cut off contained the average quota, that was all that had to be decided; and if the provisions of the Act were found to have been complied with in that respect, then the Governor in Council issued his writ. There were two respects in which he would like to see the clauses altered—one was, that he would like to see the gross population, and not the electors, taken as the basis, but he believed that that had been put in as a compromise between population pure and simple and adult males. The other alteration he would like to make was that he did not approve of single electorates—and supposing that whenever an electorate contained 3,000 more than its number, or the population had increased to 6,000, it would be entitled to another member, what would be the use of attaching such a clause to a Bill in which it was distinctly said that there should be single electorates? He believed that the principle of single electorates was simply adopted in the clauses to get the committee to agree to a self-adjusting system. He believed that the Government could not object to them on that ground, as not a single electorate would be granted except where there was a large population sufficient to justify its having a member. He thought that where a population shewed an increase of something over 6,000, the honorable the Colonial Secretary would give it a member. Supposing the number of electors in each division of the district amounted to 3,000 before it could claim to have an additional member, he believed that there would not be six additional members in a dozen years. At the same time, if the system proposed by the clauses was adopted, it would have the effect of preventing what, he must admit, were most undesir-

able discussions outside on the policy of that House, and he believed, also, that it would cause the Bill to be received by the public with a great deal more satisfaction, and would, therefore, increase its chances of permanency.

Mr. FYFE quoted at great length from the Declaration of American Independence, and was understood to express an opinion that the clauses of the honorable member for Fortitude Valley would give to the colony a security for a just system of representation which it did not at present possess.

Mr. GRAHAM said he could not accept the clauses which had been proposed by the honorable member for Fortitude Valley, for two reasons. The first was, because they were diametrically opposed to the principle of the Bill which they had just passed, and that, if they were included in that Bill, it would contain its own contradiction, and be utterly different from what they had just agreed to. In the second place, he did not think by the present amendments, any more than by those which had been introduced by the honorable member a few nights ago, there was any greater possibility of their arriving at the object which all honorable members seemed so unanimously to desire. He certainly thought that if they could manage it, it would be a very good thing to make representation self acting; but he thought it would be beyond their duty, seeing that they had just provided for the formation of a House—much larger and totally different in every way from the present House, to provide for the future construction of that House. Then again, although it was pretended that the clauses were upon the population basis, or the same basis as the Bill, they were not really so, or even upon the adult male basis, but only upon a portion of adult males who by chance happened to be upon the rolls. If the electors of the colony were to be taken as the basis, it was only fair that the adult males in every electorate should have equal opportunities of being enrolled. Honorable members all knew, however, that it was very much more difficult for men to get placed on the rolls in some districts than it was in others. Such being his views of the first principles of the clauses, it was quite unnecessary for him to go into the details of them, or to say more than that he should vote against them, and that he thought that considering the youth and sparse population of the colony, they were trying to achieve what was impossible when they tried to make representation self-acting in any way.

Mr. HANDY said it was his intention to support the clauses of the honorable member for Fortitude Valley, and he certainly thought that the thanks of the committee and of the country were due to that honorable member for introducing them. He considered that there was nothing better than to have a self-acting system of representation, so as to avoid a repetition of the unpleasant discussions and party strife which had been brought about in that House in regard to that question. Several objections had been raised to the clauses which, he thought, were groundless. The honorable the Minister for Lands had asked what would become of the remainder of a district after a portion of it had petitioned for, and been granted, a member; but that was provided for in the sixth clause. Another objection, which was simply a technical one, was, that it could not be ascertained whether a claim made was correct; that also was provided for by the fifteenth clause. The honorable member for Western Downs had also objected, because population alone was not to be the basis; but he thought that the electors on the roll of the colony would constitute the fairest basis upon which to found the quota. He thought that every person who desired to be represented in that House, or to have a voice in the representation of the country, should be on the roll, and for that reason the quota ought to be formed of the number of electors. In regard to what had fallen from the honorable member for Clermont, he certainly did not think that the clauses were opposed to the principles of the Bill they were now passing in any one respect. The honorable member said that, if the Bill passed, the next House would be elected on a totally different basis from the present House; but the resolutions now before the committee would not effect any change. The only real principle of the Bill was that of having single electorates, and the clauses were certainly not opposed to that in any way. He could not, therefore, in any way object to the clauses, which were as simply drawn as possible, and recommended themselves. There was nothing that could be more simple—that, when the forty-two electoral rolls came into the office of the Colonial Secretary, copies should be handed to the clerk of the Assembly, who

"shall ascertain the total number of electors whose names shall be on such rolls and the number obtained (excluding fractions) by dividing such total by the number of the electoral districts of the colony shall be the 'quota' for the purposes of this Act."

That was the simplest way of finding out whether the inhabitants of a district were in a sufficient number to claim a member. He thought the best way of looking at the whole question was the following:—Supposing the population in a district increased twofold within the next five years, which would the member for it prefer to do? Would he rather that the inhabitants should petition according to the clauses, or that he should go down to that House, as it would be his duty to do, and ask for an additional member for his district? Which of the two things would there be the greatest chance of accomplishing? If such a member asked for an additional member, he would know that it would be a long time before one was given, and not until after a long struggle, similar to that honorable members had just passed through. He thought, there-

fore, that the self-adjusting clauses should recommend themselves to every honorable member. The honorable member for West Moreton stated that they would be more favorable to the towns than to the country districts; and yet the honorable member said the present Bill gave only eleven town members to the House as against thirty-one country members, so that the clauses would not be more partial than the Bill. He believed, however, that if the clauses were carried, that honorable member would be the first to take advantage of them. The only clause he would like to see altered was the second, that—

"After the completion of every subsequent revision of the said electoral rolls the like process shall be repeated and the quota ascertained in a similar manner."

He objected to that clause for this reason—that it was an ever varying, ever changing thing: for instance, when the rolls first came in there would be a certain quota, but supposing there was a greater number on the rolls the next year, it would raise the standard higher; so that every year there would be a fresh quota. He would much rather see the quota permanent, so that when any portion of the colony could shew that it had that quota, it should then be entitled to additional representation. Supposing the numbers were added together, in five years the quota would be much greater, and the chance of any district getting an additional member would be further removed.

Mr. FERRETT thought there was very little doubt of the clauses being framed in accordance with Brisbane views, and he had never yet heard any argument from honorable members opposite, that did not take that view. Now the honorable member for Fortitude Valley had, some nights ago, introduced some clauses very much like the present ones, but which had not followed up the subject in the same way. Well, he had given the honorable member credit, at that time, for doing what he considered best for the colony; but he was sorry to say that he could not give him credit for the present clauses, as he looked upon them as a deep-laid scheme to disfranchise a great portion of the colony.

Mr. LILLEY: No.

Mr. FERRETT: That was the view he took of them at any rate, and he would rather let the Bill go altogether than have the clauses embodied in it. The honorable member for Clermont had so clearly laid down the objections to them, that it was not necessary for him to go over them again, but he might say that he agreed with the honorable member in every word he had said. With regard to Mr. Hare's system, it had never been proved; it was a mere theory, and had never been carried into practice.

Mr. GROOM: Yes, in South Australia.

Mr. FERRETT: It had never proved itself right in practice, and whether the system in South Australia was right or not, had never been proved yet. His opinion was that, in a new colony like Queensland, they should not go upon theory; and he thought it was perfectly wrong to say that a thing was right when it had not been proved. Now, taking the clauses one after another, he did not see why the Clerk of the Assembly should be saddled with the electoral rolls, or what, in fact, that officer had to do with them. That gentleman, whoever he happened to be, might be very honest and trustworthy; but, on the other hand, he might be misled, or he might be openly tempted, especially in a place like Brisbane, which was of all places the most easy for getting up an agitation. As he had observed on a former occasion, things would be very different if Brisbane members had to go to the Warrego to represent their constituency; and again, it would be very different if every man in the Warrego or Burke had the same facilities for recording his vote that persons in Brisbane had. In his own district, he did not believe that fifty new claims had been sent in. How could that be called representation? The amendments would, of course, tend to disfranchise all those country electorates which were at so great a disadvantage; and, until every man had the same privilege—that he could go and register his vote in the country districts with the same ease as he could in Brisbane, where a man could do it in his dinner-hour—the electorates would not be on an equality. They should all row in the same boat. He had heard honorable members of the Opposition say that one man was as good as another. Then, give every man the same chance of registering and recording his vote. The purpose of the amendments was, to take advantage of the outside districts to disfranchise them. It had been said, over and over again, and he would take the words of the honorable members for East Moreton, that the outside districts would not register anything like fifty per cent. of the new votes; but he supposed that the argument would be turned round upon, now, and that for this discussion, at any rate, honorable members would say that things would be otherwise. When that assertion was made, those who had made it did not see how it would apply to the amendments. All he could say was that he hoped the Premier, rather than admit the amendments, would throw up the Bill.

Mr. GROOM said he thought it very unfair to the honorable member for Fortitude Valley that the honorable member who just sat down should charge him with having purely Brisbane interests and private views in mind, in preparing the new clauses.

Mr. LILLEY: Hear, hear.

Mr. GROOM: He gave the honorable and learned member credit for having broader and more comprehensive views than the advancement of local or sectional interests attributed to him through the narrow views of the honorable member for West Moreton, whose long political acquaintance with the honorable

member for Fortitude Valley should have saved the latter from the imputation cast upon his action. He thought the honorable and learned member had taken a legitimate and wise course. The reason why he thought so, was that, almost from the beginning of 1865—within one year after the Legislative Assembly was first increased, by the addition of six members—more than half-a-dozen honorable members, representing different parts of the colony, were agitating for increased representation, on the ground of the influx of population and the rapid increase of settlement in Queensland; and, from that to the present time, every session, there had been bitter debates upon the inequalities of our representative system—which, now, in 1872, was in exactly the same position as in 1865, the Assembly numbering thirty-two members, of whom twelve or thirteen were returned by two-thirds of the entire population, the majority being returned by the other third, and mainly in one interest. He apprehended that the object of bringing forward the clauses was to prevent the repetition and continuance of such anomalies as existed. The necessity for such a measure presented itself with more force at the present time than ever, since 1864. The northern districts were developing their mineral treasures; and, also, in the South, the tin discoveries near Warwick were of great magnitude. Within the last few months a population of two thousand had settled down in that neighborhood; and it was the opinion of persons competent to judge, who knew the tin fields, that ere many years a population of twenty thousand persons would be attracted thither. Suppose that ten thousand persons should settle down there at no distant time; what provision was made for their representation? None in the Bill before the House; nor had any been made in the Elections Act of 1872. Therefore, it was necessary to adopt some principle for providing additional representation. The honorable member for Western Downs, Mr. Wienholt, appeared to have a mortal hatred of giving representation to population. What had he seen in this colony to make him afraid to give the people power? No revolution—no disorder—nothing attempted for unwise or hasty legislation to induce him to fear the people. If there had been any class legislation, it was not from the Opposition side of the House that it originated, but from gentlemen like the honorable member for Western Downs. He (Mr. Groom) would make this broad assertion: he knew of no gentleman in the House or the country who had done more to embitter feeling between town and country than that honorable member, by his absurd and ridiculous observations in the House. Not a person he spoke to, who had heard about the language used by him in the House, but imputed to him, and one or two others on the same side, the rousing of the ill-feeling that had sprung up between town and country. It was well that the honorable member should understand that, and that his incessant protestations against the right of the people to representation had an injurious tendency. He should know, or he ought to know, that where the largest number of people were, there necessarily was the largest amount of taxation collected; and that where the largest amount of revenue was raised, proportionate representation should follow. Even in England, that truth was gaining ground; as the honorable member for Western Downs would find for himself, if he would read an excellent article in which the question was fully dealt with in the "Westminster Review," which came by the last or the preceding mail. He (Mr. Groom) could not see that there was any harm whatever in the new clauses proposed by the honorable member for Fortitude Valley; on the contrary, there was great good in them, for they made provision for the rapid influx of population into the colony, and for the representation of that population after it had settled. He hoped the time was not far distant when the honorable member for Western Downs would be compelled to give a large part of the territory that he held as a sheep-walk, for the people who would require it to settle down upon. It was probably the fear of that time coming that led him to make such rabid and unjust remarks against the people getting that just representation to which they were entitled. As far as the single electorate system was concerned, although the House had given their adherence to the principle by adopting it in the Bill, yet he was utterly opposed to it. He thought it was an improper one to introduce in this colony, and that nobody but the honorable gentleman at the head of the Government could have introduced—no statesman would have done it—such an absurd principle. He believed that the Opposition would have to accept it; although, twelve months hence, the increasing population of the colony would shew that it was improper and unworkable. In two or three years, at most, the Legislature would have to fall back upon the system of giving towns and large centres of population representation for themselves by as many members as they were entitled to, without being cut up in the way called "gerrymandering." He should vote for the amendments, believing that they were founded upon wise and just principles. He did not agree with the remarks of the honorable member for Clermont. It was strictly true that there was scarcely an evil unaccompanied by some good; and he attributed the discovery of the tin mines to the population being driven to find other sources of employment by the fencing-in of runs!

Mr. WIENHOLT: Hear, hear.

Mr. GROOM: They did not know what other discoveries would be made, such as the copper mines at Mount Perry! So far from the amendments being democratic, they were conservative, indeed; for the honorable member for Fortitude Valley had endeavored to

mould his clauses in accordance with that most conservative measure which was under consideration. If they should not be carried, in a very few years a very different Bill from the present one would be passed by the Assembly; and if honorable members on the Ministerial side cried out, now, that the people were over-represented, they would have still greater cause to cry out, by-and-bye, when the people had proper representation.

Mr. CRIBB was understood to argue that, under the clauses proposed, the large towns on the coast would always have a greater number of electors registered than the interior towns and districts; and that the coast towns could therefore govern the whole colony. If that was the object of the honorable member for Fortitude Valley, let him acknowledge it. He (Mr. Cribb) always understood that it would not be wise to adopt the population basis of representation in its entirety, and that property should have its due weight. If the amendments should be carried, the next step would be, when the representation of the large towns got sufficient power, to strike out the back settlements altogether as not worthy to have a voice in the Government. In the large squatting districts persons did not put their names on the roll, as compared with those who lived in the towns. He knew that there was a difficulty, even in the towns, to get some persons to take the trouble to register themselves as electors; but, if the amendments should be carried, there would be inducements in the centres of population to form societies to ensure that every man was registered who had a right to a vote. That could not possibly be done in the interior.

HONORABLE MEMBERS on the Ministerial side: Hear, hear.

Mr. GROOM: Send the superintendent.

Mr. CRIBB: The pastoral interest was always remiss in that respect. He knew a station that he was connected with, and of all the men engaged on it not one was on the roll of the district; and that was in Leichhardt.

Mr. MILES said he thought it would be advisable for the House to consider some way of making the representation self-acting, rather than to have to go through the discussion of the representation question every two or three years. The amendments of the honorable member for Fortitude Valley appeared to him to do justice, as far as possible. He admitted that there was a difficulty in the territorial divisions; but that could be overcome by allowing districts which had attained to the number of population entitled to additional representation to have their extra members without further dividing the electorates. With regard to what had fallen from the honorable member for Ipswich, Mr. Cribb, there was no difficulty in getting persons on the roll in the interior districts. He knew that before the Elections Act of 1872 was passed, certain pastoral proprietors had qualified men in their employ as electors by engaging them at £50 a-year wages, and then charging them £10 a-year for rent, which gave the men the qualification for which they appeared on the roll; and that, in some instances, one bark humpie had qualified three or four men as electors. The honorable member knew well that there was no difficulty at all in getting men on the roll. Of course, the new Act did not necessitate the taking of that course, now, as every man who had been six months in a district was qualified to be put on the roll; therefore, he was under the impression that the residents of the interior would take very good care that all who were entitled should appear on the roll. He felt sure that if the amendments were rejected now, a Bill, embodying the same principles, would be passed by a House returned under the Bill before the committee. The amendments were about the best that could be possibly devised; they were based on the principle of the Bill, which provided for single electorates—the principle, as declared by the honorable member at the head of the Government. He should support the amendments.

Mr. EDMONDSTONE said he knew that the amendments would not be carried, still he should say a word or two as to the objections which had been offered to them. He did not think that the condemnation of the single electorate system was fair, inasmuch as it had not been tried. For his own part, he believed the system would be found to work remarkably well, and that the object with which it was introduced, that particular interests should be individually represented, would be attained. To the objection of the honorable member for Clermont, that the amendments were based upon neither the adult male nor the total population, but upon the electors on the roll, he answered that the enrolled electors were the essence of the male adult basis, which was a principle of the Bill. Some self-acting system, such as was proposed, should be embodied in the Bill, if, for nothing else, to do away with that asperity which existed between parties in the House for so many years. There was nothing in the amendments that evinced a desire to set the towns against the country, any more than there was in the Bill; and he had watched the proceedings of the House as anxiously and as feelingly as anyone. He had no doubt that the theory of the amendments was perfectly correct. Even the honorable the Secretary for Public Lands, who had evidently given the subject considerable attention and study, admitted so much. No doubt, as the honorable member for Maranoa had said, if the amendments should not be carried now, some honorable members would live to see their principles given effect to.

Mr. MOREHEAD rose to substantiate by his testimony what had been stated by the honorable member for Ipswich, Mr. Cribb, with reference to the difficulty there was in getting persons in the interior enrolled as electors.

It was all very well in towns, where religious and political associations were organised that could easily put every qualified person on the roll. But, in the interior, there would be difficulty in completing the roll even if there were magistrates enough to go round the country and get the claims. In fact, it was practically impossible to get anything like the true and proper number of electors on the roll in the interior districts. Men were too scattered, too distant, too busy, too careless, to take any trouble about their electoral rights. Of course, there was the usual tirade by the honorable member for Maranoa about the "three men in a bark humpie"; but even he had admitted that under the new Act there was no necessity for pushing their interests in the manner that had been stated. He (Mr. Morehead) had a great objection to the amendments, because, rather than to pass them, it would be better if a clause was introduced into the Bill for disfranchising the country districts where there should not be the quota on the rolls. Or, say there were eight hundred electors in a district: five hundred might be taken away by a rush to a diggings, and only three hundred would be left; the five hundred would demand a member, and when they got him, there would be eight hundred electors represented by two members. As an illustration of the difficulty of enrolling residents in the interior as electors, he knew a large station in Mitchell where there were seventy persons employed who were entitled to the franchise, and out of that number only one vote was polled in a recent election—at Bowen Downs Station. Notwithstanding the change in the law, the difficulty of getting complete electoral lists for the country districts must be great—though not to the same extent as before—and must compare unfavorably with the facilities offered for the same purpose in large towns, by the existence of political and religious associations.

Dr. O'DOHERTY said the question before the committee appeared to him to be of so much importance that he would rather have seen it referred to a select committee than discussed as honorable members were dealing with it, having so short a time to consider its bearings that there was difficulty in forming a correct view of what the results of the amendments might be. To his mind, the amendments seemed to be, as it were, the crowning edifice, the very proper and wise completion, of the two measures upon which the House were so recently called upon to determine—the Elections Act of last session, and the Redistribution Bill now before the committee. He must confess that he could not agree with any of those honorable members who had spoken of the great dangers likely to result from the adoption of the clauses brought forward by the honorable member for Fortitude Valley as additions to the Bill. The honorable member for Clermont had said they were brought forward at an inopportune time. This was precisely the time for re-adjustment. The House were starting an altogether new system of electoral reform for the whole colony; and, if they could see any means by which that system might be made self-adjusting, they ought to make the attempt to accomplish it. As to the objection, that the amendments were in direct contravention of the Bill, he could not see how it applied. True, the clauses were based upon the electors, and the action contemplated under them was to be produced, as it were, out of the electoral rolls; and, for the life of him, he could not conceive any safer principle than that to go upon. Every possible pains had been taken by the two measures which he had mentioned, to make electors representative of the varied interests of the colony. In the Elections Act, the House had quietly extended the franchise to every man who could claim to have been six months resident in any district; and, besides that, they had given to property a right which would add largely to its influence on the representation of the country. That property qualification, and the special arrangements under the present Bill, would effectually prevent any danger arising from the action of the clauses of the honorable member for Fortitude Valley to the outside districts, as contemplated by honorable members on the Ministerial side of the House. That qualification gave to the holders of property, and to the territorial proprietors of those districts, a power which did not exist in the towns, and which would enable them to counterbalance the influence of the larger number of persons who, under the special arrangement of the suffrage, would seek the privilege of electors in the towns. There could be no doubt that the large centres of population must necessarily, in any system of representation that the House could agree to, obtain the larger proportion of representatives; but there was no doubt, also, that the arrangement which allowed property to be represented, in addition, took away the sting from the clauses, so far as the outside districts were concerned. It had been put forward that there might be danger in a sudden rush of diggers; but the electorates were effectually protected against anything of that kind, because, in the first place, the Elections Act required that any man claiming the suffrage should be resident six months in the district for which he claimed; and, in the second place, the clauses themselves provided that a petition must be three months before the Governor before any action could be taken upon it to form a new electorate; so that, as a matter of fact, no resident of a district could claim to vote under the clauses until he had been nearly twelve months in the district. That, he (Dr. O'Doherty) contended, was a guarantee of protection against a rush of diggers in any district. With regard to the argument put forward as to the difficulty of getting voters on the roll, he could answer for it, as a resident of the city, that there was always as great a difficulty

in getting the legitimate number of electors on the roll of the city and towns, as there was in any other part of the colony. In Brisbane, he was sure, only one-half, or two-thirds, at all events, of those who were entitled to vote were enrolled. He doubted very much whether the effect of the clauses would be to improve matters more in the towns than in the country. If passed, they would necessarily have a tendency to incite electors to get enrolled; and he held that that would be a great advantage to all alike, whether in town or country. Such an incentive, he held, would have a more beneficial effect on the country than on the towns; because, as the law stood, it was not now necessary for electors to go to the court three or four times to sustain their claims, but they had simply to make a declaration before a magistrate and send their claims by post. That was all that was required now. He held that it was the duty of the Government to see that no district wanted magistrates, now. He saw considerable difficulty, he confessed, to giving his unqualified adhesion to such important amendments as were proposed; because he could not forsee what all the results of them would be. He saw in the adoption of the single electorate system, great danger in the future, especially to what might be called the representation of minorities; and, viewing the amendments as a further means of fastening that system upon the colony, he was inclined to apprehend that they might be, in that respect, dangerous. But for that apprehension he was willing to believe that, with the Elections Act and the Redistribution Bill, they would be accepted by the country as the most admirable crowning edifice of those measures.

Mr. GRIFFITH said that the arguments from the Ministerial side against the amendments were so extraordinary that they deserved a word or two from him in answer. The principal argument was that in country districts the electors would not take the trouble to get enrolled. He did not know that the House should bestow any great amount of energy or trouble to protect men who would not protect themselves. If every elector in the colony had an equal right, and if any persons who were qualified to become electors did not care for that right, the House might very well proceed as if such persons had no right at all. That was the logical way to deal with them. In answer to the honorable the Secretary for Public Lands, he referred to the eleventh clause of the amendments, which most effectually guarded against the dangers apprehended by him from a fluctuating population obtaining undue representation: if the Governor found in favor of a petition for the division of a district requiring additional representation, he would not order a writ to issue for the election of a new member until "the next general election." If, in the meantime, the district had a less population than the quota specified as entitling it to additional representation, no doubt the Legislative Assembly would take steps to interfere with the order, which was in the power of the House; so that, after all, the power of the House over the representation of the country was not limited. If the order appeared on the face of it to be manifestly unfair, the Parliament had a veto, and he (Mr. Griffith) had no doubt it would be exercised.

The SECRETARY FOR PUBLIC LANDS: Where was it?

Mr. GRIFFITH: He durst say, Parliament had a veto.

The SECRETARY FOR PUBLIC LANDS: Where was the veto?

Mr. GRIFFITH: Well, that was new constitutional law to him! The same power that created, could annul; and the same power that made it lawful for the Governor to order, could annul that order. That appeared to him (Mr. Griffith), to be an absolute answer.

The SECRETARY FOR PUBLIC LANDS: In reference to that last point, there was this argument; and the honorable member for East Moreton saw it himself. If the Legislature had a veto, it was in the majority. If a man who had been returned came into the House with the majority, he would get his seat; if he came in with the minority, he would not get his seat. If he came in to increase the party in power, he kept his seat; and the party that was least represented went to the wall. The consequence was, that the clause would consolidate the power of majorities, which was not desirable.

Mr. GRIFFITH: That was a mistake; because the veto would be exercised before the member could come in.

Mr. FERRETT, in reference to the observations of the honorable member for East Moreton, asked how men seventy or eighty miles away from a magistrate, could make their claims to be enrolled as electors? The honorable member for Fortitude Valley must estimate himself above every man in this colony, or in any other country, when he supposed that by the adoption of his clauses the committee were going to import into the Bill what would imply the supposition that they were legislating for all time. He (Mr. Ferrett) would never attempt to legislate for those who were to come after him, except in a very moderate degree. Such an amendment as the honorable member proposed was absurd on the face of it.

The Hon. R. RAMSAY said that at the then late hour of the evening, he would not go into the general question; but he wished to point out a result that was not alluded to in the debate, and that would follow from the adoption of the clauses. As there were no other figures for an exposition of the working of the system proposed, he should use the figures which had been placed before the House on the introduction of the Bill. The Elections Act was passed, and the Parliament would pass the Bill before them, under which a new body of members would be introduced into the Assembly. Taking the

only figures available, the House, as at present constituted, consisted of thirty-two members, and the electors, as they stood on the roll, numbered 16,591. Dividing the number of electors by the members, he got a quota of 518 for each member. Taking Brisbane alone—he would not go beyond that—it at present had 2,639 registered electors, returning three members. The new Bill gave no additional representation to Brisbane; but, under the clauses, two new members would be given to it; and, therefore, the House would, in adopting those clauses, be stultifying themselves. Brisbane would have a claim for more than two additional members, as there would be 527 electors for each member, as against 518 over the whole colony. He (Mr. Ramsay) thought that the clauses had a great deal of good in them. He was quite willing to join in complimenting the honorable member for his intentions: if he could carry out what he intended by his amendments, he would confer a great boon upon the colony. But, he thought they should be postponed until the new House had assembled, when the new members would have figures which they could rely on, and from which they might judge how the amendments would work. Another consideration was the fact that the two-thirds clause had been done away with, and that it would be extremely easy to introduce an Additional Representation Bill at any time; not as heretofore, such a measure could be as easily introduced as any other Bill, and it could be passed by a simple majority. Any crying case of hardship could be promptly dealt with. For instance, if Stanthorpe turned out the place it was expected to be, he was quite sure that the new House would do justice to it, and that there would be no hesitation in giving it additional representation. He combatted the notion that country electorates were on an equality with the towns and centres of population; and he asked the honorable and learned member for East Moreton, what was to become of shepherds and others in the outside districts who lived sixty or seventy miles from the courts?—how was it possible for them to register themselves as electors, or to vote at elections? In contrast to their case, it should be borne in mind with what facility electors of Brisbane and large centres of population, and their members, performed their political duties. It was no disadvantage for Brisbane members to attend in their places in the House; but it was hard for country representatives to perform their duties, and it was harder still for country residents to discharge their functions as electors.

The COLONIAL SECRETARY: Everything that could be urged against the amendments proposed by the honorable member for Fortitude Valley had been so well said on the Ministerial side of the House, that it would be only wearying the committee if he were to repeat the objections to them. The honorable member for Clermont had summed up the whole case in a very few words: if the committee agreed to the amendments, they would completely stultify themselves, and run counter to the Bill which they had passed. Nothing more forcible than that could be said if he (the Colonial Secretary) were to talk for a month. Except one clause, the tenor of the Bill was exactly contrary to the amendments of the honorable member for Fortitude Valley; and he could not imagine any man putting himself in such a humiliating position as to submit to such amendments being tacked on to the Bill. Now, strange to say, those amendments did not come before him (the Colonial Secretary) for the first time: he had had them before him, though in different words, for a very long time.

Mr. LILLEY: Hear, hear. Hare!

The COLONIAL SECRETARY: It was a fact that his honorable friend and colleague, Mr. Ramsay, had had a slight attack of Hare on the brain, and had got one of the cleverest men in the colony, and one of the smartest writers, when the Government were preparing their Bill of 1871, to draft one for him; and the latter measure he had now in his hand. Strange to say, there were provisions, too, as followed:—The returning officer was to ascertain the state of the ballot papers received in his district, and to transmit a statement to electoral registrar; an electoral registrar was to be appointed—who was to be a man above suspicion, got somewhere above the clouds!—who was to ascertain the quota necessary to return a member; the returning officer on receipt of quota was to proceed to the appropriation of votes; then, there was the method of appropriation; and votes given for candidates beyond the required quota were to be cancelled on ballot papers.

HONORABLE MEMBERS: Hear, hear.

The COLONIAL SECRETARY: Well, he thought he lost his head in the study of those provisions, and he confessed he had got completely bothered with that draft. It was one of the cleverest Bills he ever came across, but it was also one of the most impracticable; and similar remarks would apply to the amendments of the honorable member for Fortitude Valley—they were beautiful in theory, but utterly impracticable. It would be absolutely impossible to carry them out, even if the committee passed them and thus did away with everything they had done in the Bill. He said that, after having given the subject consideration many months ago. The measure embodying the provisions which he had cited to shew that he was not unfamiliar with the subject, had been drafted previous to the Elections Act being introduced; and it had been studied by the members of the Government; in fact, he had many remarks by his honorable colleague, the Secretary for Lands, upon the copy he had before him, which accounted for his honorable friend

being so well up in Hare's system. He (the Colonial Secretary) had found it was impossible to pass any such system at all; and his conclusion was that, if the committee should pass the amendments of the honorable member for Fortitude Valley, they would undo all that they had done in passing the Electoral Districts Bill, and completely stultify themselves. If they should be passed, of course it would be a matter for serious consideration whether the Government could submit to them. He was of opinion that they could not. He was of opinion that the Bill would have to drop through, and that the Government would then have to meet a vote of confidence or want of confidence in the House. He did not see how any Government could put themselves in the position to accept amendments which would completely override the Bill they had all but passed.

Mr. LILLEY: The last few observations of the Colonial Secretary, he thought, afforded the best argument that honorable members on the Ministerial side would be unanimous, and that they required very hard pressure to ensure a vote against the proposed amendments. There was not the least necessity for the honorable gentleman treating the amendments as he had done. To attack them as contrary to the principle of the Bill was simply absurd. If every amendment or resolution was framed as closely to the principle of the Bill as those were—and he would shew before he sat down, that they were strictly in accordance with it—it would be well for the House. With regard to Hare's system, and its impracticability, the Colonial Secretary must have read very little indeed if he did not know that one precisely similar was in force, and happily, in good working, in Denmark; which proved that it was not only perfectly practicable, but, in the hands of men who had given it the necessary amount of study, efficient and easily worked. Now so far as regarded the Bill which they had just heard read by the honorable gentleman at the head of the Government, he had not seen it, but he had not the slightest doubt that it was framed on the very Bill in Hare; for Hare had not only written out his theory, but had also drafted a bill embodying it ready for use; and in framing any amendments containing his principles for a measure of this kind, the best course was to follow the original author. Now those amendments which he proposed were framed on the draft of Hare's bill unquestionably; and they would therefore resemble the bill in his work, just as the Bill which had been read by the honorable the Colonial Secretary did, inasmuch as that between things that were the same there could be no difference. To say that they would stultify themselves by passing those amendments, appeared to him to amount to an assertion that they were foreign to the principles of the Bill. Now what was the Bill? The Bill was a system of single electorates. It did not profess to be based upon population; but if it professed to be based upon any intelligible basis at all, it was that of adult male population. So far, then, from those amendments being calculated to introduce a dangerous or democratic element, he maintained that, with their present system, they embodied the safest principle that could be brought forward; for the franchise was not one based upon population alone, but on manhood suffrage with—as the honorable member for Brisbane, Dr. O'Doherty, had pointed out—a proportion of property; and the Clerk of the Assembly, in calculating the quota, would give weight and effect to a great force of property. Those amendments had single electorates and an electoral basis. Now, with gentlemen who professed so highly conservative principles as the Premier's, those amendments ought not to be objectionable. He did not think there could be anything safer than the introduction of this basis of a quota which would necessarily include property in the number of electors. He did not think that anything could be safer. Then they had the adult basis and a single electorate system. He knew of no other principle in the Bill; and so he did not see that they would in any way stultify themselves by the adoption of those amendments. On the contrary, so far as his judgment went, they were as nearly in accordance with the principles of the Bill as possible, or any discoverable principle that would be practicable. The honorable member for the Western Downs, Mr. Ramsay, had said that the effect of them would be to give Brisbane two more members. Well, if the principle was sound upon which the amendments were founded, and if Brisbane would, according to them, have two more members, why, if entitled to them, should Brisbane not have them? But there might also be some places on the Darling Downs, and in the central districts where the number of members should be increased; and why should not they also have them, if entitled to them? If the principle was sound, there was no reason why the amendments should not be adopted. While he agreed that there should be no distinction in the principle applied to different places—for he believed in a pure population basis, which gave every safeguard—he had departed from the population basis, here, and had drafted those amendments in accordance with the principles of the Bill, knowing it would be hopeless to attempt to pass anything that was adverse to the Bill. As to the veto of the House, that argument appeared to him to go in the category of the arguments that had been addressed as to the Clerk of the Assembly and the Governor, and which amounted to saying—trust nobody. Now, for his part, he would trust others. He would trust the Clerk of the Assembly, unless he had some very strong reason to believe that a public officer, and one holding so responsible a position, would commit a breach of trust and forge figures for the preparation of the

quota: but, if he did so, he would be detected. Neither the Colonial Secretary, nor himself if in office, would send the rolls on without checking them. They would keep figures, to check the quota when the calculations came back from the Clerk of the Legislative Assembly. They must trust somebody for the preparation of the rolls, in the first instance; but the arguments on the other side seemed to be this—that there was no human being to be trusted. They were not to trust the Governor, the Queen's Representative in the colony, nor were they to trust the Clerk of the Assembly; nor were they even to trust themselves. It seemed there should be universal distrust. That seemed to him to be the logical deduction from the speeches of honorable members on the Government side of the House. The honorable member for Brisbane, Mr. Handy, had said that the quota would be constantly changing; but he must have forgot that the number of members would also be constantly increasing. The number of members would not be stationary, any more than the number of the population. But the whole thing was under the control of Parliament, and if they found that they were rising to too large, or falling to too small a quota, they could correct it by further legislation. Now, he must be allowed to say, that he had not so exalted an opinion of himself as the honorable member for West Moreton, Mr. Ferrett, seemed to think he had, or pretended to have, in the framing of these amendments. He pretended to do no more in legislating for the future then was always done. In legislating for the future, they legislated with as much far sightedness as they could. Their own legislation in this country was based upon a principle that was established centuries ago—a principle that formed the foundation of representation and legislation. It was a principle that was contained in *Magna Charta*. The principle of of legislation was hundreds of years old beyond the time of *Magna Charta;* and all the laws they passed, were passed with a view to the requirements of the future. Before he finished up with the arguments of the honorable the Minister for Lands, he thought he might dispose of the suspicion that flashed across the mind of the honorable member for West Moreton, Mr. Ferrett—that he was legislating with a direct view to Brisbane interests. Now, with the single exception of that work of justice—the construction of the Brisbane and Ipswich Railway—he did not think he had ever shown a desire to legislate for any other than the interests of the country generally. No man, he maintained, could ever have taken a more disinterested view in respect to legislation than he had done. Take even the squatting interest. Though he had spoken against that interest strongly in its political aspect, it had to thank him, he believed, for some large measure of justice. The Pastoral Leases Act of 1869 was even a more liberal measure than the squatters might have expected; and he knew honorable members opposite would be grateful for that—even the honorable member at the head of the Government. No man, in the share he had taken in legislation, held fairer views and fairer actions than he had done. He might, at times, have been against honorable members opposite, and he might, at times, have been mistaken; but there was nothing in his words or acts, and there was nothing in these resolutions to shew the existence of the least desire to give Brisbane an undue influence in the representation of the country. The honorable member for Clermont, Mr. Graham, said that the amendments were opposed both to the principles and the details of the Bill. Beyond that mere assertion, his argument contained nothing. His arguments were extremely weak, indeed—if arguments they could be called. Now, this answer could be given, that in this country every adult male could get his name placed upon the roll. But it was alleged that in the country every adult male was not upon the roll. Well, at any rate, he believed that every male adult in the country districts could get upon the roll, and he not only could get on it, but one of the most beneficial effects of those amendments would be to stimulate him to get on it. They would produce a quick and lively interest in them to get their names placed upon the roll. There might be a slight advantage in favor of the residents in towns for getting on the roll, but it was not fair to push an argument to the extreme. There might be a slight advantage, and perhaps there was, but he did not believe that there were any insuperable difficulties in the country districts. In the towns, as well as in the country districts, there was a great desire to get on the roll, but there was in both great political apathy existing; and if they took a deduction from moral causes operating alike in both places, they would find that the average was about the same of those who were not upon the roll—the average in proportion to population. The slight advantage there might be in favor of the towns would be too small to make any appreciable effect upon the quota. He did not think that he need say more as to honesty. He might be as honest as any man in the House, but he did not claim to himself infallibility. On the contrary, he believed, notwithstanding his jocular way sometimes, and his strong assertions of opinions, there was no one who had so deep a sense of his own weakness as he had of himself. The honorable member for Western Downs also seemed to be afraid that those amendments would establish permanently single electorates. Now, they would not establish them permanently any more than any legislation would establish to all eternity, permanently, anything that could be altered by legislation. If the principle was found not to work well, a change could be made by the House. The

same objection as was made now, was made to the principle of those amendments in the form in which they were proposed before—that they would affect population, and give an undue preponderance to large towns, and that if they had adopted a better system, they would have applied, but inasmuch as they had adopted a vicious system, they would not apply, and therefore they ought not to be adopted. Now, he believed that the proportion of adult males was more in favor of the country than of the towns; but the preponderance of electors was not so great as to count much in favor of the towns. The honorable the Minister for Lands had said that those amendments were inapplicable where they had a territorial division. Now, Hare's system was as well adapted to single electorates, as it was to a country in one electorate. Under Hare's system an elector had a vote for all the electorates, but it might be adapted to the whole country, and it was not inapplicable to the principle of single electorates. The argument of the honorable the Minister for Lands, if there was anything in his argument, was this, that the amendments were bad, because they would apply to one system equally with another, either to a system of single electorates or to any other form of electorate. He also said that a corner of an electorate might cut itself off, and there might not be a quota left; and asked what they would do with it. Well, under those amendments they could not cut up an electorate so as to destroy a portion of it and leave it without a quota. The rest of the honorable gentleman's argument was chiefly of a technical character. He asked, where was the court to be held for the hearing of petitioners? Well, the Governor might hold it in the electorate, or he might hold it in Government House. A man who was empowered to determine a matter, could hold his court wherever he liked. Again, the Assembly only had not the power to pass this Act, but it was with the Parliament. Then the Governor was to make a return. Here were the parties supporting the petition, and the parties opposing it.

The SECRETARY FOR PUBLIC LANDS: Where was the power for the Governor to hear?

Mr. LILLEY: The honorable member would find it provided for in the eleventh clause.

The SECRETARY FOR PUBLIC LANDS: He found there that the Governor and the Executive Council were to hear, but not the Governor.

Mr. LILLEY: Then take the ninth clause.

The SECRETARY FOR PUBLIC LANDS: It did not say that the Governor was to be judge.

Mr. LILLEY: In the ninth clause it was provided that the Governor should appoint a day for hearing the petitioners, or any person or persons on their behalf; and the eleventh provided that if upon the hearing of such petition as aforesaid, it shall appear to the Governor, with the advice of the Executive Council, that the provisions of the Act had been fully complied with, and so on.

The SECRETARY FOR PUBLIC LANDS: Oh! The Governor in Council is to be the judge. Then that would suit us, as we are in office.

Mr. LILLEY: Well, he had more trust in the honorable gentleman than he seemed to have in himself. The honorable member said that would suit him as he was in office. Well, it would also suit him (Mr. Lilley) if he was in office. Now, it seemed to be an argument against those amendments, that if a person was in office he would do anything to suit his party ends; at least that seemed to be the argument of the honorable member. But he would ask the honorable member, would it suit him to do justice or injustice? Suppose the honorable gentleman had a petition manifestly just, presented to the Governor, and rejected by the Governor in Council, it would have to come to the Parliament. Then, of course, he would say, that having a majority in the Parliament they had the Parliament with them also. That was, the majority of Parliament was with them. Now, that was only making the assertion that all men were liars. That was about the length and breadth of what might be called the reasoning of the honorable member. Well, if they were to act in that spirit, they ought to have as a motto over the Speaker's chair, "Beware all ye who enter here; those who sit opposite to you are rogues and liars." That would be a fair deduction from the arguments of the honorable gentleman. He also spoke of the system of America, and said that the members of the House of Representatives in America were the representatives of sovereign states, with fixed territorial boundaries; and that if here they had territorial divisions, they could not adopt those amendments. Now, here, they had this advantage, that the territorial divisions were not inflexible, but moved with the electorate. The territorial divisions were not inflexible. If they had not moved, they would not have been consistent with the Bill. Now, it was just because they were not territorial divisions that they were not inflexible, and, therefore, they were consistent with the Bill. He hoped he had not gone beyond what were the just arguments of honorable members opposite. He had given his reasons for bringing in those amendments, and if they were not adopted by this Parliament, they might be adopted by the next or some future Parliament.

The question was then put, and the committee divided as follows:—

Ayes, 13.	Noes, 16.
Mr. Lilley	Mr. Palmer
„ Hemmant	„ Thompson
„ Miles	„ Ramsay
„ MacDevitt	„ Bell
Dr. O'Doherty	„ Wienholt
Mr. Griffith	„ Graham
„ Stephens	„ Royds
„ Thornton	„ Bramston
„ Edmondstone	„ Clark
„ Fyfe	„ Johnston
„ W. Scott	„ Buchanan
„ Handy	„ Cribb
„ Groom.	„ Thorn
	„ Forbes
	„ Morehead
	„ Ferrett.

Mr. FERRETT moved that the 21st schedule, in so far as it provided that one of the boundaries of the Northern Downs districts should be by the western watershed of Tchanning Creek, should be amended by striking out the words "the western watershed of," so that the boundary in that direction should be by Tchanning Creek.

Mr. MILES opposed the motion, on the ground that as the Tchanning Creek had several branches, difficulties might arise as to which of them was to be taken as the main branch, and also because the watershed was the natural boundary, as such had been adopted by the Surveyor-General as the boundary of runs, and it had been for several years past the boundary between the Northern Downs and the Maranoa districts.

On the question being put, That the words proposed to be omitted stand part of the question, the committee divided. Ayes, 14: noes, 14.

The Chairman said that, as the numbers were equal, it became his duty to give the casting vote, and he would give it in favor of the introducer of the Bill.

Mr. MILES said he wished to know if that was with the "ayes" or with the "noes?" The honorable the Colonial Secretary was the introducer of the Bill; but he voted with the "noes," on this occasion. Now, what he wanted to know was, whether the Chairman voted for the schedule as it stood when introduced by the Premier, or if he voted with the Premier now, with the "noes."

The CHAIRMAN said he voted with the introducer of the Bill—that was, with the "noes."

The question was accordingly resolved in the negative.

Mr. FERRETT then proposed that the twenty-third schedule, describing the eastern boundary of the Maranoa district to be the western watershed of Tchanning Creek, be amended by striking out the words "the western watershed of"—making the boundary on the east to be by Tchanning Creek. This amendment, he said, was necessary in order to detach from the Maranoa district the portion of it they had added to the Northern Downs district, by the amendment they had made on the twenty-first schedule.

On the question being put, That the words proposed to be omitted stand part of the question, the House divided. Ayes, 14; noes, 13.

Question resolved in the affirmative.

After a brief conversation as to the conflict occasioned between the two schedules by the one amendment having been carried and the other rejected,

The COLONIAL SECRETARY moved—

That the Chairman leave the chair, and report the Bill, with amendments, to the House.

Motion carried, and the House resumed.

The COLONIAL SECRETARY moved—

That the Speaker leave the chair, and the House go into a Committee of the Whole, for the purpose of reconsidering schedule 21 of the Bill.

Motion carried.

Schedule 21 was amended by having the words "the western watershed of" reinserted.

The House resumed, and the Bill, with amendments, was reported.

The COLONIAL SECRETARY moved—

That the report of the Committee be adopted.

Motion agreed to.