Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 28 SEPTEMBER 1881

LEGISLATIVE ASSEMBLY.

Wednesday, 28 *September*, 1881.

Questions.—Fire Brigades Bill—third reading.—Tramway from Railway Station to Petrie's Bight.—Gulland Railway.—Thomas Railway.—Liquor Retailers Licensing Bill—committee.—Message from Legislative Council.

The SPEAKER took the chair at half-past 3 o'clock.

QUESTIONS.

The HON. S. W. GRIFFITH asked the Colonial Secretary—

1. Is it the intention of the Government to issue amended regulations under the Act 26 Vic. No. 5, for the introduction of immigrants from British India?
2. If so, will the Government lay them, or a draft of them, on the table of the House before the vote for the salary of an Immigration Agent under that Act comes under discussion?

The COLONIAL SECRETARY (Sir Arthur Palmer) replied: One answer will answer both questions. It is—Yes, if the salary for the immigration agent is voted.

Mr. GRIFFITH: Have they been drafted?

The COLONIAL SECRETARY: There is no necessity for them.

FIRE BRIGADES BILL—THIRD READING.

On the motion of the COLONIAL SECRETARY, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council with the usual message.

TRAMWAY FROM RAILWAY STATION TO PETRIE'S BIGHT.

The MINISTER FOR WORKS (Mr. Macrossan) in moving—

1. That the House approves of the Plan, Section, and Book of Reference of Tramway from Terminus to Petrie's Bight, as laid upon the table of the House on the 15th instant.

2. That the said Plan, Section, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form.

—said that the tramway was proposed to start from the present terminus, to go past the old Grammar School along Roma street, and thence *viâ* Ann street to Petrie's Bight. It was proposed to use Barker's system in working the tramway; that was, the ordinary tramway rail would be made flush with the level of the street, resting upon cast-iron sleepers—the sleepers and rails being embedded in concrete; a system which had been adopted in Manchester and other large towns, and found to answer extremely well. The motors to be used would probably be Merreweathers', weighing 6½ tons, and capable of drawing two fully-loaded large cars up a very steep grade. The steepest grade proposed on the line, if they were compelled to keep to the permanent level laid down in the maps of the city, would be 1 in 18½; but if they got permission to raise the level, the steepest grade would be 1 in 22, over which the working of the tram would be comparatively easy. The steepest grade on the Sydney tramways was, he believed, 1 in 19; therefore it would be better than in Sydney. It was thought to be to the advantage of the Corporation if they would allow a hollow, over which the tramway would be taken, to be filled up; but if the Corporation prevented the Government from filling it up, the steepest grade would be 1 in 18½, or about the same as the steepest grade on the Sydney tramways. He thought that the railway system did not get as much of the suburban traffic as it might, owing to the terminus not being in the business centre of the city. At present the omnibuses had far more people travelling by them than would be the case if the tramway was constructed, as business men and other passengers travelling by the tramway would be put down at the corner of every street intersected by the tramway from the terminus to Petrie's Bight, and the tram-line in most places would not be more than two minutes' walk from any portion of Queen street. He was also certain that they would never get the traffic on the Sandgate railway to the same extent that they would get it if the tramway was completed, for he was sure the line to Sandgate would be used very extensively by people going to and from Sandgate, more particularly on Saturdays and Sundays, if they could avail themselves of this tramway.

Mr. GRIFFITH: Is it for passengers only?

The MINISTER FOR WORKS: Only for passengers.

Mr. GRIFFITH said he very much approved of the idea of a tramway from the Railway Station through Brisbane, and he hoped that when it was constructed noiseless motors would be used, as those used in Sydney were most objectionable. There were plenty of others to be got that were noiseless. He thought the Government had not chosen the right route, and believed the line would have to be pulled up in the course of a year or two. The most hilly street, and the one in which there was very little traffic, had been chosen for the tramway. He did not know who had selected the route, but he did not think it would be found that the Municipal Council or the Mayor of Brisbane agreed with it. Everyone he (Mr. Griffith) had spoken to on the subject was of opinion that it was the wrong route. He thought it was a very great pity that this route had been chosen, because the tramway, if laid down in a proper route, would command a large traffic, and be a highly remunerative undertaking. He should not oppose the motion, of course, but he thought that a bad route had been selected, and that a better route could have been found. It would be satisfactory to know that the Corporation had been consulted on the subject.

The MINISTER FOR WORKS: The Mayor has been.

Question put and passed.

GULLAND RAILWAY.

The MINISTER FOR WORKS moved—

1. That the House approves of the Plan, Section, and Book of Reference of Gulland's Branch Lines of Railway, as laid upon the table of the House on the 21st instant.

2. That the said Plan, Section, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form.

He said this was a line following on a Bill which was passed by that House a few days ago. Both of those railways passed entirely through Mr. Gulland's own land, and they were for the purpose of conveying coal from Mr. Gulland's pits to the river near Goodna. One branch line went across the Southern and Western Railway line by a bridge, and provision had been made by the Engineer that a safe and substantial bridge should be erected across the line, so that there would be no chance of any accident occurring.

Question put and passed.

THOMAS RAILWAY.

The MINISTER FOR WORKS moved—

1. That the House approves of the Plan, Section, and Book of Reference of Thomas' Branch Line of Railway, as laid upon the table of the House on the 26th instant.

2. That the said Plan, Section, and Book of Reference be forwarded to the Legislative Council for their approval, by message in the usual form.

He said this railway also was one that followed on a Bill which was passed in that House a few weeks ago, and he was sorry that the plans had not been laid upon the table sooner. The line started from Mr. Thomas' pit on the Brisbane River, and ran for about a mile and ten chains until it joined the Southern and Western Railway, near the Bundanba part of the line.

Question put and passed.

LIQUOR RETAILERS LICENSING BILL—COMMITTEE.

On the motion of the COLONIAL SECRETARY (Sir Arthur Palmer), the House went into Committee for the further consideration of this Bill.

Question—That clause 30, "Packet licenses," stand part of the Bill—put.

The COLONIAL SECRETARY said he mentioned in the House on the previous evening that he would like to recommit the Bill before going any further, and he would have preferred to commence it *de novo*, but that was contrary to the rules of the House. He found he must go on to the end of the Bill, and then recommit it. The intention of the Government, notwithstanding what had been said by hon. members last night, was to restrict the Bill to what it was originally meant for. The amendments that had been added to it, so far, altered the character of the Bill so much that if they were persisted in by a majority of the Committee he should feel it his duty to withdraw the Bill; and, as there would be no opportunity of introducing another Bill of the

same kind during the present session, he thought it was a great pity that the original Bill should not go through with some trifling amendments. He was prepared to go through it to the end, admitting any amendments that he approved of on the substance of the Bill, as printed; but leaving out any amendments on the question of licenses to grocers and licenses to private hotels, which the Government believed to be outside the scope of the Bill—outside the intention of the Bill, at all events. Hon. members would, of course, please themselves, and the Committee would have to decide the question whether the Bill should go on for the purpose for which it was introduced or whether it should be withdrawn. He was perfectly satisfied with the Bill, and thought that grocers' licenses and licenses to private hotels should be introduced in a Bill *per se*, and should not be mixed up at all with this Bill. If hon. members could carry a Bill of that sort well and good, but he thought it ought not to be mixed up in that Bill. The evils arising from granting licenses to grocers would be very great—far greater than he supposed when the matter was first introduced, and when he admitted the amendments. Granting licenses to private hotels would, he believed, open the door to a frightful amount of drinking in a very bad way, as such places would be under no surveillance of the police in any way. Any man by going and engaging a bed at one of those hotels for the night would be able to invite other parties to drink with him and be entirely free from police supervision. He believed it would be a very great evil, and there would be no possible way of checking it. He mentioned last night that there were two ways to deal with these licenses—either by objecting to them *in toto*, or loading them with such restrictions that no person would take out a license under them. There was another difficulty also, which he was not aware of when he accepted those amendments, with respect to general licenses. It was competent for any person who went to the Treasury and paid his £30 to take out a general spirit license, and anyone taking out that general spirit license would be entitled to apply, according to the amendment brought in by the hon. member for North Brisbane, to the clerk of petty sessions, and, on paying a certain sum, get a retail license as a matter of course. He was aware that the hon. gentleman had altered his opinion very materially on the matter, and that he had certain amendments in print, which he proposed to introduce, to remedy it, and some others which had been made in the Bill. As he had said before, the Ministry in Cabinet yesterday came to the conclusion that they would not admit amendments into a Bill of this sort, which was supposed to be a Government Bill. He believed, strange to say, that common cause had been made against the Bill by licensed victuallers and moderate drinkers, as well as by temperance associations. They were all at one on the matter that no amendments that could be introduced into the measure would remedy the evil, and that the amendments which were introduced and now stood in the Bill would spoil the whole thing and lead to great encouragement to drinking and a variety of other evils too. He should go on with the Bill, amending it as far as possible to make it workable. He should go to a division on every question upon which hon. members differed from him, and if an amendment which the Government considered they could not accept was carried by a majority of the House, he should feel it his duty to withdraw the Bill. In the 30th section, which he proposed *pro formâ*, he should make some amendments, so as to make the granting, renewing, and transferring of packet licenses much easier of accomplishment than was proposed in the original draft. It was pointed out by the hon. member for North Brisbane on a previous occasion that the clause as it stood would put masters of steamers and sailing vessels to considerable inconvenience, so he proposed to amend the clause.

Question—That clause 30 stand part of the Bill—put.

Mr. McLEAN said he was glad to see the change that had come over the Government with regard to the granting of grocers' licenses and licenses to private hotels. He only spoke twice on the Bill the last time it was before the House, but on that occasion he said that if those licenses were granted it would not be long before the House would have to repeal the Bill. He thought he was now borne out in the remarks he then made. It did not matter to him what had been the influence that had been brought to bear upon the Government in this respect. All that he could have said would not have a single bit of influence in pointing out the evils of the grocers' bottle license. It was not a new feature in licensing Bills to grant bottle licenses to grocers, because they had the experience of the old country. There it had been an unmitigated evil; it had been the ruin and curse of many families.

Mr. O'SULLIVAN: No!

Mr. McLEAN: The hon. member for Stanley said "No"; but the experience of many men in that House and of many persons who were not total abstainers was to that effect. He hailed the change of opinion on the part of the Government, and hoped they would stick to the Bill as originally introduced. There was no doubt that an amendment in their licensing system was necessary; and, so far as that amendment could be carried, the Bill as originally introduced was a good one. In New South Wales at the present time an amended licensing Bill was being considered, and there they had incorporated in their Bill a feature that he had long advocated in the House, and that was the principle of "local option." They had also introduced in the Bill the system of closing public-houses on Sunday. The Colonial Secretary had said that if the Government accepted the amendments that had been proposed, grocers would be so loaded with restrictions that it would be impossible for them to take out licenses; but he (Mr. McLean) contended that the principle, if once admitted, would be found to be a mistake. He could go hand-in-hand with the licensed victuallers on this occasion, and they had his full sympathy. If they legislated in the interests of a certain section of the community they ought to protect them, but there was no protection in the amendments proposed by the hon. members for Port Curtis and North Brisbane. They brought into competition with them a number of men who were not under the same obligations and control, and who now defied the law by insisting upon selling liquor in less quantity than two gallons. Once let the system be introduced, and the grocers would soon take another step and sell by the nobbler or glass. If the House was going to legislate on the question at all they ought to adhere to the original Bill and not throw open the doors to intemperance. As to private hotels, he did not rise to point out very fully the evils that might result from them. As the Colonial Secretary had said, if the hon. member had accepted the amendment he proposed to make in the Bill it would have enabled the keeper of a boarding-house to sell liquor without having an open bar.

Mr. GRIFFITH said, in the first place, he wished to correct an error in the report of what

he said yesterday on this subject. He was reported to have said:—

"So far as the private hotels were concerned, he had come to the conclusion that it would not be right to allow them at all on the same conditions as to inspection and supervision as any other hotel."

What he did say was that it would not be right to allow them, "except on the same conditions as to inspection and supervision." With respect to grocers' licenses, his hon. friend had given the reasons he urged against them last week, and since then they had been enforced in various ways. He was prepared to admit that there was a great deal of force in the arguments; but, if his hon. friend would do him the favour of reading his (Mr. Griffith's) revised amendments, he would find that these abuses were carefully provided against—the abuses which the hon. member enumerated.

Mr. DICKSON said the action of the Government on the present occasion was another of the many illustrations given by them of their eccentricity in conducting parliamentary proceedings. Here they had a very important Bill brought on for discussion, and they had witnessed the Government change their opinion upon it entirely. They also had witnessed them—the Government—voting against their own Estimates—an extremely rare proceeding. What were they to expect next? When this Bill was in committee the leader of the Opposition suggested the insertion of grocers' licenses. The Colonial Secretary then informed the Committee that he had been interviewed by certain members of the community, and that he had consented to allow the insertion of grocers' licenses. The Colonial Secretary's acceptance of the amendment was a very sensible step, and one which he (Mr. Dickson) was sure would give satisfaction to the community, because it legalised the practice which grocers carried on of selling to their constituents single bottles of spirits. That promise having been made to men who were interested in business in the colony, and who wished to pay whatever was fair and reasonable for the privilege so long as the trade was legalised, he was at a loss to understand how the Government could turn round and discard a principle which was not only promised to the deputation, but accepted by the hon. gentleman in that Chamber. With regard to the private hotel licenses he did not blame the Government so much, because that question had come on them suddenly in the course of debate, and there was a great deal to be said on both sides. This was, however, the proper time to refer to the grocers' license, and for hon. members to express their opinions finally. Grocers could at the present time sell wines and beer without any license in bottle, and were those men to be excluded from selling a bottle of brandy or any other spirit simply because one was distilled spirit and the other fermented? He contended they were quite justified in insisting upon the grocers' license being maintained in the Bill. His own opinion was this: that the Government had been too much influenced by the licensed victuallers. He quite recognised their importance as a body, but he contended that the House ought not to be influenced by them or any other set of men when legislating for the public good. He was suspicious, also, about the combination of publicans and teetotallers for the exclusion of the grocers' license. That in itself, to his mind, was strong proof that they ought to maintain the feature in the Bill. The Colonial Secretary had not urged any tangible objection against it, and there was no question but that they ought to legalise a practice which, even if not introduced in the Bill, would be persisted in. He could see a very great advantage accruing to the whole community from this practice being legalised. Men engaged in supplying family requirements, and who were permitted to sell wines and beer in small quantities, ought, if their customers required it, to be permitted to supply distilled spirit. If the Colonial Secretary could see his way to let the grocers' license stand with a reasonable license being paid, he (Mr. Dickson) should certainly go with him in trying to pass the Bill. The question of private hotels would also be brought on for reconsideration. He had been looking into the matter more fully, and many arguments might be urged against this principle. In the city of Brisbane, where there were a superior class of private boarding-houses, no abuse might arise, but very grave abuses might exist in establishments of inferior character. He was not so inclined to protest on behalf of private boarding-houses as on behalf of the grocers' license; and he hoped that, after a distinct promise had been given, a feeling of justice would guide the Government, and they would retain this feature in the Bill.

The COLONIAL SECRETARY said the hon. member for Enoggera had treated the House to one of his usual orations. He began by stating what was untrue, and he finished by repeating it. He stated that the Government had given a pledge to the grocers that they would support a grocers' license. No pledge was ever given. The only Minister who received the deputation was himself, in the presence of the hon. member for North Brisbane. He (the Colonial Secretary) stated to the deputation that if the hon. member for North Brisbane introduced an amendment to that effect he thought he could see his way to support it, provided they agreed on the question of the amount of license. The hon. member for North Brisbane was present, and knew whether what he stated now was correct or not. That was the understanding. The principal argument that was made use of by the deputation was that every one of them sold now without a license. That was the strongest argument, but he had to look at it from a Treasury point of view. If they sold now without a license the Treasury might as well have the benefit of the license money. The hon. member for Enoggera had talked of the change of front of the Government. If he meant to say that the Government having made up their minds on one day that they would pursue a certain course should, with bull-headed obstinacy, stick to it for ever, all he (the Colonial Secretary) could say was that he wished the hon. gentleman luck with his opinion. That was the system on which the Government to which the hon. member belonged proceeded. They took a bull-headed course, and by no argument and no reasoning, except when they found they were going to be licked, could they be convinced. They never gave in so long as they could carry a majority, and would eventually have landed the colony in insolvency if they had not been succeeded by a better Ministry. The hon. member (Mr. Dickson) was also very much concerned about the Ministry being overawed, as he called it, by the licensed victuallers; but if no greater attempt was made to overawe the Ministry than had been made in that case, they would go through the world very easily indeed. No attempt of the kind had been made at all by the licensed victuallers, but they had reasoned—and reasoned well and to the purpose, as the hon. member would confess if he would take the trouble to read the petition which he (Sir Arthur Palmer) had presented from the Licensed Victuallers' Association. A very great deal of sound reasoning had been brought to bear upon the subject by a deputation which waited on him, and it was at his suggestion that the views of the association were embodied in the petition which had been presented to the House. That, and the conscientious convictions of three-fourths of the Ministry who had not at

any time approved of the amendments which he had accepted on his own responsibility, had decided the Government upon adopting the course he had indicated. He personally had changed his opinions on the subject, and he should change them as often as he became convinced that his first-formed opinions were wrong. He held himself always amenable to reason, and, therefore, if that was the only charge the hon. member had against the Ministry, he wished him success with it. Had the hon. member any particular interest in the grocery business, that he came forward to advocate that cause so forcibly, and at the same time admitted that the question of licenses to private hotels was a matter of secondary importance? He was afraid that if things went on as they had been going on lately, he should have to trench very closely on the rules of the House in scrutinising the motives of hon. members. With the full cognisance of the Government, he intended to proceed exactly as he had told the Committee he intended. If he could, he should carry the Bill through without the provisions relating to grocers' licenses and licenses to private hotels; but if a majority of the Committee insisted upon including those provisions, he should feel it his duty to withdraw the Bill.

Mr. NORTON said the circumstances under which the Bill now came before the Committee were rather peculiar. When the Bill was first before the Committee certain amendments were agreed to after division, and were inserted in it. Now the Colonial Secretary, having changed his mind, asked the members of the Committee who had voted for the amendments to change theirs too. Had any convincing proof been given of the undesirability of the amendments he should have been prepared to do so; but he had seen no proof at all. It was not for him to defend the provisions relating to grocers' licenses—he had told the hon. member (Mr. O'Sullivan) that he saw no objection to giving the grocers a license to sell single bottles—but to say that the private hotel license was outside the scope of the Bill seemed to him an absurdity. It was simply a question of issuing two kinds of licenses instead of one. The Colonial Secretary said it would open the door to a great deal of drinking and a great deal that was bad; but he (Mr. Norton) thought that it would shut the door against a great deal of that sort of thing by doing away with a great many of the bars, which were nothing else than public drinking shops. He could not understand how the hon. gentleman could say that this provision would promote drinking. If a man wanted to have a drinking bout, what was there to prevent him from taking a private room in a boarding-house and supplying himself with drink? Could he not drink all night there just as well as he could in a private hotel? If the provisions with regard to private licenses were cut out of the Bill, it would be simply a Bill for the publicans, and for them alone. Penalties were provided not only for selling but also for buying drink from an unlicensed person. Would any hon. member wish to vote for the clause providing that any person who bought a glass of grog from an unlicensed person should be subject to heavy penalties? He had no doubt that those hon. members who had lived in the bush had sometimes been very glad to buy from an unlicensed person, and it would be hard to ask them to consent to the infliction of a penalty for that offence. The subject had been one in which he had interested himself ever since he first had occasion to stay in boarding-houses, and he could not alter his mind all in a moment. From the first he had thought there was no reason why the keeper of a boarding-house should not have a license to sell to those staying in the house. Of course, a license in any trade or calling might be abused; but it would be quite possible to make regulations for these houses the same as was done in the case of public hotels. Instead of increasing the opportunities for drinking, he believed they would be very much decreased; because some persons who now held public-house licenses, and especially those who had families of children growing up, would be only too glad to exchange their public licenses for private ones, in order that they might be able to keep their houses quieter, and make them the resort of people who would not go to hotels if they could help it. Some licensees, in other places than Brisbane, regarded their bars as a nuisance, and would be glad to get rid of them if they could do so. He had not asked hon. members what they intended to do with reference to these amendments, but, for his own part, having definite opinions on the subject, he could not withdraw from his position simply because the Colonial Secretary had changed his mind all at once. He should be sorry if the Bill were lost, because he believed it to be a good one; but his opinions were unchanged, and he must adhere to the amendments he had moved. If the matter went to a division, he must vote for the clause relating to private hotel licenses, which had been assented to on a former occasion.

Mr. KATES said that on the occasion of the second reading he promised to support the clause providing for grocers' licenses, as being a protection to the public and a protection to the Treasury; and he saw no cause to change his mind. Why should he be compelled to go to an hotel to buy a bottle of spirits, where he would, perhaps, find company with which he should not like to mix? Ever since Separation the grocers had been selling single bottles, thereby robbing the licensed victuallers and the Treasury. The Colonial Secretary at least should not object to the amendment, because it would be the means of bringing a revenue of from £5,000 to £6,000 into the Treasury; and he felt sure that the hon. gentleman, though he spoke against it, was still in his own mind in favour of the amendment. It must have been a great pressure, both inside and outside the House, to make the hon. gentleman change his opinion so quickly.

Mr. MACFARLANE said he was very glad the Government had come to the determination of going on with the Bill according to their original intention. The arguments brought forward by the hon. member for Enoggera (Mr. Dickson) were certainly rather peculiar. The hon. member seemed to say that because the grocers had been in the habit of selling single bottles illegally the practice should now be legalised. That would be legalising evil; but it would not make what was evil right or good. He maintained that this was a most unmitigated evil, and he spoke from an experience of twenty years in Scotland and England. There the people were agitating to do away with the very bottle system which was sought to be made law in this colony. It was an evil which had caused a great amount of drunkenness in families, especially among women, and he opposed it because it was so fraught with evil. Hon. members were very apt to regard the matter from their own standpoint, and they, as a rule, lived in a sphere of society in which they did not see much of the evil. But it was a very different case with the working classes. They got their drink by the bottle, whereas hon. members probably got theirs by the dozen; and this provision would make a tremendous difference to the working classes, as it had done in the United Kingdom. The hon. member made another mistake when he said that wholesale spirit dealers had the power of selling less than two gallons of wines

or spirits. He therefore thought the hon. member was talking of a subject he knew little about. Hon. members looked at the matter from many standpoints. He could perfectly well understand how the subject might be regarded from the point of view of an owner of house property or of a large grocer; but he stood up for the public, and spoke on behalf of the morals of the people, and he was glad to find that, after so much had been done for the material benefit of the colony, the Government had at last taken up the stand of doing something for the morals of the people. The hon. member for Darling Downs (Mr. Kates) said, why should he not be able to get a bottle of wine from the grocer's? but the hon. member might as well ask why he should not be able to get it from the miller, or the hatter, or the ironmonger. Why should the grocers have privileges above other trades, and equal privileges with the licensed victualler, who paid a high license fee? According to one of the amendments of the hon. member for North Brisbane (Mr. Griffith), a grocer's license might be given for a house rated at £50 a year, which, in a town, would probably be a mere humpy. He could appreciate the motives that influenced the hon. member for Gladstone. No doubt the hon. member wished to secure the comforts of a house for those who had to lodge in a boarding-house, but that advantage would not compensate for the disadvantage likely to arise from the sale of grog in a private house. It was impossible to judge of character by appearance, and some persons of bad character might get these licenses and make a bad use of them. In many cases it would not pay a respectable person to take out such a license, but it would pay persons who were not very respectable to do so. Most likely the hon. member for Stanley would say all this was great rubbish, as he generally did; but he wished to state his opinion that this was a great evil, and one that should be mitigated as much as possible. If the Government opened the floodgates of iniquity, and allowed everyone to sell drink, they would be glad very soon to undo what they had done.

Mr. O'SULLIVAN said the hon. member paid himself a deserved compliment when he said he was used to having his speeches called rubbish——

Mr. MACFARLANE: By the hon. member for Stanley.

Mr. O'SULLIVAN said that there were very few who regarded that kind of speech as anything else than rubbish. What the hon. member meant by this talk about moral iniquity he (Mr. O'Sullivan) did not know. The hon. member asked why the grocer or anyone else should be allowed to compete with the licensed victualler. Why should the licensed victualler have any privileges above others? Had not other traders as much right to sell liquors if they paid the same license? What had it to do with general morality whether the grocer got a license to supply a working man with a single bottle of drink? It was well known that the working man could get a single bottle whether the grocer had a license or not? What did it matter to them where the liquor was got if the men got it? They could get it now without going to the publican, and the hon. gentleman was very well aware of the fact. But the hon. member for Ipswich was really not worth taking further notice of, so he (Mr. O'Sullivan) would leave him and turn to the Colonial Secretary. That hon. gentleman had amused him more than he had ever done before. He never before saw the hon. gentleman so pleasant, soft, kindly, agreeable, condescending. What could have come over the hon. gentleman's brains to make him so fond and kind, and to change his opinions so thoroughly? He was under the impression that the hon. gentleman seldom if ever changed his opinions; but the hon. gentleman, though he acknowledged that he was not very squeezable, had shown himself to be very squeezable on this point. They had passed a resolution in the House affirming that these licenses should be inserted in the Bill. They divided the House upon it, and affirmed that they would have five kinds of licenses instead of three. No way had been suggested by any speaker how they were to get out of that. Were they to rescind that resolution before they went any further? The hon. gentleman might know, and the House too, that the grocers wanted no favours from anyone. They were doing now what they had always been doing, and whether these licenses were granted or not, would still continue to do the same. They were prepared to pay for the license, so where was the favour in it? The reasonableness of their actions, as stated by the Colonial Secretary to the licensed victuallers, were not so clear to him as they were to the hon. gentleman. If their conduct in Ipswich was an indication of their nature, they would not suit him. The association actually employed a hired informer for it, and gave him extra money for a conviction; and the consequence was that, right or wrong, true or false, the accused was convicted. They actually brought up children to the court-house in Ipswich and charged young girls for sly grog-selling. The consequence was that they were sent to St. Helena for it, and he hoped they would remain there. The Ipswich people were highly impressed with their behaviour, and an Ipswich jury convinced them that they did not think this conduct very honourable. Possibly, some of the hon. gentleman's constituents had brought influences to bear which had tended to soften him. The hon. gentleman was very condescending, and had told them that he would divide the House on every clause on which hon. members differed from him, but that, on any clause on which there was no difference, he would not take that course. He (Mr. O'Sullivan) would tell the hon. gentleman that in such an altered state of affairs, if he happened to be in the House, he would take the opportunity of differing with the hon. gentleman on every clause without he chose to keep his word and to do as he promised by allowing these grocers' licenses to go on. The hon. gentleman had told the House that he opposed them partly from private information that he had got.

The COLONIAL SECRETARY: No!

Mr. O'SULLIVAN did not want to know anything about that information; but, possibly, it was got from the shower of evangelical petitions which had been laid before the House, and had produced the softening process. He had nothing new to add to what he had already said about the grocers' licenses. He looked at the question from a Treasury point of view. The first time the thing ever struck him was when he went to Gympie, and noticed that there were from 700 to 800 shanties there. Every man was selling grog, and there was not a man amongst them who was not willing at any time to pay £5, or even £10, a year for a license. And the Treasury was never more in want of money than it was then. He told the Minister then that the Treasury might just as well have the money, because the people would continue to sell grog whether they had a license or not. The Government might employ an informer to stop it, and have men pulled up at the police court; but actually, while the man was at the court, his wife would still be selling the liquor at home. And the more he was persecuted, the more he would sell. As Byron said, "Stolen

kisses were sweetest to the palate"; and the more the prohibition the greater the theft. The prohibition caused people to go and do it. Those who went to the grocer did so because they thought the grocer's glass or bottle was better than the publican's; but give the grocer the same license, and the glass would be no sweeter in their eyes than that of the publican; so that, with all their morality, they were only doing harm instead of good. He defied any man who had travelled throughout the country to gainsay his statement. In any house, public or private, liquor could be got as he had stated.

Mr. FOOTE said he would rather that the Colonial Secretary had withdrawn the Bill and allowed it to stand over for another session, for if he found it impossible to pass through a proper measure in the House, as at present constituted, he might be able to do so on some future day. He must express surprise at the change which had come over the hon. gentleman. He had never seen him so squeezable before. He had had five years experience of the hon. gentleman, and on previous occasions whenever he put his foot down it used to remain down, as a rule. He (Mr. Foote) could not remember that the hon. gentleman ever raised it, or took it off, or turned either to the one side or the other, but carried out what he thought was right, whether other people thought it right or wrong, if he had the power to do so. He (Mr. Foote) was satisfied that the arguments brought forward the other night had convinced the hon. member that it was la proper thing to do to make a provision in the Bill in regard to the spirit merchants. What right, he would ask, had the publican to protection in this matter of trade any more than the spirit merchant? The merchant paid for his license; he paid for his grog; he paid his share of taxes and duty. Did the publican do any more? so why should he be especially protected? The merchant did not want to go down into matters that were not connected with his trade. He wanted the privilege of selling a reputed quart, and the privilege of paying for a license to do so. How could anything be done to alter what they had already decided in the Bill upon the point. He did not see how they were to go back. They had passed these clauses in the improved form, and he did not see how they could be removed from the Bill now. Of course, they might be overruled and overridden by other clauses that might be substituted for them, but he did not see how they could get over them with any proper amount of grace. He looked upon the clauses introduced by the hon. member for Port Curtis as being very proper and very valuable ones. He had not that solemn horror of the state of demoralization which was to take place in consequence of them. They had a very good safeguard against that state of demoralization in the high rate of license fee, and a £45 fee would not only be such a safeguard but would have yielded a considerable sum of money to the revenue. He maintained that both these things were advantages and improvements to the Bill—that was to say, the reputed quart for the spirit merchant, and also the lodging-house license. He sincerely hoped, therefore, that the hon. member (Mr. Norton) would press his amendments, and that they would be carried; and he also hoped that his hon. friend, the leader of the Opposition, would press his, so that the Colonial Secretary, if he intended to withdraw the Bill, would have time to reconsider what course he should pursue. The hon. gentleman might then see things in a different light and be prepared to deal with the subject on a liberal basis calculated to suit not only one section of the community, but all sections of the community. He did not see with other hon. gentlemen the evils arising out of this traffic. They had heard the terms "evil" and "iniquity" applied to it fifty times in a speech not lasting over five minutes. He had no doubt that the world was very evil. Possibly it was too evil for some people to live in, or they seemed to think so, so the sooner they took their departure from it the better. He was not one of that sort. He did not believe that the system which was proposed to be introduced under this Bill would increase the sale of liquor; but he believed that, on the other hand, it would decrease the sale to a very considerable extent. As the law at present stood, a man was compelled, unless he went to the licensed publican, to buy at least two gallons. Now, the grocer was willing that he should have a moderate quantity—a reputed quart. They knew how inclined men were, when they had a large quantity of spirits in their possession, to make a more liberal use of it than they would do if they had a smaller quantity of it. This license, then, would have the effect of decreasing the sale as well as the consumption of liquor, and he hoped that their amendments would still be pressed by the hon. gentlemen who had introduced them. If the House divided upon them he should give them his support.

Mr. DICKSON said that he should like to learn the cause of the change of opinion on the part of the Government. On the previous day, about 12 o'clock, he received a copy of the amendments to be proposed by the Colonial Secretary. These amendments were issued from the printing office during the morning, and among them he found consequent amendments, necessary to the provision for grocers' licenses, evidently carefully prepared. He presumed, therefore, that the change of opinion took place yesterday—in the latter part of yesterday—as up to 6 o'clock yesterday evening he understood that the Government intended to proceed with the Bill and the amendments to it.

Question—That the words "or the renewal or transfer thereof" be added to the first line of the clause, after the word "licenses"—put and passed.

The COLONIAL SECRETARY moved that the words "at any time by a police magistrate, or two licensing justices in a licensing district, or by the licensing authority in any other district," be added after the word "granted," in the same line.

Question put and passed.

The clause was further amended, on the motion of the COLONIAL SECRETARY, by the omission of the words "licensing board or" and the insertion of the words "police magistrate or any two licensing justices or the"; and also by the omission of the third and fourth paragraphs, and the insertion of two other paragraphs, the first stating the schedule under which the application must be made, and the second providing that—

"Nothing herein contained shall be taken to prevent the licensing justices or licensing authority from refusing any application for a packet license, or for the renewal or transfer thereof, should they think fit so to do, or from requiring the report of an inspector before granting any such application."

On clause 31—"Booth or stand licenses"—

Mr. MACFARLANE said the clause made provision for anyone to object to those licenses, but it did not state how the objection was to be made. He should like to have an explanation on that point.

The COLONIAL SECRETARY said there was certainly no provision made as to how the objection should be made. The regulations, he supposed, would deal with it. A later part of the clause provided that there should be "regulations

made by the licensing board or licensing authority of the district, and approved of by the Colonial Secretary."

Clause passed as printed.

On clause 32—"Temporary licenses where premises destroyed"—

Mr. NORTON said he scarcely thought the Colonial Secretary was serious in his objection to private hotel licenses—at least, he had stated no reasons to the Committee. Nothing had been said against private hotel licenses which would not apply with the same force to ordinary hotel licenses. The only real objection he had heard was, that if those licenses were granted it would open the door to a great deal of drinking. But the same thing applied to every house, and people who would tolerate it with a license would tolerate it without one. Anyone could do it now, if the people of the house would allow it, by getting his grog outside and taking a room in a boarding-house. The only difference between the two licenses was, that the owner of a private house would not be obliged to keep a public bar or sell drink to any but the inmates of the house. It stood to reason that such a house would afford less opportunities for drinking than a house which was bound to supply drink to all comers. The private hotel license would lead to a better class of hotels, and would remove temptation from many who, under ordinary circumstances, would be inclined to drink too much. Take, for instance, the number of young men living in boarding-houses. If they wanted a glass of grog—which would do them no harm—and could not get it at home, they would go to an hotel, where they would probably meet friends, and instead of going home after they had had one glass, they would stop half the night, and a drinking bout would take place. If the Colonial Secretary would show any sound reason for his objection he would listen to him, but until that was done he (Mr. Norton) could find no motive for changing his mind on the subject. To put the question to a test, he would propose to insert in the first line of the clause, after the words, "licensed retailer," the words, "or private hotel-keeper." He intended to move the insertion of similar words all through the Bill, wherever necessary, in order to place private hotel-keepers in exactly the same position with regard to penalties, and everything else, as ordinary licensed victuallers.

Amendment, by leave, withdrawn.

Clause put and passed.

Mr. GRIFFITH said he had a new clause to propose. Some time ago a deputation, attended by him, waited on the Colonial Secretary; and after they represented the reasons why grocers should be allowed to sell wines in bottles, the hon. gentleman intimated in effect that if he (Mr. Griffith) brought forward an amendment dealing with the matter he would probably support it, provided proper license fees were imposed. There was no difficulty so far as he was concerned about the fee whether it was £10 or £20. He therefore proposed some amendments which were in substance the same as those in force in Victoria and Great Britain, but perhaps a little more restrictive. He had not communicated with any member of that deputation since they waited on the Colonial Secretary, and the conclusions he had since formed were based on the arguments he had heard in the House and out of it; and he did not know what were the influences referred to by the Colonial Secretary. Since then a deputation from the Licensed Victuallers' Association had waited on him, and presented arguments the greater part of which were embodied in the petition presented to the House yesterday by the Colonial Secretary, showing that the scheme proposed was open to all sorts of abuse. They mentioned in particular that anyone could become a spirit merchant by paying £30; he could then take a humpy containing only one room, and stick up an intimation that he was a licensed spirit merchant. He could then take a grocer's license and supply grog in bottles to all the neighbourhood; and glasses might be provided next door. That objection was unanswerable, and such a thing could not be tolerated. It was also pointed out that the spirit merchant might have beer on draught, and supply anyone who brought a bottle with a quart or pint of beer to be drunk outside. When those things were pointed out he saw the dangerous abuses which might arise, and he had very much changed his opinion. The deputation also pointed out in their memorandum that if the license was granted at all to grocers it should be according to certain conditions, and those conditions he had embodied in the amendments he had to propose; so that the only question which remained was one of competition. In those amendments every abuse was carefully guarded against. The question was this: if the public wanted to buy bottles of liquor should they buy it from the grocer, or must they go to the licensed publican? One of the great arguments against a bottle license was that it was said to encourage secret drinking in families; but it appeared to him that the granting of such licenses would tend to discourage the practice of secret drinking in families. It was said that in England women got bottles from the grocer without the knowledge of their husbands, and thus got into the habit of drunkenness; but he never heard of a case. Under the present system, however, they could do that; and if they wanted to preserve the secret, there were two persons interested in doing so—first, the wife, who did not want her husband to know; and, secondly, the grocer who supplied the grog, because, if he put it down in his bill he became liable to conviction. If the sale of liquor by the grocer was made lawful, his inducement for secrecy would be withdrawn, unless he was a person of a very low character, who would encourage drinking merely for the sake of wickedness. He had heard the Colonial Secretary on previous occasions, speaking of the sale of spirituous liquors on railways, say that people would always get liquor if they wanted it, no matter what was the law. It was the same with regard to getting drink in bottles, and every inducement to do that secretly should be withdrawn. Those were the reasons which induced him to propose these amendments to follow clause 32:—

A grocer's license shall be granted only to a person who is registered as a spirit merchant under the provisions of the fourteenth section of the Act of Council passed in the thirteenth year of the reign of Her Majesty Queen Victoria, and numbered twenty-six, or some Act amending or in substitution for the same, and who also carries on the business of a general provision merchant in premises of an annual ratable value of not less than fifty pounds, and shall authorise the holder thereof, provided that he continues to be so registered and to carry on such business, but not otherwise, to sell and dispose of, on his registered premises, between the hours of eight in the morning and six in the evening, liquor in bottles containing not less than a reputed quart, and not to be opened or drunk in or near the premises where such liquor is sold.

For the purposes of this section a "general provision merchant" means a person who keeps or sells by retail in open shop to all comers all such goods as are commonly kept and sold by persons carrying on the business of a family grocer.

Any person desirous of obtaining a grocer's license, or a renewal of a grocer's license, may make application, in the form numbered eight in schedule E to this Act, to the licensing board or other licensing authority under this Act; and upon being satisfied that the applicant is

a person of good character, and is a registered spirit merchant *bonâ fide* carrying on business as a general provision merchant in premises of sufficient annual value, the said board or licensing authority may, on payment of the prescribed fee to the clerk of petty sessions, grant him a certificate, which shall be as near as possible in the form numbered three in schedule G of this Act, which shall entitle him to a grocer's license for the time specified therein.

Then, in order to prevent grocers making drinking shops of their premises, he had framed the following amendments to follow clause 71 :—

If any holder of a grocer's license shall sell any liquor otherwise than in bottles holding not less than a reputed quart, or shall sell any liquor after he has ceased to be registered as a spirit merchant, or after his registration as a spirit merchant has become forfeited or liable to be forfeited, or after he has ceased to carry on business as a general provision merchant, or shall permit or suffer any liquor sold by him to be opened or drunk in or near the premises where it is sold, he shall for every such offence be liable to a penalty not exceeding £30 nor less than £10, and his license shall be forfeited, and he shall be incapable of holding a grocer's license until after the 30th day of June then next ensuing.

No holder of a grocer's license shall keep any beer, porter, stout, ale, cider, or perry on his licensed premises, except in bottles properly corked; and if any beer, porter, stout, ale, cider, or perry be found on the licensed premises of any such holder he shall be liable to a penalty not exceeding fifty pounds and not less than ten pounds; and all beer, porter, stout, ale, cider, and perry so found, not being in bottles properly corked, shall be forfeited, and his license shall also be forfeited, and he shall be incapable of holding a grocer's license for three years.

He was looking at the question from the point of view of the public, and he thought the provision proposed by himself very reasonable, and one by which abuses would be removed and prevented. He therefore did not see why he should change the opinion which induced him to propose the amendment. With regard to the private hotel licenses, he was convinced that they should not be granted except on the same principle as they were granted to other hotels. A private hotel license should differ from a public hotel license only in not compelling the licensee to keep a bar, and not allowing him to serve anybody except lodgers. All the provisions as to accommodation and supervision should be the same in both cases. That was what he now understood the hon. member for Port Curtis to be in favour of, and he could not conceive any objection to such a provision, which would tend to limit the consumption of drink. But that was not what he (Mr. Griffith) meant when speaking on the subject last week, and he did not think it was what the hon. member (Mr. Norton) then meant. He now moved the new clause he had read to follow clause 32.

The COLONIAL SECRETARY admitted at once that the clause just proposed was a considerable improvement on the amendments originally framed by the hon. member; but it was doing what he had pointed out to the Committee as the second course open to him—loading the license with such restrictions that no one would take a license. The amendment was doing that exactly; and no honest grocer would take a license on those conditions.

Mr. GRIFFITH: Why?

The COLONIAL SECRETARY: Because there were so many conditions. A dishonest grocer might do so, because he would evade every one of them but no honest man, who intended to fulfil the conditions, would take a license; and he considered it better that the clause should be out of the Bill altogether. He should oppose it.

Mr. GRIFFITH said he supposed every condition in regard to a grocer's license which he proposed to impose was already observed by those who were said to sell liquor in defiance of the law. They did not keep beer on draught; and this would not interfere with the spirit merchant's business, unless the spirit merchant chose to sell liquor on draught. He did not propose the amendment with a view to giving facilities for selling liquor, but with a view of giving the sanction of law to what had hitherto been done secretly in defiance of the law; and which, if done secretly, might lead to serious injury, but if done in the way he proposed would be of no harm whatever. The only objection to his proposal was that of competition.

The COLONIAL SECRETARY said he admitted at once that the motion was a very great improvement on the motion as originally proposed by the hon. member, but it did not do away with a great many of the objections raised. Where facilities were given for wives obtaining grog from grocers on credit for home consumption, it was easy to make an arrangement with the grocer to keep it a secret. He had made up his mind to oppose anything in the shape of a grocer's license. The hon. gentleman, when he first addressed the Committee, said he would not oppose a private hotel license if it gave the right to sell liquor without keeping a bar. If the hon. gentleman would remember, he (Sir Arthur Palmer) offered, when the Bill first went into committee, to take in a clause providing that they might be either with or without a bar. The hon. member for Port Curtis was willing to accept that clause, but the hon. member for North Brisbane opposed it. He did not know what reason was given, but the hon. member for North Brisbane opposed it. He (Sir Arthur Palmer) had no objection to it now. Let it be at the option of the person keeping the private lodging-house whether he should have a bar like a public-house or not; but the same license should be paid, the same accommodation provided, and the same supervision exercised.

Mr. GRIFFITH: All right!

The COLONIAL SECRETARY said he suggested the same thing when the principle of licensing private lodging-houses was first proposed, but the hon. gentleman's opposition prevented it being carried. He was quite willing to do that now: to license private lodging-houses, with or without a bar, and with the same accommodation as hotels. That would meet the case. Some hon. members argued from one point of view only. They seemed to have nothing before them but respectable lodging-houses, whereas they should remember that, if the proposal of the hon. member for Port Curtis passed into law, keepers of lodging-houses of every description could avail themselves of this license.

Mr. NORTON said he remembered perfectly well what the hon. member said with regard to the proposal. With respect to the amendment not compelling hotel-keepers to have a bar, he thought there were great objections to it. If that amendment only was carried persons would still be able to drink in lodging-houses the same as in hotels. There was nothing in the Bill to prevent it. It would be simply a house for the accommodation of the public, and any person could go in and ask for a glass of grog, and the keeper would be bound to give it. That would be the case, and it would be a very great objection. At the time the hon. member proposed it he did not express his opinion, and, not knowing what view the House took of it, he thought it would be better to adopt that than nothing at all. If they accepted it he thought that it would really lead in many cases to more traffic than in open bars, because people could go in, call for anything they wanted, and the licensee would be bound to give it them and they would be out of sight. The Bill enabled them to

refuse to supply persons who were intoxicated, but not otherwise; and, as had been pointed out, they could evade any application for accommodation by pretending to be full. He did not think the proposal to do away with the bars would meet the case. The object of his proposal was to keep those places as private as they could be, and not to be entered by people who merely went in for a glass of grog and went away again. If that were allowed the places could not be anything like as private as they were now. He thought it would be far better to allow the amendment he had proposed to pass, as that gave the power, distinctly laid down, that the people who kept private hotels should supply lodgers residing in the house and no one else. As to the grocers' licenses, that was a matter he was not particularly concerned in. Though he saw no particular objection to it, he thought, as had been pointed out, it scarcely came within the scope of the Bill, and it was quite evident that the hon. member who introduced it had not given the matter that mature consideration it ought to have had. For that reason he felt rather disposed to go against the grocers' licenses now, but if the matter was brought forward again in proper form he should support it. The only doubt he had now was—as the hon. member who had brought it forward had himself shown—that he was not himself clear as to what he wanted; but if the hon. member would bring in a Bill dealing with grocers' licenses he would support it.

Mr. PERSSE said if other hon. gentlemen had changed their opinions he (Mr. Persse) intended to stick to his. He had suggested the proposal to give licenses to grocers, and he intended to stick to that proposal that evening. If the Colonial Secretary took his advice he would not waste his time any longer with the Bill, but would withdraw it altogether, as carry it he would not. He (Mr. Persse) would talk against time first. He should like to know what was the cause of the Colonial Secretary's change of opinion. The hon. gentleman blamed the Opposition a few minutes ago for being bull-headed in their opinions, but he (Mr. Persse) thought their downfall should be attributed to the other side. They were vacillating in every direction, and he certainly would not advise the hon. Colonial Secretary to go in for any such tactics. He (Mr. Persse) wished to know what was the reason why hon. gentlemen on both sides of the House wanted to ignore what they said the other night. They said one thing last week and another thing this week. Surely they ought to be consistent for one session! Let a little change take place as the year veered round, but do not let them change their opinions in one week only. The hon. leader of the Opposition changed his opinion as often as the hands of the clock went round: it would be one thing one minute and another thing another minute. He heard the hon. member for Logan say he would go hand-in-glove with the licensed victuallers; but surely there must be something radically wrong when staunch teetotallers went hand-in-glove with licensed victuallers!

Mr. McLEAN: There is no change in my views.

Mr. PERSSE said he was very glad to hear the hon. member say so, but there must be some change when the hon. gentleman was going hand-in-glove with the Minister for Lands, who was at present a member of the Licensed Victuallers' Society. The next thing they would hear of would be that they would have a joint-stock company between the two. He also wanted to know why it was that the hon. member for Port Curtis was going to change his views. That hon. member said once that he would support the grocers getting a bottle license, and now he said he would go against them. If the hon. Colonial Secretary would take his (Mr. Persse's) advice he would withdraw the Bill altogether, and be done with it, for it was only wasting the time of the House.

Mr. HAMILTON said the hon. member who had just sat down had said he would stick to his opinion with regard to this measure. He (Mr. Hamilton) intended to stick to his opinion also; and his opinion, when the question first came before the House, was that he should vote against grocers being allowed to sell grog by the bottle, and also vote against lodging-houses being permitted to sell drink. He quite agreed with the hon. Colonial Secretary that it was inadvisable that such fatal facilities as the extension of the bottle license to grocers would give to many to obtain liquor should be afforded. It was said that since the introduction of the bottle license in the old country drunkenness had greatly increased. Women who had a craving for drink, but who would not go into a public-house to satisfy it, and would not risk exposure by sending anyone else to obtain it for them, were able to call at a grocer's ostensibly for something else, obtain a bottle of grog, and the grocer could, if necessary, put it down in the bill as sugar or something else. It was all very well to say that if lodging-houses did not sell liquor it could easily be obtained by those who wanted it from public-houses, but many drank grog who did not want it, and when the temptation was placed in their way they could not resist. The member for Port Curtis had instanced, as an argument in favour of extending permission to lodging-houses to sell drink, that many respectable young men who stopped at private boarding-houses were led astray by not being allowed to get their glass of grog in the house before going to bed; they, in consequence, went out for it—went to some hotel and spent the night in drinking. His (Mr Hamilton's) own experience was in favour of prohibiting lodging-houses from selling drink. He had always found that when he resided at an hotel his grog score was several pounds a week higher than when he stopped in private quarters; and that was the case, although if all the grog that he ever drank in his whole life was poured into a wine-glass it wouldn't fill it, but friends called on him, and, as a matter of course, he did as everyone else did, and entertained them. But it was different with some—many had an unfortunate love for drink, and desired to be out of the way of temptation, knowing their weakness, and knowing the manner in which temptation to drink beset them in public-houses. They took up their residence in lodging-houses to escape from it, but if every lodging-house was to be made a private drinking-ken there would be no escape for them. They had got on very well hitherto without grocers and lodging-houses being allowed to sell liquor, and he would oppose any motion which was introduced for the purpose of giving them that privilege.

Mr. McLEAN said the hon. member for Port Curtis, in his plea for his pet scheme for giving licenses to private hotels, told them that if any person went to those private hotels and asked for a glass of grog the licensee was obliged to sell it. There was nothing to compel a licensed victualler to sell; it was true that there were certain provisions that prevented licensed victuallers from selling to persons in a state of intoxication, but there was nothing to compel them to sell to any man. There were only certain provisions in the Bill whereby travellers could demand accommodation if there was accommodation in the house. The hon. member's plea on that ground, therefore, fell to the

ground. It had been said that it was more respectable for a person to buy grog at a grocer's than at a public-house, but he could not see it. If a single bottle was wanted, the proper place to go for it was to the person who was licensed to sell it—the licensed victualler. He knew it was the argument of a number of people that if they wanted a bottle of beer or any other liquor they had no objection to go to the grocer's, but they did object to going to a public-house. He held it was just as respectable to go to one as to the other, and he maintained that the Bill should be restricted to the objects for which it was introduced—namely, to amend and consolidate the licensing laws of the colony. He hoped the Colonial Secretary, notwithstanding the plea of the hon. member for North Brisbane, would stick to the Bill as originally introduced.

Mr. HORWITZ said that he for one would vote against the grocers' bottle license. If they allowed grocers a license all the shops in town would be turned into grocers' shops. Only last week, when he was in Warwick, he heard of certain parties who were making grog there, and he supposed they would apply for a grocer's license to sell it if the license was allowed. It was their place to prevent grocers selling grog, and they should make a provision to that effect in the Bill.

Mr. H. PALMER (Maryborough) said he was not present on the occasion of the division taking place on the question of grocers' licenses and private hotel licenses, but if he had been he should not have voted for either. Any vote he might give now was new, and he, therefore, could not come under the category of the inconsistent ones whom the hon. member for Fassifern alluded to. He was one of those who thought that there was quite enough freetrade in spirits already, and that it would be giving an amount of freetrade that was very undesirable at present if grocers and private boarding-houses were allowed licenses. He should dearly like, if it could be managed, to see the duty on colonial wines abolished, and he would vote for any measure giving grocers or private boarding-house keepers the right to sell them. That was one of the things that should not have been overlooked this session, because it would be a real benefit to the people of the colony. He looked at the question of grocers' licenses from another aspect. The publicans had a right, considering that they were put to very large expense in their business, to claim some protection from the State. They were bound down by restrictions in various ways, and subject to punishment for breaches of the Act. Considering that they were called upon to pay a heavy license, it would be very lamentable to think that grocers should be allowed to compete with them, even though they might be called upon to pay a license. His great objection was that it would give facilities to people to drink, and he was afraid that if a license were given to sell by the bottle it would very soon come to selling by the glass.

Mr. MACFARLANE said a great deal had been said about hon. members changing their opinions, but they had simply done so because they had found that they were making a mistake; and if they passed this amendment they would probably afterwards find that they had made another mistake. He did not approve of the amendment at all, and he did not think it was any better than the original one. He should oppose the amendment on the ground that it would result in evil, and that those who had had most experience were against such a provision.

Mr. GROOM said he had hitherto taken no part in the discussion, but he should not like to allow the question to pass without saying a word. He was particularly struck with the fact that there had been no agitation in the country either for or against the Bill and that with the exception of a few petitions, there had not been a particle of agitation for or against either of the amendments which had been moved. He represented a constituency in which there were thirty-two licensed hotels and a licensed victuallers' association; but he believed that in that constituency there was only one gentleman dealing in wines and spirits who would be able to obtain a grocers' license under the Bill. Neither he (Mr. Groom) nor his colleague had received the slightest intimation from their constituents as to what action they should take in reference to the Bill; and he was inclined to think that the licensed publicans throughout the colony would not thank those hon. members who had interested themselves in bringing the matter into the House. They were well contented with the present law under the system of licensing boards introduced by the present Colonial Secretary—which system had completely remedied their old grievance about the practice of packing licensing benches—and they had not made any agitation at all for a change. The only exception that he knew to this was the action taken by the Licensed Victuallers' Association in Brisbane, who, though no doubt representing the trade to a certain extent, did not represent the feeling of the whole colony. As far as grocers' licenses were concerned he was indifferent to the matter. He should not take high moral ground, like the hon. member for Ipswich, because he thought it was unfair to always force the question of morality forward as the great standpoint from which to regard the liquor trade or any other trade whatever. In Imperial legislation there was almost freetrade so far as liquor was concerned—a man might have a beer license, or a wine license, a license for a gin palace, or a tobacconist's license. And if there had been, as the hon. member stated, an agitation going on in England with reference to the trade, he had seen no mention of it in the debates in the Imperial Parliament. The only allusion he had seen to the subject was in a speech of Dr. Lyon Playfair, M.P. for Edinburgh, who said that in some towns in Scotland, where hotels were closed on Sundays, the people used to buy bottles of grog by the dozen at the grocers' shops on Saturday nights, and get drunk all the next day. The agitation in England, if there had been any, had been not to suppress the bottle trade—which was rather in favour in the House of Commons—but to affect the trade as a whole; and Sir Wilfred Lawson, when he brought forward his motion for the adoption of the principle of local option, did so with a view to suppress the liquor trade altogether. He thought it would be well to leave the private hotel question alone, as those licenses would be very liable to be abused. The amendment suggested by the Colonial Secretary, to give a licensed hotel-keeper the option of keeping open a bar or not, would probably meet the requirements of the case; and another wise provision would be that an hotel-keeper might keep open on Sunday or not, as he chose. He should not like to appear to vote in favour of anything which might result in evil, but he could not see what good this amendment was to do; and as, according to the Colonial Secretary, it would possibly introduce a great many subordinate clauses, he should vote against it. There were a great many alterations of the Act contained in the Bill, which he regarded as of a valuable character; and he was inclined to think that the Bill should be kept a Bill for the amendment of the present laws, and that no extraneous matter should be introduced into it. He believed that it was an improvement on the existing law,

and the fact that it consolidated several Acts into one comprehensive measure should commend it to hon. members. He did not think he should be leaving himself open to a charge of inconsistency if, after supporting the amendment of the leader of the Opposition to insert the word "five," he now supported the Colonial Secretary in eliminating the two amendments which had been previously inserted. In doing so he was acting from conviction, and not under any pressure from inside or outside the House. He did not think that any alteration of the laws was required in the interior, and the important alterations which would require to be made in many instances in the buildings might have the effect of closing many of them up. Whether that would be an advantage or otherwise was a doubtful point. He should support the Colonial Secretary in eliminating those two clauses, and should accept the Bill as an amendment of the present law.

Mr. RUTLEDGE said the Colonial Secretary had made provision in the Bill for excluding from the licensing boards those who were interested in the sale of drink, and those who were members of associations for suppressing the sale of it. He believed in the principles of teetotalism; but he was surprised to find that those who advocated the interests of the licensed victualler, and a great many of his excellent friends who believed that the sale of liquor in any shape was to be deprecated, were taking the same side. That was a rather mysterious thing to him. In his opinion it was not the interests of the licensed victualler or of the grocers that were to be studied, but the interest of the public. It might seem inconsistent on his part to give any countenance to what might be supposed to be facilities for the sale of intoxicating liquors; but the position which he took up was the position he had all along held and maintained, and until he saw good reason to believe that he was wrong he should continue to maintain that position. He thought they were all agreed that drunkenness was a thing to be deprecated, and the difficulty had been to find a way of diminishing it where it was prevalent. His own idea on the subject—and he had considered the question very carefully—was this: What tended to the making of drunkards was not the facilities for obtaining something to drink, but the system of drinking which prevailed—sipping and sipping in the bar or parlour of a public-house. A number of men got together to pass away an evening—men who drank, not because they wanted to drink, but as a compliment to the friends with whom they were for the time being. He had always held that if some such circumstances could be initiated as those proposed to be adopted in the amendment now before them—if it were possible for persons to obtain what they might require in the shape of wines or spirits without going to a public-house—it would greatly diminish the temptations to drunkenness. The fact was that grocers were in the habit, surreptitiously, of disposing of wines and spirits in retail quantities. The system had been going on for a long time and was likely still to go on. All the vigilance of the Licensed Victuallers' Association in the past had not been able to prevent it, nor would it be able to prevent it in the future. He believed that if it were possible that persons who thought it desirable to have a certain supply of wines and spirits in their houses for home consumption could get such a supply in the quantities they required without going to a public-house, drunkenness would be greatly lessened. It was a great hardship that they should have to purchase more than they required or else to go to a public-house. As a teetotaller—and he had never any hesitation in proclaiming his opinions as one—he saw no reason why he should not assist in providing reasonable facilities for persons who did not hold the same views as he did to be able to obtain the moderate quantity of liquor they might require and believed to be advantageous as a beverage or as a medicine. Therefore, he thought this amendment was desirable. If a man was obliged to go to a public-house, there was a temptation to spend more than he intended to spend when he went into it. The habit of tippling was thus easily acquired, and the man became a drunkard. If a man, however, could send for his bottle of wine just as he would for a bottle of vinegar, and have it sent home with the other things, there would not be the temptation to sit down and booze over it. The amendment was one that could do no possible harm. It guarded against the abuses which were, it was said, likely to arise from the indiscriminate granting of licenses to everyone calling themselves grocers. The safeguards which were provided would make these abuses very unlikely to occur. He knew that some of his friends who agreed with him on the question of drink differed from him here, and he was sure the difference was a perfectly honest one. He was prepared to support the Bill of his hon. friend, the member for Logan, with respect to the introduction and legalising of the principle of local option, but it would be time enough to discuss that when the occasion arose. He should support the amendment.

Mr. SWANWICK said it was not very usual for an hon. member in that House to stand forward—an hon. member who was a teetotaller—and talk of the evils of sipping. Of course he had no doubt whatever that the hon. member, before he became a teetotaller, had very considerable experience with regard to sipping—either with regard to himself or his friends; but what did astonish him was that the hon member, whom he had known for many years, should stand forward in that House and, with a most virtuous aspect, and a most severe countenance, denounce the errors that he had himself committed. He believed the hon. member was right. He remembered a few years ago coming to this conclusion: that, amongst all the persons he had ever known, that hon. member was, in the conduct of his own household, one of the very best judges of three-star brandy that he had ever known in the whole course of his life. He assured the Committee, not only as a member of that House, but as a man of the world—a man who had spent a very large portion of his life in the world—he had never tasted better brandy in the whole course of his life than he had done in the house of the hon. member a few years ago. He gave the hon. member credit for it; but why he should come forward and talk in the way he had done that night about grocers' licenses was more than he could understand. He (Mr. Swanwick) wished to place it on record;—he did not often speak in the House, and perhaps he would not speak in it many more times;—but he wished to place it on record in the interests of that hon. member that there was not a better judge in that House of the merits of three-star brandy than the hon. member for Enoggera, Mr. Rutledge.

Question put, and the Committee divided:—

AYES, 7.

Messrs. Griffith, Dickson, Foote, Kates, Bailey, Persse and Rutledge.

NOES, 26.

Sir Arthur Palmer, Messrs. McIlwraith, McLean, Pope Cooper, Perkins, Macrossan, Swanwick, Hamilton, De Satgé, Beattie, Macfarlane, Grimes, Black, H. Palmer, H. Wyndham Palmer, Kingsford, Francis, Weld-Blundell, Lalor, Price, Stevens, Archer, Groom, Aland, Horwitz, and Macdonald-Paterson.

Question resolved in the negative.

Mr. GRIFFITH said he wished to say a word about the last division, before going on with the Bill——

The COLONIAL SECRETARY: The less said about it the better.

Mr. GRIFFITH said that hon. members who had not the courage of their convictions might well say so. He gave his word a fortnight ago that he intended to propose that amendment, and he had done so. He was well aware of all the influence that had been brought to bear upon the Colonial Secretary, and the threats that had been used; and he (Mr. Griffith) had moved his amendment to show that he was perfectly indifferent to all threats of that kind. The only pressure brought to bear upon him had been from his own friends on his side of the House, who wished him not to go on with it. He thought it, however, more satisfactory to go straight on than to be driven about by every current of opinion.

The COLONIAL SECRETARY said the hon. gentleman had just informed them that he gave his word a fortnight ago to bring forward the amendment that had just been negatived. He was very sorry to contradict the hon. gentleman, but he did contradict him in the most emphatic manner. Whatever the hon. gentleman gave his word for it was certainly not for that amendment, nor anything like it. The amendment proposed last week by the hon. gentleman was no more like it than chalk was like cheese. The former amendment was to the effect that any person holding a general spirit license should be entitled to go to a clerk of petty sessions and demand a retail license, and pay for it the sum of £10. Was that anything like the amendment that had just been rejected? He did not know what pressure had been brought to bear upon the hon. gentleman, but, as far as he (Sir Arthur Palmer) was concerned, no pressure of any sort, except the arguments used in the petition he presented yesterday from the Committee of the Licensed Vituallers' Association, had been brought in any way. Having read the amendment first proposed by the hon. gentleman, he (the Colonial Secretary) would leave it to the Committee to say what difference there was between the two.

Mr. GRIFFITH said that if the Colonial Secretary thought the two amendments contradictory, he was sure that nobody else did. That hon. gentleman was in the habit of talking about quibbling, but he (Mr. Griffith) never saw a better instance of quibbling than the speech just delivered. He gave his word to bring forward a proposition to introduce grocers' licenses, and he had kept his word. He did not pledge himself to any particular details. The Colonial Secretary promised to support it, but whether he had done so or not he would leave to the judgment of hon. members.

The COLONIAL SECRETARY said the quibbling was entirely with the hon. gentleman. The two proposals were not alike one bit.

Mr. HAMILTON said the hon. gentleman's reason for pressing the amendment—namely, to show that he could not be coerced—was anything but a praiseworthy one; and he was glad to see that other hon. members on that side had not been prevented from voting according to their consciences. A man's mind must be very small if it was not capable of receiving new impressions; and the hon. gentleman's reason for going on with the amendment struck him as being somewhat contemptible.

Clauses 33 and 34 passed as printed.

On clause 35—"Objections to licenses"—

Mr. NORTON said he pointed out, on the second reading of the Bill, the difficulty that existed with regard to paragraph C of the clause, which provided that objections might be made by

> "Any six or more ratepayers in any municipality or division, and residing, if within a municipality, within half-a-mile from the premises in respect of which the license is applied for, and, if elsewhere, within three miles from such premises."

He thought a less number then six ought to be entitled to lay an objection, and that those living at a greater distance, who were equally interested, should have the same opportunity. He wished to introduce alterations to that effect, and would first move that the words "or division and" be omitted.

The COLONIAL SECRETARY said he considered the amendment no amendment at all. It was a mere splitting of hairs. If there were not six ratepayers in a municipality who objected to a license, it might be left to the licensing board whether they would grant a license or not.

Mr. NORTON said he knew of one instance where there was only one ratepayer within three miles, and if he made an objection it could not be entertained. Others in the same district who lived at a greater distance ought also to have a right to object.

The COLONIAL SECRETARY said that if a man objected, all he had to do was to make his complaint to the inspector or sub-inspector of police.

Mr. GRIFFITH said the inspector or sub-inspector of police might not make the complaint. A distinction ought to be drawn between municipalities and divisions. In the event of only six ratepayers living within three miles, one of them would be entitled to apply for a license, and the others would have no power to object to it. There was a great deal in the hon. member's amendment.

Amendment put and passed.

On the motion of Mr. NORTON, the subsection was further amended by the omission of the words "if within a municipality."

Mr. NORTON moved the omission of the words "and, if elsewhere, within three miles from such premises," in the same subsection, with the view of inserting "or any three or more ratepayers in any division residing within five miles of such premises." It very often happened that shearers went and got drunk ten miles away from where they worked.

The COLONIAL SECRETARY said he could see no reason why three ratepayers residing within five miles should be able to come forward on their own motion and oppose a license. The hon. member said that shearers and others got drunk ten miles away from where they worked. He (Sir Arthur Palmer) dared say they would, and if they belonged to him he would rather that they should get drunk ten miles away than on the station. He had had quite as much experience of stations as the hon. member, and he knew that one sly grog-cart used to do more mischief than five public-houses within a radius of five miles. He had not the horror of bush public-houses the hon. member seemed to have; but if the men would get drunk, he would rather they went away to get drunk and came back to the station when they were fit for work. He should oppose the amendment.

Question—That the words proposed to be omitted stand part of the clause—put and passed.

Mr. GRIFFITH pointed out that the owner of the premises was not allowed by the clause to object to the removal of a license. The owner's reason might be sufficient objection against the removal, and he ought to be allowed to object.

The COLONIAL SECRETARY said he had no objection to the word "owner" being inserted.

Mr. RUTLEDGE said there was no provision in the clause for objecting to the renewal of a license on the ground of its not being justified by the reasonable requirements of the district. If the license was once granted it must always be granted, as far as the objection in the clause was concerned.

Mr. SWANWICK pointed out that there seemed to be a hardship under section 3 of the objections which said :—

"That premises held by him under any liquor retailers' license have been the resort of prostitutes, or of persons under the surveillance of the police."

The hardship would be that houses which a year or two, or even a few months ago, had been the resort of prostitutes, might be condemned under the provisions of the Bill. He submitted that what the Colonial Secretary meant was—"are the resort of prostitutes." There were many places in Brisbane, and there were many country houses which were, and still more which had been, under the surveillance of the police. Was every person, he would ask, whose house a year or two ago was under the surveillance of the police to be brought under the provisions of this Act? There was no doubt that, if proceedings were taken under the Bill against such a man, there would be no choice for the court but to commit him. He would suggest that section 3 of clause 35 be entirely omitted.

Question—That the words proposed to be inserted be so inserted—put and passed.

Mr. GRIFFITH said he wanted to draw attention to the first of the objections in clause 35. He did not think the words "bad reputation" covered what was meant. Take the case of a handsome young woman of eighteen: she might not be of drunken or dissolute habits, or of bad reputation, and yet would be a most unsuitable person to hold a license. Or in the case of a boy of eighteen: he might not be of bad habits or reputation, and yet would be most unfit to hold a license. Under the present system the licensing board exercised a sort of unlimited discretion. Under this Bill their discretion was limited; but it was desirable that it should include every reasonable objection. He would suggest the insertion of the words "unfit to hold a license" in place of the words "of bad reputation."

Amendment put and passed.

Mr. SWANWICK proposed, on line 30, clause 35, to omit the words "have been," with a view of inserting "are." The clause would then read:—

"That premises held by him under any liquor retailer's license are the resort of prostitutes, or of persons under the surveillance of the police."

He would point out to the Colonial Secretary and the Committee that otherwise a very serious injustice might be done.

The COLONIAL SECRETARY said he should oppose the amendment, as he did not think it was at all necessary. He thought it was an excellent reason why the license should not be granted if the house was, or had been, of ill-repute. He did not know a better reason.

Question put and negatived.

The COLONIAL SECRETARY moved that the word "state," in the 39th line, be omitted.

Question put and passed.

Mr. RUTLEDGE moved that the clause be amended in the 46th line by the insertion of the word "fifth" after the word "fourth." The reason for the amendment was this: There was no provision made in the clause at present for persons to object to the renewal of licenses on the ground that the reasonable requirements of the neighbourhood did not justify it. He pointed out that it was possible for a license to be granted inadvertently, or because no objections had been made, and under the section as it stood there was no possibility of persons objecting to the renewal of licenses of that sort. A neighbourhood that might be considered sufficiently populous to justify the granting of a license at the sitting of the annual licensing board this year might be in a very different position next year. The requirements of the neighbourhood next year might not be the requirements of the neighbourhood when the license was granted. There was no provision made for objecting to the renewal of a license on the ground that the requirements of the neighbourhood did not justify it. The only reasons provided by the Bill why a renewal should not be granted were that the applicant was of dissolute habits, or had forfeited, or had his license cancelled within the twelve months previous. It amounted to this: that if a public-house was once established in any locality objection could not be urged against renewing the license, because nobody could object to it on that ground.

The COLONIAL SECRETARY said that the hon. member would find that one of the objections was that in the opinion of the board the reasonable requirements did not justify the granting of the license. The amendment was quite uncalled for.

Mr. GRIFFITH said that one of the objections to the renewal of a license was that in the opinion of the board it was no longer necessary. Anybody should be allowed to take that objection and bring it under the notice of the board.

The COLONIAL SECRETARY said that No. 5 provided that objection might be taken that the reasonable requirements of the neighhood did not justify it.

Mr. GRIFFITH said the clause ought to provide that any objector might bring his objection under the notice of the board.

Amendment put and passed.

Mr. NORTON said that he proposed to further amend the clause in the 5th line, page 17, by the insertion of the words "or private hotel," after the words "liquor retailer." If the Colonial Secretary could point out any other way of getting over the objection he would be willing to accept his suggestion. If they arranged that a publican should have the option of keeping a bar or not, instead of a lodging-house being kept private, they would give opportunities for drinking which did not exist under the present Publicans Act. All the arguments which had been brought against private hotel licenses applied with equal force against public hotel licenses. The amendment, while doing no harm to the licensed victuallers, would be a great convenience to boarders, and he hoped the Colonial Secretary would assent to it.

Mr. GRIFFITH asked whether this was to be taken as a test division?

The COLONIAL SECRETARY said he presumed so. He had said all he intended to say on the question. He intended to oppose the amendment.

Question—That the words "or private hotel' be inserted—put, and the Committee divided.

There being no tellers for the "Ayes," the CHAIRMAN announced that the question was resolved in the negative.

Mr. NORTON said he could not understand on what ground hon. members who had supported that amendment a few nights ago now voted against it. An hon. member asked why

he did not vote for the grocers' licenses? He could give a good reason for not having done so. When the first lot of amendments brought forward by the hon. member for North Brisbane were circulated, he took the trouble to read them carefully over; but after that the hon. member said that since then he had heard arguments which had caused him to change his mind to a great extent, and he not only said that but he introduced a fresh batch of amendments. As he (Mr. Norton) had not had time to read the pages full of new amendments, and as the hon. member appeared to be very doubtful as to what he wanted, he felt he could not vote for them; but he had told the hon. member that if he would himself introduce a Bill on the subject he would support him. With regard to his own amendments, he had not altered his mind in the slightest degree. They had been acceded to by the Colonial Secretary and by a large majority of the House, and on what ground they were now rejected he was at a loss to understand. Several plausible arguments had been brought forward, but not one that could be seriously maintained. He was surprised when the Colonial Secretary said that he intended to oppose the amendments, and he was more surprised at the division that had just taken place. Only yesterday at lunch time a lot of amendments from the Colonial Secretary were sent round——

The COLONIAL SECRETARY: I sent none round.

Mr. NORTON said the amendments were said to be those to be moved by Sir Arthur Palmer, and they included those relating to private hotel licenses. The hon. gentleman had given no reason for his change of opinion, except that it had been pointed out to him that undue advantage might be taken by the holders of these licenses. He supposed, however, it was no use saying anything more about the matter, as nothing he could say would be likely to influence the Committee.

Mr. SWANWICK said he congratulated the leader of the Opposition on the position that hon. gentlemen had taken up with regard to the 35th section. Having ascertained that this was to be the test question, and seeing that the greater part of the Committee were opposed to the amendment of the hon. member for Port Curtis, the hon. gentleman went outside the bar, and, standing behind a post, showed that he was very well posted indeed in the matter before the House. On referring to the clause, he (Mr. Swanwick) found an ambiguity which might lead to some difficulty, and he, therefore, moved that the word "clear" be inserted between the words "seven" and "days."

Question put and passed.

Mr. GRIFFITH said that seven clear days virtually meant eight days, and the amendment would make the clause at variance with other parts of the Bill.

Question—That clause 35, as amended, stand part of the Bill—put and passed.

On clause 36—"Board or licensing authority may order costs"—

Mr. GRIFFITH said the person who made an objection to the granting of a license assumed a position of serious responsibility, and he was generally acting, not from interested motives, but in the interest of the public. If such persons were made liable to be saddled with costs, they would be deterred from exercising what might be a very proper function. He thought that the argument was entitled to respectful consideration. They had done very well without costs, and he had never heard of any case of hardship in connection with it. He thought this was a great mistake. He pointed it out on a previous occasion, and now took the opportunity of recording his dissent to the clause. Costs might be very proper in judicial proceedings, but this was an application for the exercise of the discretion of the justices.

The COLONIAL SECRETARY pointed out that costs could only be granted where the objections were vexatious or frivolous. He thought that this was a very proper provision. He did not believe that these objections were taken on purely public grounds. They very seldom were. Very often they were taken from personal pique, and sometimes from malice.

The MINISTER FOR LANDS said that the hon. member admitted that it would be unfair to give costs against the applicant, so those who opposed vexatiously or frivolously should surely have costs awarded against them. He had known instances, not far away from Brisbane, where he landlord of a public-house had, by petitions and every other means he could use, tried to prevent the licensing of another house which was, perhaps, half-a-mile away from him. Was not that frivolous or vexatious? The man kept behind the scenes and put some other loafer to the front to do his dirty work.

Mr. GRIFFITH said he thought it was as unfair to make the applicant as it was to make the objector pay costs. He thought it was monstrous. A man wished to engage in a respectable occupation, and made all arrangements for doing so, and applied to the board for a license and it was refused. Was he to pay the costs of those who opposed him?

Mr. RUTLEDGE said that he did not agree with the statement of the hon. member in charge of the Bill, that most frequently the petitions got up against the establishment of public-houses in new localities were dictated by personal pique or by malice.

The COLONIAL SECRETARY: Notwithstanding, it is perfectly true.

Mr. RUTLEDGE said he knew a great deal of what was done in that way, and he never knew a person actuated by personal pique or malice who would spend the time and incur the trouble, annoyance, and expense—though not themselves interested in the public-house property at all—to secure the license not being granted. The case cited by the Minister for Lands was not in point. There was no reason why a lot of people who did not approve of the establishment of a public-house should not be listened to, and should not be considered frivolous and vexatious because some other person not supposed to be interested, had some sympathy with those who started the petition. He never heard such an argument against the proposal to eliminate this clause. He thought the whole system of paying costs as proposed was objectionable in the highest degree. The effect would be that opposition would be discouraged altogether, as people would never know what would be told to the Board to make them consider the petition frivolous or vexatious. It would be better, supposing it were possible to have a petition frivolous or vexatious, to have one such petition than to discourage twenty petitions which would be neither frivolous nor vexatious.

Mr. McLEAN said he did not see the necessity for this clause. In the 35th clause the objections were specified which could be made against the granting of a license, and no one would go outside those provisions. Supposing a petition was lodged against a license in terms strictly in conformity with the law, could a bench of magistrates or licensing authority consider it vexatious or frivolous?

The COLONIAL SECRETARY said that if hon members had stopped speaking he would have negatived the clause long ago.

Question put and negatived.

On clause 37—"Renewal of applications when primarily refused"—

Mr. RUTLEDGE said he should like to ask the Colonial Secretary whether he intended to insist upon the whole of the clause? In the clause, as it was here, there was nothing to prevent an unsuccessful applicant going month after month, and quarter after quarter, and renewing his application, and worrying the board.

The COLONIAL SECRETARY: Has the hon. member read the clause?

Mr. RUTLEDGE said it was only when the application was refused on the ground of "personal unfitness or incapacity" that he could not renew his application for six months. He considered that if the application was refused on any other grounds he should not be allowed to renew it, and he moved that the words "on the grounds of personal unfitness or incapacity" be struck out.

The COLONIAL SECRETARY said he should oppose the amendment. The leaving out of those words might do a great deal of harm and injustice. Any board that would be worried into giving a license because they were applied to month after month were not fit to be a board. The only ground on which a man should be prevented from renewing his application was personal unfitness.

Mr. GRIFFITH asked why so? Supposing the premises were unsuitable, or that the requirements of the neighbourhood did not justify the granting of the license, or that the premises were close to a place of public worship, hospital, or school. In the case of all those objections, was not the prohibition to remain in force for six months?

The COLONIAL SECRETARY said the board had power to refuse licenses at any time.

Mr. GRIFFITH said of course it had; but the principle of this Bill was that the power of the board was mainly judicial, and they were to determine on objections made. The fact of their saying that it might not be renewed on one ground was a suggestion that on any other ground it might be renewed.

Mr. PERSSE said that he did not see any necessity for altering the clause in any way. He thought that the boards would not have very much to do, and they could entertain an application in five minutes; and he did not see why they should not do so, especially as the board, like a bench, could put the case out of court.

The MINISTER FOR LANDS said he was about to call the attention of the Committee to the injustice that might be done to many worthy men if the objection was sustained, and other causes beyond personal unfitness or incapacity made the reason for the application not being renewed. Any of the objections enumerated in clause 35 might apply, and why should the applicant not renew his application under six months? If he could not, the consequence would be that licenses would be refused, a man would have to shut up his house, and after six months the business would be spoiled and the house worthless.

Amendment negatived, and clause passed as printed.

Clauses 38 and 39 negatived, on the motion of the COLONIAL SECRETARY.

Clause 40 passed with a consequential amendment.

Clauses 41 and 42 passed as printed.

Clause 43 passed with verbal amendments.

Clause 44 passed as printed.

On clause 45—"License of female marrying to be vested in husband"—

Mr. MACFARLANE suggested that the words, "subject to the provisions of clause 21," should be inserted. The husband might not be eligible.

The COLONIAL SECRETARY said his private opinion was that when a widow married again she ought to lose her license.

On the motion of Mr. GRIFFITH, the clause was amended by the insertion of the words, "unless he be disqualified from holding a license under this Act; or" after the word "originally," in line 19; and by the substitution of "either of such cases" for "such case" in line 23.

Clause, as amended, put and passed.

On clause 46—"Duplicate license may be granted in case of loss"—

Mr. NORTON moved the omission of the following words in line 37—"after the issue of the duplicate herein provided."

Amendment agreed to.

Clause, as amended, put and passed.

Clause 47—"Annual list of licenses and licensees to be published, and to be used for statistical purposes"—passed as printed.

On schedule D—

The COLONIAL SECRETARY moved the following amendments, which were agreed to:—In No. 2—"Packet license"—the substitution of "justice or justices, as the case may be," for "board," in the 16th line," and the omission of the words "said Act," in the 19th line; in No. 3—"Billiard or bagatelle license"—the omission of the words "under the said Act," in line 37, and "by the said Act," in line 40.

Schedule, as amended, put and passed.

On schedule E—

Mr. GRIFFITH moved the insertion of the words "and whether he is married and has children" after the word "transferree" in line 22, No. 3.

Amendment agreed to.

On the motion of the COLONIAL SECRETARY, No. 6—"Application for packet license, or renewal of packet license"—was amended by substituting the words "justice or justices as the case may be" for the word "board," in line 62; and by substituting the word "apply" for the words "give notice of my intention to apply to the said licensing board [or licensing authority] at the next quarterly [or monthly] meeting thereof for licensing purposes," in lines 67, 68, and 69.

On schedule E, No. 6—

Mr. GRIFFITH said on the second reading of the Bill he called attention to the fact of a master of a vessel only being allowed to sell liquor during any actual passage of such vessel, and he would suggest that the sale of liquor should be allowed half-an-hour before the departure of a vessel, and while at sea. He did not see any possible harm in that. A person might wish to treat his friends just before starting, and he did not see why he should not be allowed to do so.

The COLONIAL SECRETARY said he had no objection to the insertion of the words, because he knew that the thing was done, and would be done.

Mr. RUTLEDGE said he did not think the amendment an advantage. It sometimes happened that just before a vessel started a great

number of the friends of the captain were about treating him, and he was often less capable of taking his vessel to sea. He was credibly informed that one reason for the "Sorata" coming to grief near Adelaide was that the captain had been too freely treated by his friends.

The COLONIAL SECRETARY: It is a gross libel.

Amendment put and passed.

Schedule E, No. 7, was amended by omitting the word "board" on the 1st line, and inserting the words "justices of the peace as the case may be;" by striking out the words "give notice of my intention to," on the 8th line; and by striking out the words "next quarterly or monthly meeting thereof for licensing purposes," on the 9th line.

Schedule E, as amended, put and passed.

Mr. GRIFFITH moved that the words "the chairman of the licensing board (or licensing authority)," in schedule F, No. 8, line 15, be omitted, with the view of inserting the words, "The police magistrate or any two justices."

Question put and passed.

Schedule F, No. 8, was agreed to with that and other verbal amendments.

On schedule F, No. 9 — "Licensee's Insolvency"—

Mr. GRIFFITH said the schedule appeared to have been drawn up with a different idea from the corresponding clause in the Bill. Clause 43 provided that application might be made for permission to carry on the business until the end of the time for which such license was granted, whereas the schedule said that the license might be granted temporarily, to permit the agent to carry on the business until the next quarterly meeting. That would have to be put right, and he would suggest that the schedule be passed and altered when the Bill was recommitted.

Schedule F, as amended, agreed to

Schedule G agreed to with a verbal amendment.

On clause 48 — "Exempted persons generally"—

Mr. GRIMES moved that the words "or other fruit" be inserted after the word "pears" on the 58th line. Grapes, apples, and pears, he explained, were principally grown in the southern portion of the colony, and this amendment would make the clause more generally applicable to the whole colony.

The COLONIAL SECRETARY said he would accept the amendment without the speech.

Question put and passed.

Mr. GRIFFITH said he did not see where the spirit merchant was protected in this clause.

The COLONIAL SECRETARY: By subsection H—

"Being a licensed brewer, or distiller, or wholesale dealer in wines, spirits, or beer."

Mr. GRIFFITH said that subsection related to liquors in bond, and did not apply. It would be better, he thought, to follow the wording of the present Act as nearly as possible, and he would move that a new subsection, as follows, be inserted:—

Being duly registered as a wholesale spirit dealer, and disposing of liquor in quantities of not less than two gallons, and not delivered in quantities less than two gallons at one time.

Question put and passed.

The clause, as amended, was agreed to.

Clause 49 passed as printed.

Clause 50—"Penalty for keeping billiard or bagatelle table without a license"—

Mr. GRIFFITH said that if this clause passed as it stood all billiard tables would have to be shut up the moment the Act came into force and whenever it came into force, as notice of application for a license could not be given until it did. Surely, it was not intended to close up all billiard tables for a month or six weeks! Where, too, was the provision for the preservation of existing rights?

The COLONIAL SECRETARY explained that the difference proposed by the clause was that, whereas now a publican had to pay for a billiard-table license, and any other person might open and use a table without a license, all would have to pay under this Bill.

The MINISTER FOR LANDS: But only where a charge is made for using the billiard table.

Mr. GROOM said that at present publicans had to pay a license of £10 for a billiard table; whereas, any other person could open a table in opposition to it and pay nothing. The latter could keep his table open at all hours of the night. It could be opened on Monday morning, and kept open all the week, Sundays included. This was a grievance which was justly complained of. There could be no vested rights under the clause.

The COLONIAL SECRETARY said the hardship pointed out by the hon. member for North Brisbane did not exist. When the Act came into force the publicans would have their licenses already, and the unlicensed men might apply for their licenses at once.

Mr. GRIFFITH said that, possibly, the rights might be preserved under the 3rd section of the Bill. If they were not, they ought to be.

Question put and passed.

On clause 51—"Lights to be maintained during night"—

Mr. GROOM suggested that the words, "But this provision shall not apply to premises situated in streets or places lighted by public gas-lamps," should be struck out. In the outside towns lamps were few and far between, and for two nights before and after full moon no lamps at all were lit. It would be unfair to publicans living in a dimly-lighted back street to be compelled to keep a lamp burning all night while those living in a main street were not put to the inconvenience and expense.

The COLONIAL SECRETARY said he had no objection to omit the words.

Mr. GROOM moved that the words be omitted.

Question put and passed; and clause, as amended, passed.

Clauses 52 and 53 passed as printed.

On clause 54—"Penalty for supplying liquor to prohibited persons"—

Mr. GROOM called attention to subsection B—

"Supplies, or permits to be supplied, any liquor to any boy or girl under the age of sixteen years, for consumption on the premises."

He thought it would be advisable to omit the words "for consumption on the premises." It was a most pitiable sight to see young children sent to public-houses for jugs of beer.

The COLONIAL SECRETARY said he should not object to the omission of the words.

Mr. GROOM moved that the words be omitted.

Mr. GRIFFITH thought the amendment undesirable. A large number of people sent

their children for their dinner beer, and he had never known any evil arising from it.

Mr. GROOM said those were not the cases that he was alluding to. He had seen little girls of tender age going to public-houses almost every half-hour for beer, and it must be very demoralising to them. It was prohibited in England, and a similar provision was in the Licensing Bill now passing through the New South Wales Parliament.

Mr. MACFARLANE said he could corroborate the statement of the hon. member for Toowoomba, and would even go further. He had seen a parent beat his child because it refused to fetch drink for him from a public-house, and compel it to go. It would be a good thing if there was a law to prevent them from being supplied.

Mr. KINGSFORD said the people to be met with in a public-house bar were not fit for children to associate with. He saw a most pitiable case in Brisbane the other day, where a child, with a jug in its hand, was afraid to go in owing to the drunken scenes at the bar. He thought the hon. member for Toowoomba ought to be commended for his motion.

Mr. RUTLEDGE said that frequently, while the husband was away at work, children were sent surreptitiously by their mother for grog.

The MINISTER FOR WORKS said it would be very unfair indeed to prevent a working man from sending his own child for a pot of beer. As to the case mentioned by the hon. member for Ipswich, the child deserved a beating for disobeying its father.

Amendment put and negatived, and clause passed as printed.

Clause 55—"Liquor not to be sold on board vessels except during actual passage"—was amended, on the motion of Mr. GRIFFITH, by the insertion of the words, "or within half-an-hour before its departure."

On clause 56—"Liquor not to be supplied to any specially prohibited person"—

Mr. NORTON called attention to the provision that anyone selling liquor to such persons must be fined £10, while anyone procuring liquor for such person was only to be fined in a sum not exceeding £10, and which might be only £1. He could not see why both should not be liable to the same penalty.

Mr. GRIFFITH said the two last paragraphs of the clause had evidently been taken from two different Acts, and as the third covered the second, and even more, the second was quite unnecessary.

The clause was amended, on the motion of the COLONIAL SECRETARY, by the omission of the words, "whether for licensing purposes or not," and also by the omission of the second paragraph.

Mr. GRIFFITH pointed out that it was probably intended that the licensee should be fined more than any other person.

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Clause, as amended, put and passed.

Clauses 57 and 58 passed as printed.

On clause 59—"Liquor retailer receiving cheque or order for payment, prohibited from unreasonable delay in cashing the same, etc."—

Mr. GRIFFITH pointed out several defects in the clause, and suggested that it would be better to have it re-drafted.

On the motion of the COLONIAL SECRETARY, the Chairman reported progress and obtained leave to sit again to-morrow.

MESSAGE FROM LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received a message from the Legislative Council, asking that leave be granted to Messrs. Horwitz, O'Sullivan, and Kellett, to attend and give evidence before a Select Committee on Branch Railways.

On the motion of the PREMIER, permission was given to the hon. members to attend; and a message to that effect was ordered to be transmitted to the Legislative Council.

The House adjourned at twenty minutes to 11 o'clock.