Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 28 APRIL 1874

Electronic reproduction of original hardcopy

LEGISLATIVE ASSEMBLY.

Tuesday, 28 *April*, 1874.

Payment of Members Bill.—Supreme Court Bill.—Elections Bill.

PAYMENT OF MEMBERS BILL.

The COLONIAL SECRETARY moved—

That this Bill be now read a third time.

Mr. PALMER said he had on every occasion when the question of the payment of members was before the House voted in favor of it, because he considered it was necessary in this colony; but he had never yet voted for honorable members paying themselves, and he hoped the House would never affirm such a measure—to actually vote money for themselves—because, if they did so, he should certainly challenge the right of every member to vote on the Bill. It was one thing to vote money for a future Parliament, but it was a very different thing indeed for honorable members to vote money to pay themselves; and he presumed that, with the overwhelming majority at present on the Government benches, there was not the slightest probability of a dissolution before the time this Act would come into force, namely, the 1st of January, 1875. If the Bill were made to apply only to future Parliaments he would support it to a considerable extent; but he should, if he had been in the House when the question was previously before it—of course it was his own fault that he was not then present, but he was not going to ask pardon for not being present—have endeavored, as it was an experiment, to make it last for not more than three years. He was quite aware that it was in the power of Parliament to repeal the Act, but it would be much more satisfactory that it should be treated as an experiment and continue in force for a limited time. The Bill had gone through committee, and was now proposed to be read a third time, and as it provided that members should pay themselves he decidedly objected to it, and he would challenge the vote of every member who voted on the question—not only of those who voted for it but also of those who voted against it. He maintained that according to the Standing Orders the honorable the Speaker had no right—in fact it was impossible for him to record the votes either for or against the Bill. It was a matter in which members had a clear, direct, pecuniary interest, and they were therefore debarred by their own rule from voting upon it.

The COLONIAL SECRETARY said he did not expect a question of this kind was likely to arise in this Parliament, knowing, as he did, that the honorable member for Port Curtis had supported a similar proposition.

Mr. PALMER: Not of this character.

The COLONIAL SECRETARY: The honorable member contended that the Bill should not come into force until the Parliament by which it was passed was dissolved, and that according to the Standing Orders honorable members had no right to vote on the Bill before the House. Now, in point of fact, it had been discussed and shown to the committee, on the very last occasion the Bill was before the House, that the Standing Orders of the House of Commons, and the Standing Orders of that House, were precisely the same with regard to the right of honorable members to vote. An honorable member had no right to vote upon a question in which he had a direct personal pecuniary interest, and they had a decision of the House of Commons explaining in plain and distinct terms the meaning of that Standing Order. The honorable member might contend that they had no right to refer to the practice of the House of Commons when they had a Standing Order of their own bearing on the point, but he did not intend to refer to the practice of that House; he merely intended to take the definition of the House of Commons upon the Standing Order, and he maintained that on that authority the right of every honorable member

to vote was unquestionable. He differed from the honorable member when he said members of that House were not entitled to vote because they happened to have a pecuniary interest in the question. He maintained they were entitled to vote even if they had a pecuniary interest in it. There was this distinction: the pecuniary interest must, according to "May," be immediate and personal in order to operate as a disqualification. Now, the Bill was not intended to come into operation until the 1st of January, 1875, and he would like to know what difference there could be between the Bill coming into operation on that date, or on the 1st January, 1876. It was a mere question of degree, and if the objection which had been raised subsisted now it would subsist then. Again, what right had the honorable member for Port Curtis to conclude that honorable members of that House would not be returned at the next general election? Where it was a question of state policy, whether members had a direct personal interest or not, they had an undoubted right to vote. The following explanation of the rule appeared in the authority he had quoted:—

"The rule was thus explained by Mr. Speaker Abbott:—'This interest must be a direct pecuniary interest, and separately belonging to the persons whose votes are questioned, and not in common with the rest of His Majesty's subjects, or on a matter of state policy.'"

It was therefore perfectly clear that where the question was on a matter of state policy, whether members had a direct personal interest in it or not, they were entitled to vote upon it. There could be no doubt about that; and supposing the honorable member for Port Curtis did object to honorable members voting, on the ground that they had a personal interest in the question, it would be quite competent for each of them to say he had no such interest; and even supposing it were otherwise, what would be the result of his objection? Would it prevent the Bill from passing? He maintained that it would not, because there were members of the House who were excluded from the benefits provided by the Bill, and they would be perfectly entitled to pass it. The objection came at a very late hour; it had been discussed over and over again; and, as he believed the House was satisfied it had a right to pass the Bill, he hoped it would not stultify its previous action.

Mr. J. Scott said he did not know whether the honorable member for Port Curtis had put the question, whether it was competent for honorable members to vote on a question in which they had a direct pecuniary interest, such as that now before the House, for the ruling of the honorable the Speaker upon it. He submitted that the authority quoted by the honorable the Colonial Secretary did not bear on the point at all. In that case there was no member voting money for himself in any shape or form. The only instances in "May" went to show that where a man had a direct pecuniary interest in any question he always withdrew when the matter was pointed out, and it therefore never came to an issue; but there could be no doubt that if the men whose cases were reported in "May" remained in the House their votes would not have been allowed. But they always left the House, and the matter now at issue had never been decided in the House of Commons; and, in order to decide it here one way or another, he would ask the ruling of the honorable the Speaker on this question:—

Is it competent for members of the present Assembly to vote in favor of that portion of the Bill now before the "House," which states—"This Act shall commence and take effect from the first day of January, 1875," thereby voting money to themselves; or, if they do so, must you not rule that their votes be disallowed, in conformity with the 120th Standing Order?

He held that honorable members who voted in favor of the Bill had a direct pecuniary interest in it; and he also held that they were bound to act in conformity with their own Standing Orders, notwithstanding any rules of the House of Commons to the contrary. And to show that this was clearly intended, he would read the last of our Standing Orders which bore upon the point. The 287th Standing Order was:—

"In all cases not herein provided for, resort shall be had to the rules, forms, usages, and practice of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Assembly, and not inconsistent with the foregoing rules."

That was a clear and distinct rule on this point, and he maintained that no practice elsewhere could interfere with it. He begged to ask for the ruling of the honorable the Speaker on the point.

Mr. Miles said he, like the honorable member for Port Curtis, had always been in favor of payment of members, but he objected to members of the House sitting and voting sums of money to themselves. In fact, to provide a remedy for such a proceeding, he himself moved an amendment, that the Bill should not take effect until after the next general election, and that it should continue in force for only three years; so that all necessary precautions were taken in the absence of the honorable member for Port Curtis. He found, however, on looking over the division, that only five or six honorable members voted with him, and a large majority were in favor of the Bill as it now stood. But this had not altered his opinion; he still believed it was unconstitutional for members to sit in that House and vote money for themselves—to pass a Bill providing for the

payment of the members of the present Parliament. He believed it was absolutely necessary that members should be paid; but he contended that it was unconstitutional for members to vote themselves sums of money.

Mr. BELL said he had not the advantage of being present when the debate on this question took place on a previous occasion, but he had a clear and distinct opinion respecting it, upon which he most decidedly intended to act in the present instance. If the rule were laid down that a member had no right to vote because he had a direct pecuniary interest in any Bills or measures that were passed in that House, he might say that he, having an interest of this character in many measures which had passed that Assembly, had no right to vote upon them. He could quite see the distinction between a measure in which an honorable member had a direct pecuniary interest connected with a question of state policy, and one in which a member had a pecuniary interest apart from state policy. The latter was a question upon which no member of the House, who was in that position, had a right to vote; but where it was a matter connected with state policy, private considerations and private interests were entirely thrown on one side. If it were not so, it would be impossible for honorable members to vote upon half or three-fourths of the measures that came before the House. He thoroughly disagreed with the views of his honorable friend the member for Port Curtis.

Mr. WIENHOLT thought this was quite a different measure from the principles which the honorable member for Dalby appeared to support. That honorable member could have an interest in common with the community at large upon any measure, but this was a Bill by which honorable members would directly vote to themselves certain sums of money. He was of opinion that, whether honorable members could or could not vote on the question, it would be far better taste on the part of the House if they made the Bill to come into force after the next dissolution, and he should certainly vote in the negative.

The COLONIAL SECRETARY rose to a point of order. He objected to the question of the honorable member for Springsure. It was a mere matter of practice, and the Standing Order of the House bearing on the question was precisely the same as the Standing Order in the House of Commons.

Mr. J. SCOTT: The question must be referred to the Speaker for his decision.

Mr. PALMER, speaking to the question of order, said it was the first time ever he had heard it laid down that the honorable the Speaker had not to rule what the Standing Orders meant. The object of referring the question to the Speaker was to obtain his ruling upon the Standing Order, and he could not understand the objection of the honorable the Colonial Secretary. A point of order was referred by the honorable member for Springsure to the honorable the Speaker, and he was bound to give his ruling upon it—not merely his opinion, but his ruling.

The SPEAKER said it would be more convenient for the honorable member who put the question if he deferred his ruling until the debate on the third reading of the Bill was over; because, if he gave his ruling at once, it would have the effect of closing the debate.

Mr. STEWART said he voted against the portion of the Bill now under discussion the last time it was before the House, and he should do so again. He thought, whether the Standing Orders admitted the Bill being read a third time or not, it would be much more decent not to carry it in its present form. He would like to see the Bill pass if it applied to future Parliaments, but he could not approve of it applying to the present House.

Mr. MOREHEAD thought it would be well for the Government to accept the proposition of the honorable member for Carnarvon, and have the Bill recommitted, in order that the clause in question might be altered as suggested by that honorable member. He would oppose the Bill in all its stages; and as the Government must see that some of their most ardent supporters were not inclined to vote money for themselves, he thought they should see the propriety of adopting the course previously proposed by the honorable member for Carnarvon, to make the payment applicable only to members of the new Parliament.

Mr. MACDONALD thought the difficulty might be got over by inserting a clause to the effect that no member should receive compensation until after he had been re-elected.

Mr. MILES, speaking to the point of order, said the honorable member for Blackall represented what might be considered a pocket borough, and if he resigned to-morrow he would be certain to be returned. He thought honorable members would not be caught in that way.

The SPEAKER: Now, I think, is the proper time to give my ruling upon the question put by the honorable member for Springsure, and in doing so I shall have to quote again the clause of the Standing Orders referred to by the honorable member. The 287th Standing Order provides:—

"In all cases not herein provided for, resort shall be had to the rules, forms, usages, and practice of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Assembly, and not inconsistent with the foregoing rules."

Now, the 120th Standing Order is clear. It says:—

"No member shall be entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any member so interested shall be disallowed."

According to the final clause of this Bill, I am decidedly of opinion that every honorable member voting may have a direct pecuniary interest in it, and I therefore think that the third reading of the Bill cannot be put. I am borne out in my ruling by the recollection I have that in all Bills which have been introduced in other places—in other colonies—for payment of members, it was provided that the payment was not to take place during the current Parliament. I have, therefore, to state, having given my ruling that the Bill cannot be read a third time, that if it is forced to a division I shall order, unless otherwise controlled, that the voices for the "Ayes" be struck out from the votes given upon it.

The COLONIAL SECRETARY said: With the greatest respect for your opinion, sir, I feel that I must appeal to the House upon this question. I have no doubt that in most cases in the other colonies where Bills of this character were passed which were to take effect from the commencement of the future Parliament, they were passed in the last session of the existing Parliament. I quite agree with you, sir, that honorable members of the House may have, at some future time, a pecuniary interest in this Bill; but, according to our Standing Order, they must have a direct personal pecuniary interest in it now. If, therefore, honorable members are to be questioned by you, sir, as to whether they have any pecuniary interest in the Bill, and they are not prepared to say they have, then they are entitled to record their votes. There cannot be a doubt about that.

Mr. PALMER would point out that there was not a word in the Standing Order about an immediate pecuniary interest. It said:—

"No member shall be entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any member so interested shall be disallowed."

If he voted for himself this sum of three guineas per day for the next session, had he not a direct pecuniary interest in the question? It was a clear, direct, pecuniary interest. He hoped it would not be supposed that he was opposing the payment of members, which he thought was absolutely necessary, but maintaining as he did——

The SPEAKER: Will the honorable member permit me to put the House right? There is no question before it.

The COLONIAL SECRETARY: I appealed to the House from your ruling, sir.

The SPEAKER: The question is, "That the ruling of the Speaker be disagreed to."

Mr. PALMER: There can be no debate on that, I believe.

Mr. MILES: I presume that——

The SPEAKER: There can be no debate on the question.

The question was then put and carried on the following division:—

Ayes, 24.	Noes, 10.
Mr. Macalister	Mr. Palmer
„ Stephens	„ W. Scott
„ Hemmant	„ Wienholt
„ McIlwraith	„ Miles
„ MacDevitt	„ MacDonald
„ Fitzgerald	„ Stewart
„ Graham	„ Dickson
„ Fraser	„ Royds
„ De Satgé	„ J. Scott
„ Pechey	„ Morehead.
„ Ivory	
„ Macrossan	
„ Hodgkinson	
„ J. Thorn	
„ Beattie	
„ Fryar	
„ Moreton	
„ Lord	
„ Bell	
„ Griffith	
„ Buzacott	
„ Bailey	
„ Morgan	
„ Edmondstone.	

Question—That the Bill be now read a third time,—put.

Mr. PALMER moved as an amendment—

That it be read a third time that day six months.

He said he did so merely with a view of stating his opinion on the question which had just been decided. Feeling that the opinion or ruling of the honorable the Speaker was right, and that the objection he took in his opening address was correct—that members of that House had no right to vote upon a matter in which they had a direct pecuniary interest—he should refuse to record his vote, and would leave the House. He hoped honorable members who had voted to put sums of money in their own pockets, would feel as comfortable as he should when he left the House, without voting upon the question.

[The honorable member then withdrew.]

The question that the Bill be read a third time that day six months was then put and negatived, and the original motion was carried.

The Bill was then passed through its remaining stages, and was ordered to be transmitted to the Legislative Council with message in the usual form.

SUPREME COURT BILL.

The ATTORNEY-GENERAL, in moving the second reading of this Bill said: When he had the honor of moving the first reading of this Bill, he explained briefly to the House the objects of it, and the reasons which influenced the Government in introducing it. He did not think it necessary, therefore, to address the House at any length in moving the second reading, which he now had the honor to do, more especially as the necessity for a measure of this kind was admitted by the late Government, who, he believed, in a

previous session, introduced a similar measure, or at all events made it part of the Government programme at the commencement of the present session. He therefore believed he was right in saying that they were known to be in favor of the appointment of a third judge; and there could be no doubt there was great necessity for strengthening the Supreme Court bench in this colony. The law reform commission appointed at home, which had now been sitting for some time, and which had been doing so much good work, had laid down that every appellant court should consist of at least three members; at all events it was pointed out that two was a very unsatisfactory number, because double power of voting had to be given to some one member of the court. For that reason only one would be almost justified in proposing an addition to the strength of the Supreme Court here; but there was another reason why this should be done, and one which, if possible, was much more powerful. It was this: The work which the court had now to perform had so increased since it was first constituted with two judges, that it was absolutely necessary to appoint a third for the purpose of getting on with the business. This want had been seriously felt by members of the profession and the public, and it was in fact made the subject of a deputation to the honorable the Colonial Secretary some time ago by both branches of the profession; and they were only re-echoing the opinion throughout the colony generally, that considering the amount of business the Supreme Court was called upon to perform, and considering the great extent of territory in Queensland throughout which justice had to be administered, the number of judges was not sufficient for the requirements of the colony. This Bill therefore provided for the appointment of a third judge. The question of the salaries of the judges had also occupied the attention of the Government, and, after careful consideration, they had come to the conclusion to put the salaries of the puisne judges at £2,000, and that of the Chief Justice at £2,500. They felt that these sums were not beyond what the chief magistrates of the colony might legitimately expect, and that they were not greater than what the colony could reasonably expect to pay for gentlemen of adequate attainments and sufficient ability to fill the most responsible positions in our body politic. The salary was liberal, and, no doubt, might meet with objections from honorable members of that House, but the principle which animated the Government in making the salaries so liberal was to make the bench an object of ambition to those to whom the people could look with confidence. It was also provided, in accordance with the universal practice, that liberal pensions should be given, because, once a member of the profession took his seat on the bench as a judge he was what was commonly known as "shelved," and he never returned to the profession, and could never look forward to any provision or remuneration except that connected with his position as judge. Hence, they had followed the practice adopted in the mother country, and also in the colonies, of not only making a liberal allowance to judges while engaged in their duties, but also to offer no inducement to them to remain on the bench simply for the purpose of receiving emolument when they had passed the time when their services would be useful. It was a very important matter, that when the time came that judges might be fairly looked upon as having done their work, pensions should be granted sufficiently liberal for them to depend on for the rest of their lives; because, by this means, they would be deprived of the temptation to remain on the bench when they ceased to be able to perform their duties. There were, also, one or two improvements introduced into the practice of the law, but they were more of a technical nature than otherwise, and he did not think it necessary to dwell upon them; in fact he did not feel it necessary to dwell at any greater length on the Bill, inasmuch as the matter had already been made the subject of discussion in the House and by the Press of the colony. He might, however, mention that the Government, in fixing the salaries, had been guided by their opinion of what was right under the circumstances; and they had been animated solely by the desire to make the position of puisne judge one of ambition to the best men who could be found competent to fill it. It was a matter entirely for the House to decide what the salaries and the retiring allowances of the judges should be; but, in considering the question, it should be remembered that the security of life and property and the administration of justice would depend mainly on the abilities and the character of the gentlemen who were to be our judges; and it was, therefore, of the utmost importance that they should secure the most able men within their power. Before concluding, he would state that, when moving the first reading of the Bill, he mentioned that the question of the administration of justice in the northern portion of Queensland had engaged the attention of the Government; that it was then under consideration, and a Bill on the subject was then in process of drafting. Since that, the measure had been drafted, and it would be placed upon the table with all convenient despatch. He had the honor of giving notice of it that afternoon; and he knew that several honorable members were interested, as he was himself, in the northern portion of the colony obtaining not only provision for the appointment of another judge, but also for constituting for him a satisfactory jurisdiction, which, he believed, would be a great boon to the inhabitants of northern Queensland. He now moved—

That the Bill be read a second time.

Mr. HODGKINSON regretted that a northern member and a member of the Ministry should have thought it necessary to introduce a Bill of this character into the House. Even the late Ministry, in the address they promulgated at the opening of the session, promised distinctly the appointment of a fourth judge for northern Queensland. He believed the present Attorney-General wished to carry out this Bill for the appointment of a third judge chiefly in order to get rid of a strong political opponent in that House. That honorable member did not, he regretted to state, act up to his duty so much as the representative of a northern constituency as the representative of a certain political party. He introduced, or rather promised to introduce, a Bill, after the one now before the House was passed, for the better administration of justice in northern Queensland; but why did he not say, at once, he would amend the Bill for the appointment of a third judge so as to make it include a fourth judge, whose duties should be relegated to the northern districts? It was well known that one of the present judges of the Supreme Court was extremely unlikely to occupy a position on the bench again, and consequently the appointment of a third judge was far from affecting in the slightest degree the administration of justice in the North, because the third judge would simply fill up the void caused by the absence of Mr. Justice Lutwyche. The honorable the Attorney-General, in the speech he made on the former occasion when this Bill was before the House, said:—

"In connection with the subject of the appointment of a third judge, he had no doubt that when the measure was debated in the House, there would be brought forward the necessity for the appointment of a resident judge for the northern districts of the colony, in order to have jurisdiction and dispense justice in that part of Queensland."

The honorable member acknowledged that there was a want for that judge, but at the same time he, a member of a liberal and progressive Government, took away from them the effect of that portion of His Excellency's speech bearing on the point. He appealed to the House, in view of the Bills that had been brought forward—in view of the Insolvency Bill, which would most probably alter the whole administration of the Insolvency law—whether it was not most important that some measure of this kind should be passed. In view of the knowledge the honorable the Attorney-General had of the injustice the people of the North were exposed to by the want of the administration of justice—in view of the fact that men notoriously guilty of the most atrocious crimes were allowed to walk free simply because justice could not be administered—he maintained that as the representative of a large and important mining constituency, and as a member of a liberal and progressive Government, that honorable member had not done his duty with regard to this matter. Why, even the very squatters, the very men they had been sent there to oppose, promised to grant what the honorable the Attorney-General did not seem prepared to do. He would ask, was that justice? He would invite the sense of the House on the question, and although he might be defeated he would, at any rate, show his constituents that he was independent. He would submit the question to the House, and the people would then see who were the real northern members and who were the northern members who came there under a false guise. Would the honorable the Attorney-General give the House any proof of the period at which he meant to introduce the Bill he had referred to, and that he intended to carry it through this session? He believed this Bill was simply a measure for the expulsion of a dominant political character, whom the honorable the Attorney-General was frightened to see, from that House, and he would oppose it.

Mr. MILES was very much surprised that the honorable member for Bowen did not take some part in this discussion. That honorable member had been bringing northern grievances before the House ever since he had been in it—not only in this Parliament, but in previous Parliaments of which he was a member; and, he (Mr. Miles) thought this was a question upon which he might display a little ingenuity. He thought this might fairly be put down as a northern grievance. He believed it was absolutely necessary that there should be an increase in the number of judges of the Supreme Court, and he intended to support, not only the appointment of a third judge, but he would also support the honorable member for Burke in his efforts to get a fourth judge appointed. But at the same time he should guard himself in going that far, because he would most decidedly oppose the enormous salaries put down in the Bill. He believed the country had suffered severely from the way in which the business of the Supreme Court had been conducted. In fact, if it were nothing more than the position of affairs in cases of appeal—where the appeal was, in fact, from the judge to the judge—he thought it would be sufficient to justify the appointment of a third judge. He supposed it was the impecuniosity of the country that had prevented a measure of this kind from being brought forward at an earlier date; and he was glad to see that, at all events, there was some prospect of remedying the evils arising from having only two judges. He believed it would be much better if they had only one, but seeing that they had two, it was absolutely necessary that they should have a third. He thought no honorable member would throw the slightest difficulty in the way of the appointment of a fourth judge for the northern districts; because it was a fact that crimes were committed and were allowed to go unpunished

because it was impossible for people to come from the outskirts of the colony to prosecute at the Circuit Courts. Therefore, seeing that the Government were not likely to take the matter up, he would strongly recommend the honorable member for Burke to introduce a Bill for the appointment of a fourth judge, and he would give him his hearty support. Again, he could not, for the life of him, understand why the honorable member for Bowen—after the snubbing he got from the Government a few days ago, when he brought forward the question of northern grievances, and they did not take the slighest notice of it—did not speak on this occasion. He was under the apprehension that there was something behind; that the honorable member was working some little manœuvre, and that so long as he carried out his object in that respect, he did not care a straw for the grievances of the North. He was bound to come to that conclusion from the course that honorable member was pursuing, and he was astonished that he did not rise and protest against the injustice meted out to the North with regard to the question now before the House. He believed it was not the grievances of his constituents, but his own, that he wished to force down the throats of honorable members. He thoroughly believed in the appointment of a third and a fourth judge; but he would not move any amendment, because it would be competent for the honorable member for Burke to bring in a Bill for the appointment of a fourth, altogether independent of the Bill now before the House; but when the clauses relating to salaries came on in committee he should move an amendment.

Mr. EDMONDSTONE must congratulate the representatives of the northern districts in having obtained another advocate for their interests in that House. He regretted exceedingly that on previous occasions, when a Bill was introduced for the purpose of increasing the salary of the present Chief Justice, he found it necessary, in consequence of the state of the country, to vote against it; and he was glad that the time had now arrived when he could, with good conscience, and with the certainty of it being passed, vote in favor of such a measure. He was also glad to find that they were now in a position to appoint a third judge, to relieve the gentleman who had been so long in indifferent health from duty; and he believed the pensions provided for by the Bill would be well earned after a judge had done duty for fifteen years. He thought the manner in which the Chief Justice had performed his arduous duties during the last twelve months, or, he might say, two years, showed that he had proved himself a thorough good Queenslander. For a considerable period there was no one to assist him, and he was never absent, but always at work, to prevent, as far as possible, business from getting into arrear. He was glad to be able to vote for the Bill, and he thought it would be well if honorable members who found fault with it, would pay more attention to what was going on in the House, and not censure the Government for doing the very thing they had taken steps to carry out. It had already been stated in the House that notice had been given for the introduction of a Bill for the appointment of a resident judge in the North, and he could not see what more honorable members could ask for. In fact, so far from the Government deserving censure, he thought they deserved commendation.

Mr. MACROSSAN said he could not at all approve of the fury into which the honorable member for Burke had worked himself up, because that honorable member had in his hand—or at any rate he had a few minutes ago—a Bill providing for the appointment of a fourth judge in northern Queensland.

Mr. HODGKINSON: No.

Mr. MACROSSAN: He told the honorable member several times that evening that he (Mr. Macrossan) had seen the Bill and approved of it.

Mr. ROYDS: The Bill is outside the knowledge of the House.

Mr. HODGKINSON: The Bill does not deal with anything of the kind.

Mr. MACROSSAN: He would support the third reading of the Bill, and he would not be a party to any factious opposition; because he believed the Government intended, unless prevented by the honorable member for Burke or some other honorable member, to bring in a Bill for the appointment of a fourth judge. He thought the honorable member for Burke ought to give his support to this Bill; and if the Government failed in their promises then let him go to the other side of the House at once.

Mr. FITZGERALD said he could scarcely see how it was that he had incurred the hostility of the honorable member for Burke, nor was he able to see in what way he had transgressed. He had the positive assurance of a member of the Government that a Bill for the appointment of a fourth judge would be introduced; and he had every trust that these promises, which had been made not only to himself, but also to the honorable members for Burke and Kennedy, were made in good faith and would be carried out, more especially as he had heard notice given that evening for the introduction of such a Bill. He could not therefore see why so much noise should be made about the question, or why the time of the House should be occupied unnecessarily, when there was nothing to complain of. The honorable member for Carnarvon had referred to the silence of the honorable the Colonial Treasurer the other day, when he (Mr. Fitzgerald) addressed the House on the question of northern grievances, and appeared to think, that some disrespect was offered to him, by no reply having been made, but, perhaps he might take quite a different view

of the matter. He might consider that his arguments were so unanswerable that the honorable the Colonial Treasurer was struck dumb on the occasion referred to, and was not able to reply; but he thought he would be able to show on some future occasion that what he then said was well worthy of a reply, and that the facts he had stated could not be contradicted. In fact, he took the silence of the honorable gentleman rather as a compliment than otherwise. He thought there need be no fear of the measure alluded to passing, because the necessity for it was admitted by the late Government, and as it would be introduced by the present Government, no doubt there would be a majority in favor of it.

Mr. BELL said he would feel sorry to see anything which would have the effect of creating dissension between the northern members and the Government, at the present time; but, at the same time, he felt it his duty to point out to those honorable members that they should not put their faith too much in the present Government, and in fact in any Government, but this one in particular. Now those honorable members seemed to have a pretty clear view of their duty with regard to this Bill; they could see that if they assisted the Government in passing this measure they would have a good chance of getting another measure passed, in accordance with the promises of the Government, to give them a fourth judge. But, he thought, if they would carry that view of their duty one step further, they might do this: They might ask the Government to withdraw this Bill for a short time, and to embody in it the necessary clauses of the proposed Bill for the appointment of a fourth judge. He did not think this would cause any delay, and it would certainly be much more practical than the promises of the Attorney-General to the northern members. For himself, he quite agreed with the Bill; he thought it was time they had a third judge, and also that it was necessary to have a fourth judge for the North. He thought, therefore, that honorable members representing northern constituencies should press upon the Government the advisability of embodying the two Bills in one; and while that was his view of the northern portion of the question, he would not record his vote in opposition to the Bill now before the House.

Mr. ROYDS suggested that the further consideration of the question should be deferred until the Bill providing for the administration of justice in northern Queensland was in the hands of honorable members. At present they had not the Bill in their hands, and therefore they could take no notice of it, and he thought it would be much better if they could run the two Bills into one. At any rate that course would be much safer so far as the North was concerned, because if the Bill for the appointment of a third judge for the southern portion of the colony were passed, he would not be at all surprised to see the North left out in the cold. For these reasons he would move—

That the debate be now adjourned,

and he would afterwards fix the date upon which it should be resumed.

Mr. GRAHAM was understood to say that he was not aware whether he should be quite in order in addressing the House upon the Bill, when a motion for the adjournment of the debate was before them; but he should avail himself of this opportunity to do so. There were two issues before the House—one was the Bill itself; the other, whether they should postpone the consideration of the Bill until they had some better guarantee than had been given, that there should be four judges, one of whom should be appointed to the northern districts of the colony. If the House divided on the question of adjournment, and the motion was defeated, honorable members could fall back on the Bill and deal with it upon its own merits. In dealing with the Bill, he felt all that awe and diffidence thought to be necessary to a layman who approached the subject of law—a subject to be dealt with only by those who had passed through a special training—and, without claiming any peculiar ability therefor, he should treat it in a common-sense way. The question as to whether there should be three or four judges, he should leave for the present. The clauses of the Bill referring to the salaries of the judges could be passed as they stood, as he thought that much would not be gained by any alteration. Great difficulty would be found in finding occupants for the posts authorised by the Bill; and if the House should decide to have four judges for the colony, there would be greater difficulty still in making the appointments. There should be nothing like parsimony in the matter of the judges' salaries. In the hands of the judges, to some extent, lay the lives and liberties of the people; and liberal salaries to the judges were necessary, to make the Bench independent and respected. The expenditure might appear rather excessive under the present circumstances of the colony; but it would not be too much in a year or two, when the colony had reached a higher state of progress. The purely technical portions of the Bill, referring to the mode of arriving at decisions where the opinions of the judges differed, he was quite content to leave in the hands of honorable and learned members who had special qualifications for dealing with them. But there was one clause, the fourteenth, which provided for "new trials only where substantial wrong is occasioned," and which he thought went as far as it could go. The great and serious dissatisfaction with the administration of the law which existed was owing to the facility with which litigants could get new trials. He could not conceive why, if a judge was to be appointed

with a salary of £2,000 a-year, one could not be got able to define the law with sufficient accuracy to enable litigants to come to a conclusion. In fact, it would be better if, in civil procedure, cases could be dealt with by one trial. It might be that, in some cases, injustice would be done, if there was no appeal; but it must be remembered that there was no appeal from the decision of the jury and the sentence of the judge in a criminal case. One trial should be sufficient for substantial justice. He was quite at a loss to understand why the same judge, who in one case exercised full power over human life and liberty, could not give a satisfactory and final decision in another case involving neither life nor liberty. It was very difficult to say what was a "substantial wrong;" and when a new trial was asked for, it was doubtful where the wrong was occasioned until that trial was held. He was not aware that any change in the law was made by the 14th clause of the Bill; but the clause was one that deserved attention when the Bill got into committee. He hoped that the honorable and learned Attorney-General and other legal members would give the House more information as to the details of the Bill than they had given. There was, he thought, a great deal of room for a change in the law; and, as he had suggested in one instance, a change for the better. Beyond that, he had nothing to say with reference to the Bill. But on the question of a fourth judge to reside in the northern portion of the colony, he had a few remarks to make. The honorable member for Burke's expressions of just indignation that northern members did not support him in this matter were premature; because he (Mr. Graham) was only waiting to hear from the Ministerial side of the House what was the necessity for a fourth judge for the northern districts; and, for his own part, he should have liked the Government to have dealt with it purely on its merits, having regard to what was just and right. He was quite satisfied that a fourth judge was required; but the House had no information on the subject. He did not himself know what duties the northern judge should perform distinct from the duties of the judges who now went to the North; but he proceeded on the broad basis, that, if two additional judges were to be appointed, one must necessarily be for the South and one for the North. If the Government had come down to the House and said they would have three judges only, and that they would not give one to the North, because they did not think such an arrangement was requisite or would be advantageous, or that it was not commensurate with the cost or the difficulties to be met; then he should have been willing to meet them on the arguments, and to give his vote according to the arguments on both sides of the House. But they had not done that: they had indirectly informed the House that the northern districts wanted a judge.

The ATTORNEY-GENERAL: No, no.

Mr. GRAHAM: But it was not on their programme that a judge was wanted for the North. In fact, an application made to the Government had been absolutely refused, on the ground, he believed, that the advantages of having a resident judge in the North were not commensurate with the expense and the difficulties in the way. Now, however, it was found that the Government were about to bring in a Bill, because they did think it necessary, and they would give the North the fourth judge. He was at a loss to understand what the Government really meant by the course they now took. If they were not on the horns of a dilemma, they had put the House in that position. Was it the fact that the Bill promised was merely waste paper, to stop a gap amongst their supporters, just as honorable members may have seen a gap stopped in a sheep-fold with a bunch of green leaves, which answered until they were dried and withered by the sun? Was the Bill only just to keep their forces together until the session went by? The North was not to have substantial justice. That was it, or else the Government were going to pass a measure which they thought the country did not want, and which it was no part of their policy to give the country. Whatever excuse the Government might attempt to make in bringing the Bill forward at this period, after refusing it before———

The ATTORNEY-GENERAL, in explanation, said the honorable member for Clermont was altogether in the wrong. The fact was, the Government had always been favorable to the northern judge.

Mr. GRAHAM: He must judge the Government by their acts. He judged them by their programme put forth at the commencement of the session, and he judged them by the Bill before the House. Although the House might now be told that a Bill would be introduced to provide a fourth judge, they had no guarantee that it should be so. The remark of the honorable the Attorney-General, that the Government had always been favorable to the appointment of a judge for the North, he left to honorable members to form their own opinions of. If the Government were sincere, they would embody their opinions in the Bill now before the House, and not bring forward two Bills. On that ground he should support the motion for the adjournment of the debate; because, if the Government were sincere, the delay would enable them to add a few clauses to the Bill providing for the appointment of a fourth—a northern judge; or it would enable them to come down to the House, after consideration, and say that a fourth judge was not required, and that they did not mean to have him. At any rate, the House would be in a position to know what to do; and they might, perhaps, have advanced the other Bill to such a stage that it and the present measure could proceed hand in hand.

Mr. BUZACOTT said, he had understood that the present Ministry, in accepting office, were prepared to give the northern districts quite as much as had been promised by the Ministry whom they had expelled. He had acted in that belief. Now, he could not account for the Government advancing the Bill before the House certain stages, and only so late informing the House that they were going to bring in a Bill for the appointment of a fourth judge for the northern districts. Was this the first act of the political separation which the Ministry were desirous to inaugurate? It was very extraordinary that the most ardent supporters of Separation, at the present time, were also the most ardent supporters of the Government. That afforded grounds for strong suspicion. Was it intended that the measure should be the first to pave the way for separation at Cape Palmerston, which had been suggested so frequently since the session began? He should like to ascertain if it were so. So far as the salaries of the judges were concerned, he thought it quite right that they should be fixed at a high rate. If the country was not prepared to pay high salaries, justice would not be administered by the Supreme Court honestly and efficiently. There was a great deal of room for improvement in the administration of justice in the colony; and, if by the payment of higher salaries than were now given to the judges, the improvement required could be ensured, it would be a very economical arrangement. For a long time he had advocated the extension of the Supreme Court to the northern districts. The people of the distant parts of the colony were entitled to consideration in that respect. He had been informed that, from the first, the reason why the assize courts had not been extended to Townsville was, that the judges of the Supreme Court would not hold them there; and that the only way the North could get that advantage was by the appointment of a judge of the Supreme Court, who should reside at Rockhampton, or elsewhere in the North. He did not go in for having a judge resident at Rockhampton. Let the judge be appointed, and let him reside at the most convenient point for his business. If Townsville was the most convenient, let him reside there; if Rockhampton suited him best, let him reside there. He should be sorry to say anything which would defer the settlement of a question which was of so much importance; because he believed there was urgent necessity for the appointment of a third judge without delay. Still, he felt that it was rather a difficult thing to support the second reading of the Bill without some assurance from the Attorney-General that the other Bill which the honorable and learned gentleman had promised to introduce should be proceeded with contemporaneously with the measure now before the House. If the honorable member would give the House an understanding that the committal of the Bill should stand an order of the day for a fortnight, or until such time as the Bill he had promised should be brought to the same stage, so that the two could then be proceeded with contemporaneously, he (Mr. Buzacott) should be prepared to vote for the second reading to-night. Without that assurance, he should vote for the adjournment of the debate; because he felt assured that if one Bill was advanced beyond the present stage, there would be very little chance of the other.

Mr. STEWART observed that there was one view of the question which had not been presented to the House, and he thought it was quite competent for him to speak to it upon the motion for adjournment. Three judges only should be appointed, and the third judge should be resident in the North. Hitherto, two judges had been able to overtake the work; and the last year, the Chief Justice had undertaken the whole. Now, if the colony had three working judges, they would be able to overtake the whole work of the Supreme Court. The one resident in the North could sit with the others to hear appeals. That was a question which he thought was fit to be laid before the House for consideration. He saw by the Bill that the amount of increase proposed to the judges' salaries was very large. If the House went on increasing the judges, as well as their salaries, the expenditure involved would be something very large.

Mr. HODGKINSON: If the Attorney-General would give him the assurance that he would not oppose, in committee, the introduction of the word "four" instead of "three" in the Bill now before the House, he should withdraw his opposition. It must be apparent to honorable members that the appointment of a third judge was no addition whatever to the practical working of the Supreme Court. It was known that His Honor Justice Lutwyche was extremely unlikely to take his seat again on the bench; therefore, the appointment of the gentleman whom it was contemplated to place in this position would only fill up a gap. The North had claims for the appointment of a resident judge. Nobody could deny that. He felt that it was his duty as a northern member to advocate those claims. If the Attorney-General would promise that there should be a subsequent Bill to define the legal status and powers, and the local residence, of a judge for the North, he should withdraw further opposition. If the honorable and learned gentleman would not do that, he (Mr. Hodgkinson) must tell him plainly that, as a member who had hitherto supported the Government, and who had been elected to support them, he would rather throw up his position in the House than give them his confidence any further. Honorable members who were now on the Opposition side of the House had been described as the opponents of progress; but, in the Governor's speech, under the late administration, a fourth judge

for the North had been promised. Now, he found the present Government hesitating to deal with the subject; and a pseudo-supporter of the Ministry, the honorable member for Oxley, had brought in a Bill for concentrating the whole of the legal business in the metropolis of the colony.

Mr. GRIFFITH: No, no.

Mr. HODGKINSON: And that was done by the honorable and learned gentleman with a knowledge of the movements of the Government, that they would not support the appointment of a fourth judge. He (Mr. Hodgkinson) had legal advice to warrant what he asserted, that a small enactment would be sufficient to authorise the appointment of a fourth judge for the North; similar to that Act which gave to His Honor Justice Lutwyche the sole command of the bench in the district of Moreton Bay. He called upon the Attorney-General to give him a straightforward answer.

Mr. J. SCOTT pointed out that in the advocacy of the interests of the extreme North, the interests of the great central districts were not considered at all. The promised fourth judge Bill, for the better administration of justice in the North, would not, if passed, be of any advantage to the central districts. He put this forward as an argument for the adjournment of the debate, that it was desirable to see the Bill for the appointment of a fourth judge, and to learn where the judge was to reside. Was the Bill a sort of bribe to the extreme northern members? If the judge was to reside at Bowen or Mackay, or anywhere else in the northern districts, the central districts would be worse off than now. Many persons would have to come down the country several hundred miles to Rockhampton, and thence to Brisbane, to attend the Supreme Court. The judges who travelled now would not travel at all to the North when there was a judge there; and the central districts would be absolutely worse off than ever. There was another point which honorable members had best take notice of: it had frequently happened that a subject was divided, and two Bills were brought before the House dealing with it, and that the Government, having got one Bill passed, had been unable to advance the other. He might instance the measure which had been brought forward by the late Government for a reduction of their own salaries, with a measure for the reduction of the salaries of the Civil Service; the Government succeeded in carrying the reduction of their own salaries, but not of the others. He did not see why that might not happen again; the Government might succeed with one of their Bills, and not with the other. They might get a third judge for the South under the present Bill, and none for the North as proposed by the other Bill which had been promised. It would be very foolish, indeed, for any of the northern representatives to be advocates for the passing of the Bill before the House before they saw the fourth judge Bill.

Mr. MOREHEAD said he agreed to a certain extent with the honorable gentleman who just sat down. It was the intention of the Government to break the Opposition up—to take them one by one, like sticks; but though they might break them singly, they could not do in a bundle; and if honorable members held together, and if the central and the northern members were united, in opposing the Bill, until they had an understanding from the Attorney-General that he would pass the present Bill and the other he had promised side by side, or withdraw the present Bill and amend it, so that it should provide for the appointment of four judges, they need not care for the Government. He could see no difficulty in the way of withdrawing the Bill, and bringing it forward again in a few days amended in accordance with the wishes of honorable members. The reticence of the Attorney-General was certainly strange—it was remarkable. The honorable and learned gentleman had been asked a question by the honorable member for Burke, and he declined to answer that question.

The ATTORNEY-GENERAL: Certainly not.

Mr. MOREHEAD: He thought honorable members were perfectly at liberty to draw that inference—to come to that conclusion. The honorable gentleman had been asked twice a direct question; and he had twice refused to answer it. He (Mr. Morehead) was of opinion that the judges of the colony should be paid very large salaries; but he should object to those high prizes in the profession being given to the lawyers of this colony. The leading lawyers of this colony took too much interest in politics to become just judges. He was not saying anything about their legal ability; but only that it was absolutely impossible for them to wean themselves from prejudices which must be gained in the political arena. It was all very well to say that the prizes of the judicial bench fell to the political heads of the legal profession in England. The arena there was a much wider one than it was here; and the leaders did not come into such immediate personal contact with other members of the community as here. The Attorney-General would never get into an unseemly bickering in the House of Commons, and would never be mixed up in party politics. The Attorney-General and the Solicitor-General of England did not get up in the House and wrangle, and make themselves personally obnoxious to other members of the Commons. There would indeed be great danger in passing the Bill, unless it provided that the judicial prizes should not be given to legal gentlemen in Queensland. He (Mr. Morehead) did not mean to reflect upon the legal ability of the gentleman at the head of the colony, for he knew nothing of that, he was happy to say; but they were so nearly connected with politics that it was absolutely necessary for the purity of our law in the colony, and that justice should be

administered equally to all classes, that those at any rate who were representatives in Parliament should be distinctly debarred from appointments as judges under this Bill. It might be that he was taking extreme views; but it must be remembered that there was a very small bar to select from; that there was a smaller number of leading men, and even those were young men and young practitioners. That they should be put over this great and rising colony to give their decisions — final decisions, in most cases, where individuals were too poor to appeal from them to the full court, or to a higher court—would be to place the whole people at the mercy of a very small bar mixed up in strong political antagonism. He thought the wisest course for the Attorney-General to pursue would be to withdraw the Bill until it could be amalgamated with the Bill which he had promised to lay on the table, or to adjourn the debate until honorable members had seen that Bill. It was very wrong of the honorable and learned gentleman to ask the House to take a leap in the dark—to pass the present Bill with the future prospect of getting something unknown.

Mr. MILES said he regretted very much that he should have said anything to cause the honorable member for Kennedy to show indignation, or to create uneasiness on the part of the honorable member for Bowen. If honorable members had only said that they were in the confidence of the Government, that they had got a promise of a fourth judge for the North, he should not have said a word. But they had kept silence; and, when the question was about to be put, he thought he had a right to speak. Honorable members might very well take the assurance of the Government that they were willing to allow the Bill to be so amended as to provide for a fourth judge. He had no wish whatever to give the Government any annoyance, and he would take their promise. He charged the honorable members for Kennedy and Bowen with having caused the waste of time by the debate. It was an extraordinary thing to see the honorable member for Burke expressing himself so strongly, and his northern colleagues so silent. He had been afraid of the northern grievances, which was one reason why he got up.

Mr. PETTIGREW said he really felt for the Ministry, whose position was a very small one indeed; it was lamentable, when they were threatened with desertion by their supporters, as they had been by the honorable member for Burke. The question was, was a judge required for the North? He had some recollection of Moreton Bay in the old times, when Judge Milford held the assizes here. Brisbane was then a very small town, and the judge invariably returned to Sydney after the business of his court was over. If a judge went up to Townsville, and stopped there only a week, what did it matter whether he went up from Brisbane or from Rockhampton? If there were four judges, they would all reside in Brisbane. The District Court judges, it had been understood, should reside in their respective districts; but they managed to return to Brisbane. The excuse was, that they had to come down for sake of the Supreme Court library; forgetting that a workman should find his own tools, and that a judge should have a library of his own. There was too much of what he called a progressive scramble for the public money. Three Supreme Court judges would be enough for the colony. No judge had sat in civil jurisdiction at Ipswich for some years. That showed that the people had had a "touch" at the Supreme Court. Whenever a man got a good turn at law, it satisfied him for his natural life. The northern men were yet strangers to it; though he found they did come down sometimes over their mining matters. When honorable members talked of high salaries being necessary for the judges, they had only to look into the history of England, to find that Lord Bacon, the greatest man amongst the judges, had not been above taking a bribe. But, without a bribe, the unfortunate people who came before the judges for justice were done; they were put to enormous expenses in various ways, as the judges played into the hands of the barristers and the lawyers. In the old times, when there were only two barristers, he was engaged in a very heavy case before the Supreme Court, and Messrs. Lilley and Pring managed to get through it in one day. He had since seen cases in which nothing like the same important issue was involved, and they took a week to get through. How that was, the judges could answer: or, the barristers and, he was afraid, the lawyers, too, could answer. It was a state of things that should be put an end to. The judges were the first who should attempt to put an end to the frivolous and vexatious delays which took place in all trials held before them. Three judges were quite enough to facilitate the administration of justice, and they should be competent to do all the work of the Supreme Court of Queensland. Heretofore there had never been more than two. He had not the slightest objection that one of the three should travel to the North. And, now, that there was an active young man on the bench, he had no objection to sending him up North; but the House might feel assured that the judge would never reside at Rockhampton, or anywhere else in the North longer than the closing of his court. He (Mr. Pettigrew) had an objection to the salaries; but after what he had heard in support of them, he should not interfere with them, but would support the Bill.

Mr. GRIFFITH observed that, before he said anything about the merits of the question, he ought to take notice of the honorable member for Mitchell, who appeared to be counting his chickens before they were hatched.

He should be sorry if any honorable members on the Ministerial side of the House could ever assist in forming a party to which that honorable member would be attached; and most certainly he should never think of belonging to such a party, himself. He saw no necessity for an adjournment. The sooner the Bill was passed, the better for the country. There were one or two matters to be touched upon, to show why the Bill should not be delayed. The honorable member for Burke had said it was absolutely necessary that there should be a northern judge. He (Mr. Griffith) had always felt, with regard to the cry for a northern judge, that it wanted articulateness. It reminded him of an expression in "In Memoriam," and he was inclined to say it was like

> "An infant crying for the light,
> And with no language but a cry;"—

wanting articulateness. If honorable members would articulate their wants, the House would have greater facility than now in considering the question of granting them. He was quite prepared to believe that a fourth judge was required; but he desired to know where that judge was to live. Be it understood that he would support the appointment; —but that difficulty stood before him. If the fourth judge should live at Rockhampton, he would have as much work to do as the other three judges. If it was to be, let two judges live at Rockhampton and two at Brisbane; they could then meet at Maryborough and hear appeals! Say, the northern judge was to live at Townsville, he did not think the honorable member for Rockhampton would support that proposition. As to the remarks of the honorable member for Mitchell about the prizes of the bench, and that the new judges should not be selected from the Queensland bar, he (Mr. Griffith) had to say that he was not eligible himself, and, therefore, he could speak freely. It was always said, and truly, that one great advantage of the English system of choosing the judges from the bar, was, that the judges were familiar with the details of the work that came before them, and that the practitioners were known to them. He knew that there was no greater difficulty for a practitioner than to appear before a judge unknown to him—he might as well be addressing a foreigner. The time that was wasted from not knowing his mode of thought, what the peculiarities of his mind were, what his opinions were—what he did know and what he did not know—was almost inconceivable to one who had not experienced the difficulty. One of the greatest advantages of the English and Irish system was the selecting of the judges from the bar. He now stated not his own experience, but what he had read and heard, especially from his learned brother, Mr. Blake, who had as much experience, perhaps, as anyone in Australia. He thought it would be a very undesirable thing, indeed, if the House should exclude from the bench practitioners at the bar of Queensland. That brought him to the reason why he was an advocate for large salaries for the judges. It appeared to him that, in a short time, owing to the illness of His Honor Justice Lutwyche, the Government would have to appoint three new judges. He meant to say nothing in disparagement of the bar of Queensland; but, if the Government had to go beyond the colony for judges, there was not to be found in the Australian colonies a thoroughly competent man who would take the appointment of a judge of the Supreme Court under £2,000 a-year—at any rate, none that he should like to see here. Doubtless, there might be found men who would take the appointment for much less, but they were not the men wanted. In the other colonies were men who could make by their profession £3,000 or £4,000 a-year, with almost the certainty of being in due time raised to the bench. We could not expect such men to come here for less than what they would get when, as they might naturally expect, they should be raised to the bench in their own colonies; where, too, it was more pleasant to live, and where they would be amongst their own friends, and surrounded by agreeable associations. He hoped the salaries would not be made less than as proposed in the Bill. The same remarks applied to pensions. The sixteenth and seventeenth clauses of the Bill referred to matters which were regulated from time to time by the judges; the first was a subject of a rule of court, and as to the second, he did not see why the vacation should be limited by the House, unless honorable members thought the judges were made of cast-iron and that their duties were mere child's play. If their duties were of that character, their salaries would not be so high. He should not discuss the period of vacation, but in committee he should move an amendment on the seventeenth clause. With regard to a fourth judge, it appeared more desirable that the Government should deal with the whole question in one Bill than in two separate measures. They meant, he supposed, to bring in a Bill after the fashion of the Moreton Bay Judge Act, as it was called, for the appointment of the fourth judge. That would be undesirable and unsatisfactory. It was all very well in the past. There was then no question of the remodelling of the Supreme Court, or of amending its constitution; but now it was proposed to alter the constitution of the Supreme Court, and to increase the number of the judges. As to the difficulties in the way, he should refer to the Supreme Court Act of New Zealand. Honorable members were aware that New Zealand was divided into districts, and that there was a resident judge in each district of the colony. Instead of the Act defining their jurisdiction being of a complicated matter, it was all contained in three clauses of less than fifteen lines alto-

gether. One clause was, that it should be lawful for the Governor, from time to time, to divide the colony into judicial districts, and to alter them as the circumstances of the colony should require. The next clause enacted that every judge should have the same powers and privileges in his own district as any two judges exercised in England. In fact, that was all the Act; and two clauses analogous to those might be embodied in the present Bill, without extending it beyond the third page, providing where the judge was to reside; and they would give all the relief prayed for by northern members. He trusted, therefore, that if the Government deemed it desirable that a fourth judge should be appointed. they would amend the present Bill, by including in it provision to that effect. He should support the appointment of a fourth judge; at the same time he was very anxious, for the reason he had stated, to know where he was to reside. He was very much afraid that if the constituencies north of Cape Palmerston were to give their views as to where the judge was to reside, the Bill for the appointment of a fourth judge would be thrown out by the votes of honorable members representing constituencies south of that point.

Mr. IVORY said he had been very much pleased with the concluding remarks of the speech which had just been made by the honorable member for Oxley. When that honorable member commenced to address the House, he (Mr. Ivory) labored under the delusion that the honorable member was going to oppose the appointment of a fourth judge, as the honorable member said that the demand for a fourth judge was nothing more than a cry; he thought many honorable members were also under the impression that the honorable member was opposed to such an appointment. The honorable member seemed, however, to take great exception to no specified place having been laid down by honorable members in favor of the appointment, for the future residence of a fourth judge; but he (Mr. Ivory) thought that was a matter which could very properly be left to the decision of the Executive. He did not think that any honorable member should say where the future judge should reside, but that it should be left to the Government, and if their decision did not give satisfaction, then it would be for honorable members to express an opinion. He certainly thought that part of the speech of the honorable member was an attempt to sow disagreement between the northern members, and he was glad to find that they were not going to be led astray by it. He hoped that in the present instance honorable members representing northern constituencies would act as one man; because, if they were led away by the tactics of honorable members opposite, they would find, in the end, that they would come very much to grief. He would advise the honorable members for Kennedy and Rockhampton to act in unison with the honorable member for Burke, in supporting the amendment, and in demanding, as they ought to do, a guarantee from the honorable the Attorney-General that the two Bills should be proceeded with simultaneously. He did not think it was for the benefit of the country that there should be too many Bills, but that our laws should be consolidated as much as possible; in a case like the present it was simply making two bites at a cherry instead of swallowing the cherry whole. The honorable member for Oxley, who seemed inclined to take the same view of the matter as himself and other honorable members near him, gave very strong support to their side of the question, when he said that if the fourth judge resided in Rockhampton, he would have as much to do, personally, as all the three judges together in Brisbane. Now that clearly showed that there was a demand for a judge in the North, always supposing that the people in the North desired to have, and had the means of paying for justice; so that the honorable member's argument was a strong one in favor of a fourth judge. It was clear to his mind, that there was a large majority of people in the North who, if they could get justice cheaply, would bring their cases into court, which they were now debarred from doing, on account of the enormous expenses incurred in bringing them to Brisbane. He quite agreed with the honorable member for Oxley, that the judges should be paid high salaries, as it was absurd to suppose that members of the Bar with a large practice would accept the appointment of judge unless the salary was fairly remunerative; he considered that if any officer connected with the Government of a country ought to be well paid, it should be those to whom was entrusted the administration of justice. He had been very much pleased to hear from the honorable member for Oxley that in New Zealand there were judicial districts; that was a subject which he thought could be very well taken up by the present Government; and he thought that in doing so they would give very great satisfaction indeed, as he did not see that there was anything to stand in the way of such a course being pursued in this colony. He should most decidedly support the amendment.

Mr. ROYDS wished to say, in reply, that if he had heard a single word of explanation from the Government in regard to the two Bills he should have been willing to withdraw his amendment. He certainly considered that the House should have had some explanation from the Government as to how they intended to deal with those two measures—whether they intended to take them together or whether they would amalgamate them in one Bill; which latter plan, he thought, would be better.

Mr. PALMER hoped that honorable members representing northern constituencies would see that they were not likely to get

anything out of the honorable the Attorney-General further than that honorable gentleman could possibly help. He would warn those honorable members that if once they allowed the Bill to be carried in its present form, their chance of having a fourth judge would be very little indeed. If the Government had wished to lead the House to believe that they intended to create a fourth judge they would have come down with a Bill long before that; instead of doing so, however, they had pushed the present Bill to its second reading, and it was only upon great pressure being put upon them, that they had given notice that on the following day they would ask for leave to introduce another Bill for the appointment of a fourth judge. He would warn honorable members that if they passed the present Bill they had no more chance of getting a fourth judge than of the millennium coming. He had seen enough to warrant him in saying—even if the Government were sincere, although he had no doubt in his own mind that they were not—that they had not the slightest idea of carrying out the Bill of which notice had been given that night; if they had, they had already had plenty of opportunities of introducing it before now. It was a mere straw, thrown out to show how the wind blew. Why, they had got the statement of the honorable member for Stanley, that he "could not see the use of having a fourth judge." That honorable member had, only a few evenings ago, been called the deputy Minister for Works, and, if all be true, had a great deal to do with the present Government. He would again warn northern honorable members that, even if the Government were in earnest, which they were not—but the promise of introducing the second Bill was only given upon pressure, and by fear of losing the votes of the northern members—he would warn them that, even if the Bill was introduced, it would not be allowed to pass by honorable members opposite. The fable of the bundle of sticks, alluded to by the honorable member for the Mitchell, should not be thrown away by the northern members at any time. He wished he could make them feel as strong on the subject as he felt—that the present Government, and the honorable Premier of the present Government in particular, was just the man to repeat the fable and throw away the bundle of sticks. There was no better way of judging a man than by his antecedents; and he judged the honorable the Premier, and the honorable members with him, by their antecedents, and would ask the honorable members representing northern constituencies, whether the northern districts had ever got a fair measure of justice from that honorable gentleman when he was in power? The only way in which they could hope to get even a modicum of justice was by banding together, and not being broken up like a bundle of sticks. He did not pretend to be endowed with the gift of prophecy, but he was as sure as he was standing there, that honorable members of the House, and the country at large, would find that he was as right as he could be in what he was telling them—that they would get nothing from the present Government that they did not force out of them through fear of losing office. He believed that if they were united, and were not like the bundle of sticks, they could force the Government to do anything they wanted—and he for one would be quite willing to assist in forcing them, and so long as they could guide them right he would be contented. He believed, and that most strongly, that before the end of the session his assistance would be required to keep them in office. They began by promising too much. That would be seen if they looked back at that famous Ipswich manifesto issued by the honorable member at the head of the Government, for no other reason that could possibly be given except for one which he hardly cared to mention—"*Quos Deus vult perdere prius dementat.*" The honorable member was not the man to go to that House with his great manifesto embodied in a speech from the Governor;—if he had done so he would not be Premier of the colony at the present time, and the honorable member knew that very well. If honorable members would only look into that manifesto, they would have very good reasons for doubting the honorable Premier's honesty of purpose for ever; for the honorable member dared not to introduce into that House some of the measures he had promised in his great Ipswich manifesto. He would again warn honorable members that if they allowed the present Bill to pass its second reading and let it go through committee—although the honorable Attorney-General had promised to introduce another Bill for the appointment of a fourth judge, still, although he had been asked several times, he had not yet promised to have the two Bills considered at the same time; he would warn them that, even if the honorable member promised to introduce another Bill, that other Bill would fall to the ground, whilst the Bill for the third judge would pass. The speech they had heard from the honorable member for Stanley that day should deter honorable members from voting for the second reading of the Bill before them. If the honorable Attorney-General introduced the other Bill, the Government would be beaten by their own supporters, and there would be no chance of a fourth judge. If the Government were not game to go down to that House with a policy embodied, as it should have been, in a speech from the Governor, that ought to be sufficient to show to honorable members that they had no policy, and that they only wished to introduce such measures as would be sufficient to satisfy their supporters and keep themselves in power. He concluded that the notice of motion given that evening by the honorable

the Attorney-General ought to be a convincing proof to every honorable member that, except under pressure, the Government had not the slightest intention—not the most remote intention—of even appointing a judge for the northern districts. They had been asked that evening, with another view to break up the bundle of sticks, where the fourth judge was to reside; but he would ask, what on earth had that to do with another judge; what did honorable members care where the judge resided, so long as he held his court at the appointed times and at the appointed places? He might live in the moon—or even in the delightful city of Brisbane—so long as he held his court at the proper time and at the proper place. There was another great reason why a fourth judge should be appointed, and hold his courts regularly in the northern districts, and that was, that there was now an Insolvency Bill before the House—a Bill which had been rushed through the House in the most hurried manner; and, so far as he could understand it, was a Bill for concentrating all the insolvency business in Brisbane.

HONORABLE MEMBERS: No, no.

Mr. PALMER: Well, as far as he knew of it, it would have that effect. He was not present when it was before the House, but he had heard a great deal about it outside the House, and that it was one of the most one-sided measures that had ever been introduced. He believed that the mere fact of not appointing a fourth judge would have the effect of nullifying that Insolvency Bill. He would again warn northern members that if they allowed the Bill before them to pass in its present form, they would never get a fourth judge. It would be very easy for the Government to withdraw that Bill, or to incorporate in it provisions for the appointment of a fourth judge; it was quite competent of them to do that. But if the Bill was passed as it at present stood, honorable members would hear no more of a fourth judge Bill. With respect to the Bill itself, he had not much to say—of course, when it was in committee, the number of judges would have to be increased. With regard to the salaries proposed to be given, he had no objection to find; and it would be recollected by honorable members that he had always held that the judges of the Supreme Court could hardly be too well paid. There were several grave objections he thought to the fifth clause; he looked upon that as a premium to judges to retire after fifteen years of service. He held that a judge appointed at a proper age—at about forty—which very few members of the bar in this colony had arrived at, should not be entitled to retire at the age of fifty-five; his brain, if he ever had any, should be brighter at fifty-five than it was at forty. There were other clauses which it would be much better to consider in committee than in the whole House. He might say, however, that he thought it would be decidedly better if the House, when passing a Bill of that kind, should not leave the power to the judges to appoint vacations; but it should be left to that House to do so. There were now a great many vacations, and he thought it would be better to decide by law what the recesses of the court should be. That was, that if there was any business on the paper, the judges should be compelled to go on with it, except during vacations at certain seasons of the year. He should not oppose the Bill, but he thought it would be wise of the Government, if they were in earnest and desired the appointment of a fourth judge, if they would withdraw the present Bill, and on the next day introduce another measure incorporating the appointment of a fourth judge. If they did not do that, he should still doubt their intentions, and also their ability to carry it through.

The COLONIAL SECRETARY said that, notwithstanding what had fallen from the honorable member for Port Curtis, and the attack he had made upon the present Government, they professed to be able to carry all their measures, measure by measure, as it was brought before the country. He maintained that every promise mentioned in the manifesto to which the honorable member had referred, had been, so far, carried out to the letter; and he could say that every measure would be introduced. He firmly believed that before the end of the present session—even as regarded the Bill now before them—there would not be the slightest difficulty in getting both Houses to pass them into law. The honorable member said that, although he had not the gift of prophecy, he could foresee that the present Government had no intention of carrying out their promises; but if there was one honorable member in that House from whom such a statement as that should not have proceeded, it was that honorable member. That honorable gentleman had warned the House not to believe in the promises of the present Government; but it struck him that the honorable member himself had made promises of the most solemn kind which he had never carried out.

Mr. PALMER: No.

The COLONIAL SECRETARY: If the honorable member wished for one instance, he would point to the Torres Straits Mail contract, regarding which the honorable gentleman most solemnly promised that House that he would never consent to sign any contract unless Brisbane was made the terminus——

Mr. PALMER: Nothing of the kind.

The COLONIAL SECRETARY: The honorable member said "Nothing of the kind;" yet when the present Government went into office, they found amongst the papers left by the late Government a contract signed, which bound the colony for seven years. The present Government had nothing to ask from the honorable member, or from the Opposition; they knew that they were backed up by the

country, and so long as they continued to receive that support, and so long as they were in that House, they would defend to the utmost every measure they brought forward. The honorable member might consider it his duty to stand up and defend one district or another; but the Government were there to defend not one particular district, but to advocate the interests of the whole colony. Then, again, the honorable member had told them that it was their duty to have come down and delivered their policy through a speech from the Governor; but the honorable member, by the extraordinary course he pursued, had prevented them from doing so, for, as the honorable member himself well knew, his four years of government had been nothing but a mere farce from beginning to end; and the result was that Parliament was not only dissolved, but was called together at the beginning of the year, when, as the honorable member well knew, the first business must necessarily be Supply. The honorable member brought down a speech from His Excellency, and yet he knew that he was at that very time in a minority in that House.

Mr. PALMER: No.

The COLONIAL SECRETARY: The honorable member also knew very well that when he took advantage of his position to pack the Legislative Council, he was in a minority, and that he was doing what he had no right to do. In fact, that act of the honorable gentleman's was about the most unconstitutional act ever committed in the colony, or that could have been committed. It was not his intention to address the House on the Bill that night, as he had heard nothing against it, except that if the House passed that Bill they would never get a fourth judge. That, however, was only the opinion of some honorable members representing the central districts, and what they were really fighting for was where a fourth judge was to reside——

HONORABLE MEMBERS of the Opposition: No, no.

The COLONIAL SECRETARY: If that was not the case, he did not know what was their object, as they knew very well that it was the intention of the Government to have a fourth judge.

HONORABLE MEMBERS: No.

The COLONIAL SECRETARY: The honorable members who said "No" were not northern members, but central members; but he was addressing the northern members when he said that they knew that it was the intention of the Government to introduce a Bill for the appointment of a fourth judge; and that those honorable members had had a pledge from him to that effect. The fact that it was a separate measure was a mere matter of arrangement. It was found that it would be inconvenient to incorporate provision for a fourth judge in the Bill now before the House; and, as to the sincerity of the present Government, he thought it had been proved by the notice of motion given by the honorable Attorney-General that afternoon. He, however, had not the slightest objection to the introduction of the word "four" instead of "three" into the Bill; but he thought that was a matter to be decided by the committee when the Bill was before them. As far as the Government were concerned, their anxiety was to do as much for the North as for the South; and he would defy honorable members to find a single instance where the Government had not shown their intention to extend the same justice to the central as to the northern division. A great deal had been said by honorable members opposite about the Government having increased the expenditure of the colony; but he would like to ask, who was the cause of it—whether it was the present Government? Last time he was in office the expenditure of the colony was something like £600,000 or £700,000 a-year, but when he returned to office what had he found? Why, that it was nearly a million, and that the greatest extravagance was being carried on; yet they were told that not only was the system corrupt—not only was there bribery in the public expenditure, but that——

The SPEAKER: I must remind the honorable member that the debate is getting very irrelevant to the question before the House.

The ATTORNEY-GENERAL: I would submit, Mr. Speaker, that you allowed the honorable member for Port Curtis to go away from the question without stopping him.

The SPEAKER: I can only say that my attention has been attracted by the remarks of the honorable Colonial Secretary, and it is my duty to ask the honorable member to confine himself to the question.

The COLONIAL SECRETARY thought that if the honorable the Speaker checked him, he should have checked the honorable member for Port Curtis; but he had not the slightest intention of going away from the question. With regard to the appointment of a fourth judge, the Government were perfectly prepared, if it was the opinion of the House, to incorporate the Bill for the appointment of a fourth judge with the one now before the House.

HONORABLE MEMBERS of the Opposition: Hear, hear.

Mr. MACROSSAN said he had no intention of prolonging the debate, but he rose for the purpose of confirming the statement which had been made by the honorable the Colonial Secretary, that there had been a pledge given by the Government that there should be a fourth judge appointed. Not only had northern members been assured that a fourth judge would be appointed, but even a draft of the very Bill was shown to them; and they were told that not only would a Bill be introduced for the appointment of a third judge, but that another Bill would be brought forward at the same time providing for a fourth judge; so that the Ministry were

carrying out the promises given by them to the northern members some weeks ago.

Mr. HODGKINSON: No.

Mr. MACROSSAN: The honorable member for Burke said "No," but the honorable member for Bowen could confirm what he had stated. In regard to the attack made by the honorable member for Port Curtis on the present honorable Premier, and the little reliance to be placed on his promises, he might mention that he recollected that during the time the honorable member for Port Curtis was in office, a Gold Fields Bill was promised over and over again, session after session, and yet one had not been passed by that honorable member's Government. Still, he thanked the honorable member for his word of warning, and he and other honorable members might rest satisfied that the northern members would recollect the fable of the bundle of sticks.

The ATTORNEY-GENERAL said he was bound, in the first place, to notice what had been said by the honorable member for Burke, who had put to him the question, whether he proposed the insertion of the word "four" instead of "three" in that clause of the Bill which regulated the number of judges of the Supreme Court. He had then assured the honorable member privately that he had no objection to the alteration. The only reason he had not risen before, was, that he was anxious to hear what other honorable members might have to say before he made any remarks. Hence, he had waited for the present opportunity to reply to the honorable member, as well also that he should have an opportunity of replying to anything else that might have fallen in the course of debate. He was glad to find that honorable members had made so little objection to the Bill itself as to leave him no cause of complaint with the manner in which it had been received. There was no occasion for him to say anything except that the amendment proposed by the honorable member for Burke would not be opposed by the present Government. He would go further, and say, that he was prepared to adopt the suggestion which had been made, and incorporate in it the clauses of the Bill which he had given notice it was his intention to introduce. Having said that much, he thought he would not be treating the honorable member for Port Curtis courteously if he did not say a few words in reply to the extraordinary statements put forward by that honorable member. It was a singular thing that in the same breath in which the honorable member charged the Government with indecision of some kind, he should himself have displayed an amount of anything but sincerity in his own case. The honorable member said that if the Government had been anxious to pass the fourth judge Bill they would not have waited for pressure from without; but it so happened that there was no pressure whatever brought to bear upon the Government, but that, on that very afternoon, as soon as the honorable the Speaker had taken the chair, he had given notice of his intention to introduce a Bill. If that was pressure, it was not pressure before the event; and he could assure honorable members that he had given notice of the Bill as soon as he had the last revise from the Government Printing Office, which was immediately upon his taking his place in the House. It might be asked, why not have incorporated the Bill with the Bill now before the House? and the honorable member for Port Curtis had pointed to that as an argument against the Government—that they did not intend to appoint a fourth judge; but he might inform honorable members that when the Government took office, they found that there was an absolute stagnation of the business of the Supreme Court, and that there was necessity for immediate action. The late Government, perceiving the accumulation of business in the court, had prepared a measure for the appointment of a third judge, which measure the present Government found on taking office, and deemed it of sufficient importance to try and pass it at once, with some modifications; as soon as the House met, he had given notice of the introduction of that measure, as would be in the recollection of honorable members. Having given notice of it under those circumstances, there was not time to incorporate with it the appointment of a fourth judge. If, however, the Government had delayed until now, and had had time to consider the matter, in all probability the two judges would have been included in the one Bill. Now, with reference to the warnings and croakings of the honorable member for Port Curtis, he would like to know how far that honorable gentleman's sincerity for the North went—how far he had shown any desire to remedy the grievances of which the people in the North had for so long complained? Why, the honorable member had actually established a mail service—in respect to which some observations had been made by the honorable the Premier—which he had so arranged by adopting the most ingenious devices, as to deprive the people of the North of any benefit from that service, by appointing, as ports of call, towns of the smallest note. If there had been any desire on the part of that honorable member to provide for pressing wants, instead of having the mail steamers to pass by Townsville, which was the third port of the colony in importance, he would have made that port a calling place, so as to enable the northern districts to derive some benefit from the service. He would also make one remark about the Insolvency Bill, as that had been referred to by the honorable member for Port Curtis. That honorable member was altogether mistaken in imagining that that measure had for its object, or was likely to effect a consolidation of insolvency business in Brisbane, as,

on the contrary, it provided that the greater portion of that business should be conducted in the country districts, by the appointment of registrars of district courts and clerks of petty sessions as officers of the insolvent court, to assist in the proof of debts, the reception of petitions of insolvency, and other matters. There was also a little of the classical element in the honorable member, as he said, "*Quos Deus vult perdere prius dementat*;" but the honorable member should have been the very last to refer to anything like demented conduct, because, if there was ever a member of that House who ran riotous before a triumphant majority, and dislocated the constitution to bring about a dissolution, it was the honorable member for Port Curtis. He had no doubt that what he was saying amused honorable gentlemen opposite, although, he thought, and other honorable members would agree with him, that their mirth was feigned. A Premier of a colony, who stuck to office, first, by the casting vote of the Speaker, and next, by having an unconstitutional dissolution, should be the last to refer to demented conduct on the part of others. That, however, was all over, and the less the honorable member alluded to it, the better for his own conduct. As he had said before, he was glad to find that there were so few objections to the Bill; and now that the greatest obstacle to it was removed by the Government consenting to the views of the honorable member for Burke, he thought the honorable member for the Leichhardt might very well withdraw his amendment.

Mr. ROYDS said he was quite willing, with the permission of the House, to withdraw his amendment. He could not help remarking, however, that if the Government had expressed their opinions an hour or two ago, much valuable time would have been saved.

The amendment, by leave of the House, was withdrawn.

The question that the Bill be read a second time was put and passed.

The ATTORNEY-GENERAL moved—

That the Speaker leave the chair, and the House go into Committee upon the Bill.

Mr. ROYDS said that as the honorable the Attorney-General had promised to consolidate the two Bills, he would like to know whether the honorable member intended to do so?

The ATTORNEY-GENERAL said that all he wished to do was to go on with the Bill in committee as far as he could. If he found he could not get on without embodying the other Bill, of course he would ask the committee to report progress.

Mr. GRAHAM thought it would be a great loss of time for the House to go into committee on the Bill until the other Bill was incorporated with it. He would strongly recommend the honorable member, as the House seemed to be of one opinion all round, and had arrived at a most delightful unanimity that the two Bills should be amalgamated, to consent to a postponement of the matter.

The ATTORNEY-GENERAL said that going into committee to consider some portion of the Bill would not prevent clauses being added to it afterwards. However, if it was the wish of the House, he had no objection to postpone going into committee until that day week.

Motion, by leave, withdrawn.

ELECTIONS BILL.

The COLONIAL SECRETARY: Sir, at this late hour of the evening, it would be desirable to postpone the motion for the second reading of this Bill until to-morrow; but as I have promised that the matter should be considered on as early a day as possible, and as I know that the public mind is very much excited in regard to the abolition of voters' rights, and to the present system of revision courts, I have no hesitation, although I am not quite so well prepared as I should be to-morrow, in now moving the second reading of the Bill. The great principle the Government have had before them in forming this measure has been to have due regard to the franchise under which electors are enrolled. It has been admitted, I believe, by the honorable member for Port Curtis, and by other honorable members on that side of the House, that our present electoral law is defective; and, to my mind, in a colony like this, if a defect is once admitted to exist, no time should be lost in trying to remedy it, and there ought to be no difficulty in the way of coming to Parliament and asking it to remedy it. If the evils complained of become chronic, then the difficulty of remedying them is increased until, perhaps, they are of such long standing that it will be almost impossible for us to do that which it is now in our power to do. Now, there is one point in connection with the electoral law in this colony which I think ought at all times to be admired, and that is, the attempts which have been made from time to time to extend the franchise, until we have now what is almost equivalent to manhood suffrage. It appears to me that whilst there has been an apparent desire on the part of the Parliament to extend the franchise in every Bill that has passed the Parliament of Queensland, there has been a difficulty in connection with that very thing. I mean by that, that whilst there has been a desire to extend the franchise, there has, at the same time, been a tendency to throw obstructions in the way of the exercise of that franchise so as to render it almost inoperative. And although I do not say for one moment that the framers of the Act of 1872 intended to limit the exercise of the suffrage, and to prevent people from voting as they think proper, yet, we are not to forget, and I hope honorable members will not forget, that there was an announcement in the public newspapers—an announcement that proceeded from this House and from the then head of

the Government—that honorable members, who, at that time, constituted the Opposition, would find that, at the next general election, many of their seats would be vacant under this Act. I do not mean to define what was intended by that expression; but I am of opinion, and that opinion has been strengthened by everything I have seen in connection with elections lately, that the practical result of the Act of 1872 has been to render manhood suffrage a perfect farce, or, at any rate, to render it perfectly useless. Now, sir, in order to show the difficulties in connection with the operation of the Act of 1872, we have simply to refer to one of the earliest clauses of it, in which it is enacted that no man's claim shall be even considered, or even be entitled to be placed on the list outside the court house, unless he has made a declaration before a magistrate of the district that he is qualified as an elector. Now, there is no doubt that magistrates are common property just now, at least they were until the present Government went into office; they are not so plentiful now, because there has not been so many gazetted to the commission of the peace. But, sir, during the reign of the late Government, in many districts of the colony—in many important districts—there was the greatest difficulty on the part of individuals, who were well qualified to become electors, to get their names placed on the roll under this Act. They have to travel long distances to get a magistrate to take their declarations, and when they get to where they can find a magistrate, what power have they to compel him to take them? I have been informed over and over again that magistrates have refused to take them, but I do not know whether such is actually the case; but whether it is so or not, I am not aware of any clause in this Act to compel them to take them. I say, that if we are to have manhood suffrage—if the legislature intended that the suffrage should be extended to manhood—it was also the intention of the legislature to make the exercise of that suffrage as fair, as simple, and as reasonable as possible; that, in point of fact, there should be no difficulty placed in the way of any qualified person to get his name inserted on the roll. I have now referred to one difficulty, and a very serious one it is; and although I do not intend to go through, in detail, all the difficulties which exist under the present law, I will refer to another upon which I will make a few observations. It is, that a man is actually bound to go personally and obtain his elector's right; and not only is he bound to do this, but he is also required to put his signature in a number of books before he can get his right. Now, we all know that the majority of electors in this colony, and everywhere else, consists of workmen who cannot afford to lose time to go to the clerk of petty sessions and sign a number of books before they can get their rights; but assuming that they do so, I should like to know what guarantee is this signing of books as to the identity of electors. There is no doubt that the idea of the framers of the Act of 1872, was, that this signing was to be conclusive proof that the man who presented himself to vote was the same man who signed the book; but when we recollect for one moment that these men are working men, as the majority of them are, and that a general election in all probability will not take place for years, I should like to know what evidence that handwriting can be, because men constantly change their hands; and in the case of a working man, the idea of this handwriting being proof of the identity of the individual is a perfect absurdity. But, I go further, and I say that this signing was intended to prevent personation. Does it do so? I will just show the House how it works. A man who wants to personate another is not likely to come and ask for that person's elector's right before the day of polling; and honorable members will recollect that, according to the existing law, a man is entitled to demand his voter's right up to the very hour he polls. Now, it is known that the elector's right has not been issued, and the man goes, or rather somebody else goes for him, and while everyone else is engaged in the polling-booth, or in some other part of the district, he walks into the office, gives his name and particulars, signs the book as often as the clerk of petty sessions chooses to ask him, gets his voter's right, votes, and then walks away. I would like to know what check there is in this Act against personation in that way. All the signing of the books goes to the wind.

Mr. Miles: You are right.

The Colonial Secretary: Any man who chooses to take the risk comes forward, gives a name, signs the book, gets his right, votes, and away he goes, and no one knows anything about it. I say the present Act, so far from preventing personation, is an encouragement to it. I have been told, and I have no reason to doubt my authority, that in some districts electors' rights were actually offered for sale on the day of the poll. I want to know what kind of a system it can be that admits of anything of the kind? But there is another, and a still more serious, objection in the existing law than any I have yet stated. In the fifteenth clause it is provided that if a man does not take out his voters' right within twelve months, the bench will be called upon to strike his name from off the roll. Now, I wish to show the House exactly how this operates; and if honorable members will give attention to it for a few minutes, I will be able to prove, beyond the possibility of question, that the result will be, that in two or three years we will have no electoral roll at all. I will take the case of the city of Brisbane to begin with. I find that in this electorate the number of names on the roll is 1,099; and the number of rights issued up to yesterday

was only 569, so that here we have 530 electors who, in the course of a month or two, will have their names struck off the roll. This is manhood suffrage; these are our rights and privileges under the Act of 1872! I will now take the electorate of South Brisbane. The number of names on the roll there is 1,124; the number of rights issued 472, and the number not issued 652. Now, here, a larger number of electors will actually be struck off the roll in a couple of months than there have been rights issued. Is that extending the franchise; is that enabling electors to exercise the franchise fairly? I say, most distinctly, it is not. In the electorate of Fortitude Valley there are 1,068 on the roll, and 640 rights have been issued, leaving 428 not issued, and which are liable to be struck off. In Wickham I also find the number on the roll 678, and the number of rights issued 306, and the number not issued 372—here more than one-half the electors are proposed to be struck off. I now come to the case of Oxley, which is probably about the most barefaced instance under the Act. Here there are 573 electors on the roll, the number of rights issued is 232, and the number not issued 341. I do not think I need go further; in every electorate about one-half the electors who have not taken out their rights—who have not been able to do so,—who probably could not do so without a considerable amount of expense—must go off the electoral roll; and I say a system which allows such a proceeding as that must be thoroughly rotten, and the sooner we get rid of it the better. The system I propose to adopt in this Bill, so far as this is concerned, is the original one. I do not propose to go through the Bill clause by clause, because I do not think honorable members will require me to do so. Many of the clauses are exactly the same as are in the existing Act, and to a great extent the Bill is a compilation of that Act, with some additions.

Mr. MILES: Explain the first clause.

The COLONIAL SECRETARY: I will do so if the honorable member will permit me. I propose now to draw the attention of the House to those clauses which are new, and to which honorable members will probably devote their attention; but I may say, with regard to the principle of the Bill, that I propose to entirely abolish electors' rights; and we will have the old original system, and the best system I believe that has ever been introduced in any of the Australian colonies, and which is now in full operation in New South Wales, namely—to collect our rolls. I think the Bill makes sufficient provision for the proper collection of the rolls; and where there is any defect in the collection, it may be made good by a declaration. As for a declaration before a magistrate, it is a perfect farce; here there is nothing to prevent a man from incurring the penalties, even if he made a declaration before himself. Honorable members will find that the revision of the lists I have left very much as the law now stands. There is, however, an alteration in the 29th clause with regard to the collection of the electoral rolls. It provides:—

"In every electoral district every clerk of petty sessions shall on or before the fifth day of December in each year deliver the lists revised as aforesaid to the returning officer of the electoral district to which the same belong or relate and such returning officer after having received the list or lists of the electors for the whole of such electoral district shall forthwith cause a general alphabetical roll of the electors of the whole electoral district numbered in regular arithmetical order and duly certified by him to be fairly printed with as little delay as possible at the Government or other convenient printing office."

I have also provided:—

"That when any electoral district shall comprise more than one police district or portion of a police district the names of the electors of each such police district or portion of a police district shall be placed together in alphabetical order so as to form a distinct division."

I think this will be found very convenient in the practical working of the Act. The next, clause 30, provides:—

"Every such electoral roll so compiled as aforesaid for an electoral district shall be the roll of electors entitled to vote in such electoral district at all elections between the first day of January inclusive in the year succeeding that in which such roll shall have been compiled and the thirty-first day of December in the same year and shall during that period be conclusive evidence of the title to vote of each elector therein named unless disqualified or incapacitated for any of the causes hereinbefore mentioned."

Such as bribery, and the other usual disqualifications. I will now invite the attention of honorable members to clause 34, which is new and original:—

"The Governor in Council may by notice in the *Gazette* from time to time appoint places for taking the poll. Provided that no place shall be appointed for taking the poll at any election after the fourth day next before the day of nomination for such election."

Mr. MILES: Hear, hear.

The COLONIAL SECRETARY: I am glad to hear the honorable member for Carnarvon call "hear, hear," because I know he is a great advocate for the purity of elections; and I am sure this will meet with his approval. Under the law, as it at present stands, the Executive have full power to proclaim a polling-place at any time before the election, in fact, the day before; and I believe candidates have been in the field who did not even know of the existence of polling-places. I say that such a proceeding ought not to be permitted, because, if a polling-place is declared so late as the day before the election, unless with the consent of all the candidates, it can be only for one object, and that is to benefit a particular candidate. That, I repeat, ought never to be permitted. I will now invite attention to the 36th clause, which provides that the

returning officer, after receiving the writ, shall give public notice of the day and place of nomination, and of the day of polling, and the polling-places, and also of a place within the electoral district at which he will be present on the day preceding the day of nomination, for the purpose of receiving nominations. The present law is very indefinite on this point. A returning officer may be in Sydney; a candidate may run round the electorate with his nomination paper and not be able to find him; and there is nothing to show what would be a legal service upon him. This clause provides for any difficulty of that kind. I have next to invite attention to two very important clauses, the 52nd and the 53rd. Clause 52 provides:—

"For the purposes of all elections it shall be lawful for the Governor in Council by notice in the *Gazette* to assign to each polling-place therein appointed for any electoral district a polling district embracing such portion of the said electoral district as the Governor in Council may appoint in that behalf and it shall be the duty of every returning officer to give public notice of all such polling districts in like manner as of polling-places and after such notification of any polling district or districts every elector shall vote at every such election as aforesaid at the polling-place so appointed for the polling district within which his qualification arises or is situated unless in the event of his offering to vote at a polling-place other than that appointed for the polling district within which his qualification arises or is situated he shall comply with the requirements of the next following section."

Honorable members will, of course, be better able to judge of the policy of this clause after reading clause 53.

Mr. MILES: I do not like that clause.

The COLONIAL SECRETARY: I do not know whether the honorable member likes it or not. It is a clause I know he may take exception to, but I believe that, as it stands, it is a very good clause, and deserves the support of honorable members. But, at the same time, I may state, that I am so anxious to see the Bill passed in a form which will give satisfaction that I am not wedded to the clause, because the object of it may be attained in another way. It is quite possible that the object might be attained by confining a man to his electoral district; but my desire has been to give every opportunity for electors recording their votes consistent with necessary precautions for the prevention of personation. The clause provides:—

"Whensoever any such polling district shall have been appointed and notified as aforesaid the following provisions shall take effect:—

(1.) The presiding officer at each polling-place to which a polling district shall have been so assigned as aforesaid shall at least two days before the taking of the poll on a certified copy of the electoral roll to be used for the election then pending cause a mark to be made against the name of every elector on such roll whose qualification arises or is situated within the said polling district And if in the opinion of such presiding officer the situation or locality of any elector's qualification is open to doubt he shall cause the letter D to be written against the name of such elector on the said roll

(2.) In addition to the questions to voters authorised by the fifty-first section of this Act the presiding officer shall if he think fit or if required by any candidate or scrutineer put to any elector before he shall have voted the following question—

'Do you reside or is your qualification situated within the polling district assigned to this polling place?'

(3.) If the said question shall be answered in the negative by any such elector against whose name in the said electoral roll the letter D shall not be written then the vote of such elector shall not be received at such polling-place unless he elect to record his vote in the same manner as a person unable to read or a blind person is permitted by the forty-eighth section of this Act."

Now, without reading the fourth sub-section, honorable members will at once see that an elector, if he does not vote within his own electoral district, is bound to vote openly. The object I have in view in inserting this sub-section is simply to protect the *bonâ fide* elector against personation. It is possible the party may be the true elector, but still he must vote openly; but, on the other hand, he may not be the true elector, and I have provided, as honorable members will observe, that he shall not only vote openly, but the name of the candidate for whom he votes shall be mentioned, so that, in the event of any inquiry afterwards, the result of the vote shall not be left a question of doubt. I can easily understand that opinions will differ on this point, but it seems to me the whole affair is compressed into a very small compass. Of course, the great object is to prevent personation; and can we do that best by confining a person to his electoral district altogether, or shall we do it by compelling him to record his vote openly? That is a matter for honorable members to consider. I am not wedded to the clause as it stands, but I have a strong leaning in favor of it. It has been mentioned as a strong objection to it, that employers of labor may compel men to go from one polling-place to another to record their votes. I admit that such a thing is possible, but I do not believe it is at all likely. I do not believe that the majority of working men in this colony would submit for one moment to be dragged from one polling-place to another to oblige their employers. I shall urge the clause in committee, and I shall be glad to hear the opinions of honorable members upon it. It is quite possible the honorable member for Carnarvon may convince me that it might be very properly omitted. Then the 60th clause is also a very important one, because I know it has been taken exception to by newspapers; and I have always regard to

every suggestion and every objection that may be made, no matter from what source it may come: I am always happy to hear them, and if they can benefit me I am very glad to take advantage of them. This clause provides:—

"Each presiding officer other than the returning officer shall immediately on the close of the poll in the presence of the poll clerk (if any) and also of such of the candidates and scrutineers as may desire to attend count the number of all the ballot papers which have been taken at the polling-place whereat he presided without opening or examining the same in any way and shall then in the like presence make up in one parcel all such ballot papers together with all books kept by him during the polling and the roll supplied to and used by him at the election signed by him and the poll clerk (if any) and also a written statement signed by himself and countersigned by the poll clerk (if any) and any scrutineers who may be present and shall consent to sign the same containing the numbers in words as well as figures of the ballot papers so counted as aforesaid and shall seal up such parcel and permit the same to be sealed by the scrutineers present if they so desire and shall thereafter with the least possible delay transmit such sealed parcel to the returning officer."

Now, an objection has been taken to this clause, but it must be remembered that it is vote by ballot; and unless we can carry that out the whole thing is a perfect farce, and we might as well have open voting. I know there are polling-places in the country where only two or three electors have polled, and everybody knows that when the polling-booth is closed the ballot-box is opened, and in these cases it is at once known who the electors voted for; and I say, wherever that arises, it is not vote by ballot. I maintain the clause is therefore desirable for that purpose. The substantial objection to the clause is this—that the ballot-papers might be lost; but I would point out that they may be lost now, and the objection is as strong in one case as in the other. We have had no difficulty so far, and I do not think we are likely to have any under this Bill. Honorable members will also find that the 62nd clause is original. I need not read it; it simply provides for the manner in which the presiding officer shall act when he receives the voting-papers. Then, clause 64 is also original, and provides for the transmission of the ballot-papers to the Clerk of the Legislative Assembly, and the time during which they shall be kept by him. Under the present law, he is required to keep them for five years; but I can see no reason why they should be kept for so long a period: and I propose that they shall be kept simply for two years, which I think is quite long enough. The clauses referring to bribery are very much the same as they are in the existing law; but the penalties in clause 78 are original:—

"If any person shall knowingly and wilfully break the seal of or open any such sealed parcel or sealed packet as aforesaid unless he be by the lawful command of some competent court or other tribunal required so to do or called upon to produce some portion of the contents of such parcel or packet he shall be deemed guilty of a misdemeanor and on conviction thereof shall be liable to imprisonment for any term not exceeding two years with or without hard labor."

I have now occupied the House for some time, and I trust I have said sufficient to induce honorable members to see that, in the first place, the fundamental principle of the law, as it now stands, is a wrong one, and, secondly, that it ought to be altered; and further, that this Bill is a good one, and one which it is desirable should be passed. It may be that upon some of the details honorable members will differ in opinion; but, upon the whole, I hope the House will arrive at the conclusion that the Bill is an improvement upon the present law, and that they will pass it through the second reading. I move, sir—

That the Bill be now read a second time.

Mr. MILES thought that this Bill showed, at all events, that it was the intention of the Government to endeavor to carry through some measure of the kind referred to by the honorable gentleman at the head of the Government in the manifesto he announced at Ipswich. He believed the honorable member, on that occasion, referred to the Elections Act, and intimated that he would take an early opportunity of introducing a Bill to amend the Act of 1872. He was exceedingly glad that he had kept his promise, because he was of opinion that a more unworkable measure than the Act of 1872 was never in existence. It professed to give manhood suffrage, while at the same time it had just the contrary effect; and a more cumbersome Act had never been placed on the Statute Book. It was not only cumbersome and unworkable, but it did not in any way prevent personation. He could point to an instance where a candidate drove a person into the court house in his own buggy, and actually obtained an elector's right for him, knowing well at the time he was not the proper party, and was not entitled to it. He would not mention names, but he had no doubt honorable members knew exactly who he referred to. It was not done on one occasion, but on four or five; and when the returning officer saw what was going on, he prevented it. He was of opinion that, so far as electors' rights were concerned, they were a perfect farce, and that the provision compelling electors to make a declaration before a magistrate, before they could have their names placed on the roll, entirely did away with the object of the Act, which was intended to give universal suffrage, or, at all events, manhood suffrage. The labor and trouble which qualified persons had to go to, in some instances, to get their names placed on the roll was such as to prevent many from becoming electors. They had oftentimes to travel twenty or thirty miles

to make the necessary declaration. It had been stated by the honorable the Premier that there were occasions on which magistrates refused to take these declarations; but he was not aware of any case of the kind. It was true, the Act did not compel a magistrate to take the declaration, but he did not know of a single instance in which an elector was refused.

The COLONIAL SECRETARY: I did not say so.

Mr. MILES understood the honorable member to say so; but he was very glad to hear that such was not the case. For his own part, he would go out of his way to give every facility to a man to have his name placed on the roll; and, in fact, he knew there were many magistrates in that House who had even carried the proper forms about with them, and invited qualified persons to make the necessary declaration, to have their names placed on the roll.

The COLONIAL SECRETARY: I think the honorable member will find what I said was, that there is nothing in the present Act to compel a magistrate to take the declaration, and that when a man went to him, he had no guarantee that the declaration would be taken.

Mr. PALMER said he understood the honorable member to say that magistrates had refused to take declarations.

Mr. MILES was under the impression that the honorable the Premier had made a statement to that effect, but he was glad that such was not the case; because he was of opinion that if the honorable gentleman knew that a magistrate had refused to take a declaration to enable an elector to have his name placed on the electoral roll, he should at once strike his name off the commission of the peace. With regard to the Bill, he was prepared to support it generally, but he was not prepared to support the whole of the new clauses introduced into it. He did not at all like the idea of open voting, and he would endeavor to amend that portion of it when it came on in committee. But there was one part of it which he thoroughly approved of, and that was, that it should be defined by law where the polling-places should be. He was sorry the honorable the Secretary for Public Works was not present, but he could state that in one instance the late Government—he presumed the late Colonial Secretary—proclaimed polling-places twenty-four hours before the day of election; at all events, the fact of the polling-place having been proclaimed did not come to his (Mr. Miles') knowledge until twenty-four hours before the election took place. Every place where there was a sheep station, with one or two electors, was proclaimed a polling-place, and no doubt it was done at the instance of the honorable the Secretary for Public Works. He could not say at whose instance it was done, but he was sure it was not at his. Almost every sheep station in the Maranoa district was proclaimed a polling-place; and if there were no other clause in the Bill, he would vote for it, because it provided that no polling-place should be proclaimed less than four days before the day of election. It was for the interest of the country that unnecessary polling-places should not be proclaimed, because every additional polling-place was a considerable expense. He was not at all sorry that the honorable member for Maranoa had turned tail on the honorable member now sitting at the head of the Opposition benches, because, only for the assistance of that honorable member, the gentleman who now represented the Maranoa would not have been returned. At that election, electors were actually intimidated. Polling-places were proclaimed where there were only two or three electors; and they were told, "If you do not vote for so-and-so, your services will be dispensed with." Electors were coerced and forced to vote in a certain way; and he was very glad that a Bill had been introduced to do away with the influence which employers had over their men. He regretted, however, that provision had not been made for paying returning officers. It was a very responsible duty to perform; and in this matter, as well as in others, he went upon the principle that if they wanted work done well, they should pay for it. This suggestion was not new, because on every occasion when a Bill of this kind was brought forward, he had always called attention to the necessity for paying returning officers for their services; and he would take an opportunity, when the Bill was in committee, to introduce a clause to that effect, and he hoped honorable members would assist him in carrying it. Returning officers had not only very important and responsible duties to perform, but were put to great trouble and expense in discharging those duties; and he maintained it was only fair that they should receive remuneration for their services. He should vote heartily for the second reading of the Bill, reserving to himself the right to move certain amendments in committee.

Mr. PALMER said, in rising now he had no intention of going into the merits of the Bill; but if the leader of the Government were present, he would suggest that, at that hour of the night, when the House was wearied, it would be much better if the discussion upon a measure of so much importance were postponed until another day. He thought the honorable member felt that himself in rising to speak to the Bill, because he said he was not quite prepared to speak to it. He (Mr. Palmer) felt that also, and he left the House after making some notes on the opening part of the honorable gentleman's speech; and he would suggest that it would be much better if a Bill of this kind were discussed at an early hour of the afternoon, and when there was a fuller House than there was that evening.

Having risen, he must entirely deny the assertions of the honorable member for Carnarvon with respect to the appointment of polling-places. He was certain that if the papers were produced from the Colonial Secretary's office, the assertion that he, as Colonial Secretary, appointed polling-places, would be found to be entirely without foundation. If the honorable member for Carnarvon knew anything of the machinery of Government he must know that the Colonial Secretary, *per se*, had not the power to appoint polling-places; it must be done by the Governor in Council: and he denied that polling-places were ever proclaimed to suit the convenience of the honorable member for Maranoa, now Secretary for Public Works, or any other member of that House. On the contrary, he refused to appoint several polling-places applied for by that gentleman, as the records would show; and he could appeal to every member of that House, who were either Opposition candidates, or what might be called Government candidates, if he ever refused, on good ground being shown—on it being shown that the places applied for to be appointed polling-places were at a sufficient distance from the polling-places already established, to appoint them as such. In one instance, he did refuse to appoint a polling-place within a mile of another, and with that exception, he could not recall a single instance in which he refused, on good cause being shown, to appoint a polling-place, whether the candidates were supporters or opponents of the late Government. The instance he referred to was one in which the honorable member for Bulimba was interested; and he refused, because the returning officer, on being appealed to, said there was no necessity whatever for it. He entirely denied that in the district of Maranoa polling-places were appointed for the convenience of the present Secretary for Public Works; and he would take this opportunity of saying, in reply to the statement of the honorable member for Carnarvon, that that honorable member had turned tail on him, that he never did anything of the sort. That honorable member told him that as long as he (Mr. Palmer) was leader of the Government, and so long as the then Ministry were in office, he would give them fair and consistent support; and, when that Government resigned, he maintained that honorable member had an undoubted right to join any Government that he believed would be for the good of the country. He would be utterly ashamed of himself if he had a single feeling in his composition which would lead him to think that honorable member had done wrong. It was entirely a matter for his own judgment. The honorable member proffered him his support as long as the late Government were in office, and he believed he would have had that support if he had continued in office; but having left office, the honorable member was perfectly entitled to join any Government he thought fit.

Mr. MILES: His vote turned you out of office.

Mr. PALMER: I deny it. I did not go out on any vote. That will not hold water for one moment.

Mr. PECHEY hoped the Government would not give way in consenting to the delay that was asked for with regard to this Bill, which was the most urgent measure in the whole list of Bills before the House. If this Bill were not passed, every electoral roll in the colony would have to be revised within the next few weeks. The time for placing names on the roll under the present Act would expire in a short time, and they did not yet know whether this Bill would become law or not. He was aware that there were many electors, or those who were entitled to be electors, outside the House, who imagined this Bill would become law, and, on the strength of that, they were neglecting to have their names put on the roll in the way they would do if they were certain this Bill would not pass. Whatever might be the opinion of the majority of the House upon this Bill, they did not know what would be done with it in another place, and he therefore maintained that it was the duty of the Government to press it through with as little delay as possible. No Bill before the House, not even the Land Bill, was looked for with more anxiety throughout the country than this was, because it would have the effect of obviating the present difficulties which existed in obtaining the franchise. Honorable members could see from the figures quoted by the honorable the Colonial Secretary, that even in the metropolitan constituencies where people were within a few minutes' walk of the office where the voters' rights were to be obtained, only one-half of those rights had been issued. If this was the case in Brisbane, where a man could get his voter's right in five minutes, what must be the state of affairs in the country, where men had to travel hundreds of miles to get their voter's right? A measure of this kind was absolutely necessary in the country, in order to get fair representation; and he therefore hoped there would be no delay in pushing it through its various stages as quickly as possible. He quite agreed with the main features of the Bill, and, amongst others, of doing away with voters' rights. He thought this was the grand feature of the Bill. He would not say that these voters' rights might not for the nonce have done some slight good, because he believed that the very injustice and absurdity of this system had roused the country to a state it would not otherwise have been roused to. That was the only good these voters' rights had done, and the quicker they got rid of them, the better. It was only necessary to examine into the last census returns, and compare them with the

electoral rolls of the various districts, to see what the great injustice and absurdity of this system was. He found that actually, in the town of Toowoomba, there was a larger number of electors on the roll, by some hundreds, than there were adult males in the place, according to the census returns collected by the late Government. Then he found in the North, in the electoral district of Springsure, there were only 119 electors on the roll, although the census returns showed 1,080 adult males in that district. What stronger proof could they have than this, of the absurdity of the law at present in force? Clermont was another instance: there were only about 119 electors on the roll, while it was represented that there were 1,000 adult males in the electorate. This being the case, it proved at once that either there was a great laxity amongst the people of the North in desiring to obtain their rights, which he had not found to exist in the southern portion of the colony, or else there was a very great obstacle placed in the way of persons getting their names on the roll. No instance had come under his notice where a magistrate had refused point blank to witness a declaration to enable a man to get his name placed on the electoral roll; but he did know that men were put to so much inconvenience to get their names on the rolls that many of them, before they got through one quarter the forms, gave the whole thing up in utter disgust and perplexity. He quite agreed with the honorable member for Carnarvon, that clauses fifty-two and fifty-three would be much better out of the Bill. The fact of the matter was, that if these clauses were passed, all the protection of the ballot would be done away with, and they might as well resort to open voting at once. He was quite confident that whatever honorable members might think about the matter, so far as metropolitan constituencies were concerned—where, perhaps, the people were more independent than in the bush towns and country districts—if the 52nd clause remained in the Bill, a great number of electors would be forced to go where they would be obliged to vote openly. He would support the honorable member for Carnarvon in committee in trying to do away with this clause. There were some further slight alterations he would like to see made; and, with these exceptions, he looked upon the Bill as the most complete measure that had ever been introduced into that House, and he sincerely hoped it would be made law as soon as possible. If it was to be made law, he contended that it should be done at once, in order to save electors the great trouble and expense which they had to incur under the present Act for the purpose of exercising their rights. He therefore hoped, for the interest of the country generally, it would be pushed through with as little delay as possible.

The COLONIAL SECRETARY: Do I understand that the honorable member for Port Curtis made a motion for the adjournment of the debate?

Mr. PALMER: I merely suggested that it would be better if a Bill of so much importance as this should be discussed at an earlier hour of the evening, and in a full House. I made no motion. I understood the honorable gentleman to say, that he himself was not quite prepared to enter into the question to-night, and I think it would be much better to adjourn the debate until an earlier hour on another day, and when there is a full House.

The COLONIAL SECRETARY: When I rose to address the House, what I stated was that I was scarcely so well prepared to move the second reading of the Bill as I would be to-morrow night. Of course, the Bill is a most important one, and I am anxious that every honorable member should be able to express his opinions upon it. I am not at all anxious that the second reading should be disposed of to-night, and the reason I rose on this occasion is, because I do not understand whether the honorable member for Port Curtis suggested that the debate should be adjourned until a later day than to-morrow. I cannot consent to any adjournment beyond to-morrow; and it is only necessary to look at the period of the session, and the work we have before us, to see that it is impossible that a measure of so much importance can be postponed for any length of time. I am quite prepared to consent to the adjournment of the debate until to-morrow, but I do not think it is competent for me to move it, having already spoken.

Mr. PALMER: If the honorable gentleman agreed to that, it was all he asked.

Mr. ROYDS moved the adjournment of the debate.

The COLONIAL SECRETARY said he had not the slightest objection to the adjournment of the debate, on the understanding that it was to be adjourned until to-morrow. He would intimate to the House that in the event of the second reading being carried, the Government intended to go into committee to-morrow night. They did not intend to lose any time about it.

HONORABLE MEMBERS: Hear, hear.

Mr. PECHEY, speaking to the question of adjournment, said he hoped honorable members were not to be met by a tyrant majority. There were two or three other important Bills to be disposed of. Honorable members had now given way more than he thought the Government ought to expect, and more than they ought to have done.

Question put and passed.