Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 11 AUGUST 1885

LEGISLATIVE ASSEMBLY.

Tuesday, 11 *August*, 1885.

Message from the Governor.—Question of Practice.—Question.—Crown Lands Act of 1884 Amendment Bill—third reading.—Adjournment for Toowoomba Show.—Townsville Jetty Line Railway.—Police Officers Relief Bill—Council's amendment.—Licensing Bill—second reading.—Printing Committee's Report.—Adjournment.

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

MESSAGE FROM THE GOVERNOR.

The SPEAKER announced the receipt of a message from His Excellency the Governor transmitting the Estimates-in-Chief for the year ending 30th June, 1885-6, and Special Appropriation 1885-6.

On the motion of the PREMIER (Hon. S. W. Griffith) for the Colonial Treasurer (Hon. J. R. Dickson), the Estimates were ordered to be printed and referred to the Committee of Supply.

QUESTION OF PRACTICE.

The SPEAKER said: It will be in the recollection of the House that on the 28th July a question arose with regard to practice which was of some importance in relation to the point as to whether the enacting clause of a Bill did or did not form a portion of the preamble, and if it did not form a portion of the preamble, then in what way it could be introduced into the Bill. I considered it my duty, in relation to that matter, to write letters to the Speakers of the Victorian and New South Wales Parliaments, and also to Sir T. Erskine May. I have this morning received a reply from the Speaker of the Victorian Parliament, and it is of such importance as to, I think, decide the question definitely. In justice to the House and in order to have this important

question of practice settled, I feel it my duty to read a portion of the letter to the House so that it may appear on the records :—

"Parliament House,
"Melbourne,
"6th August, 1885.

"DEAR MR. SPEAKER,

"On yesterday I received your communication of the 29th ultimo, regarding a point of practice that had arisen in your Assembly, and in which you do me the honour to say you would be glad to have my opinion, and ask what is our practice here. Our practice is to deal with 'the enacting clause,' as it is styled in your *Hansard* report, as the preamble, or as part of the preamble, as the case may be. In doing so I believe we are strictly following the House of Commons' practice. We first (in committee) postpone it, and the last proceeding, before ordering the Chairman to report, is to agree to it. In the House of Commons it is the same course that is pursued. You state that there is nothing in the last edition of 'May' as to the practice of the House of Commons in regard to Bills that have no preamble, but simply 'an enacting clause.' The answer, in my opinion, is that what you style an 'enacting clause' is dealt with there as a preamble. We have not yet received the 'Commons' Journal' for last session, so I cannot ascertain what was done in committee with the enacting clause of the Bills you alluded to; but I have now before me a case which may guide you. 'Commons' Journal, 1870,' vol. 125, page 64: 'Life Assurance Companies Bill, preamble postponed.' Same volume, page 290: 'Preamble agreed to.' This same Bill became an Act, 33 and 34 Vic., chap. 61. Look at its preamble, and you will see that it is what in your debate was styled 'an enacting clause.' Looking at your Standing Orders, especially 287, I think it is intended to follow the English practice, which, as I have before stated, is to deal with the enacting clause as if it were a more lengthy preamble."

I have the journal of the House of Commons which the Speaker of the Victorian Parliament refers me to, and I find the practice to be precisely as laid down by him. On the 3rd March, 1870, the House went into Committee on the Life Assurance Companies Bill, and the first motion is that the "preamble be postponed." Then on the 28th June of the same year the House was in Committee on the Bill, and the last question put was that the "preamble be agreed to." And on referring to the Imperial Statutes of that year I find that this Bill has precisely the same clause as was in the Bill on which my ruling was asked, namely—

"Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons in this present Parliament assembled, and by the authority of the same as follows."

I think the letter of the Speaker of the Victorian Parliament and the instance I have quoted, showing the practice of the House of Commons, will definitely settle the question as to the practice we should follow with regard to the enacting clause of a Bill. I considered it of importance to mention the matter now, because other Bills are likely to come before the House with similar clauses, and I think the letter I have just read with regard to the practice of the House of Commons will satisfy the House as to the correct course to take in future.

QUESTION.

Mr. KELLETT asked the Minister for Works—

Whether, in the contract that has been let for the duplication of the bridges on the Ipswich and Brisbane line, the roadway will be constructed of sufficient width to take a double line of 4 feet 8½ inches?

The MINISTER FOR WORKS (Hon. W. Miles) replied—

The bridges in course of erection for duplicating the line between Brisbane and Ipswich—in accordance with decision of the Government—have not been designed to carry a line of 4 feet 8½ inches gauge.

This decision has been come to by the Government, after full consideration.

CROWN LANDS ACT OF 1884 AMENDMENT BILL—THIRD READING.

On the motion of the MINISTER FOR LANDS (Hon. C. B. Dutton), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

ADJOURNMENT FOR TOOWOOMBA SHOW.

The PREMIER said: Mr. Speaker,—When the motion for adjournment was made on Wednesday last a question was asked as to the intention of the Government with respect to the present week, and I intimated that a motion would probably be made to-day that the House adjourn over to-morrow. It has been the practice for many years to adjourn on the occasion of a show which is the principal stock show in the colony, with the exception of that held in Brisbane, and I intimated that the Government would not oppose that course, but they desired to obtain Thursday for Government business. It is the practice in the House of Commons to settle such questions of adjournment early in the day instead of at the rising of the House, and, unless there is any objection, I think the matter should be settled now, at the commencement, instead of at the close of the day, in accordance with the practice followed elsewhere. I therefore propose to move that this House, at its rising, do adjourn until Thursday. I do not desire to give any particular reasons for the motion. I understand it to be the general wish of hon. members to adjourn over to-morrow. Arrangements have been made for hon. members to visit the show at Toowoomba if they desire. A special train will leave Brisbane railway station at 7 o'clock in the morning, arriving at Toowoomba in time for the opening of the show and returning to-morrow evening, and the Government will be very glad to place a carriage at the disposal of hon. members wishing to take advantage of the special train. The Government desire to make a House on Thursday, as it is very important that we should get on with the business as far as possible. There is little private business of much importance to be done, and I hope hon. members will consent to Government business taking precedence on that day. I therefore move that this House, at its rising, adjourn till Thursday next.

The SPEAKER: Does the House consent to this motion being put?

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—I do not think the Premier is consulting the convenience of the House when he asks us to make Wednesday a holiday and Thursday a Government day. He is not consulting the convenience of the working members of the House, because he proposes that we shall have two Government days this week, and the real working members will have just as much to do to prepare themselves for the work as ever; and if they take the holiday they cannot be prepared for the work. We are asked to give up Thursday to the Government and leave out of consideration the opinion of private members who have work on the paper for that day. I speak on behalf of the working members of the House, who wish to keep up with the business of the House and give it an intelligent consideration; they are not able both to keep holiday and give up Thursday to the Government, so that they get no concession at all. The thing is monstrous. Hon. members will find that debates will be protracted and the work of the session prolonged to an extent that will far more than compensate for any little advantage that may be gained by the motion of the Premier. The proper way would be to adjourn till Tuesday next.

Mr. HAMILTON said: Mr. Speaker,—It is certainly not consulting the convenience of private members to adjourn till Thursday. I do not believe in adjourning for these shows. At the same time, if we do have an adjournment it should meet the convenience of those persons who wish to see the show, and not merely that of Ministers, who wish to adjourn for one day for political purposes—to make a flying visit to the place and disappear again. Thursday, as we all know, is the best day, and those who wish to see the show will derive most benefit by seeing it on Thursday.

Mr. SMYTH said: I do not think it is fair to the country that the members of the House should adjourn for this show. I believe it was understood that last year was to be the last time we would adjourn for a show. If these adjournments are continued, every little town in the colony will put in for a holiday for its show and will have an equally good claim with Toowoomba. It is time this kind of thing was knocked on the head. We see by the papers that the Government are going to tack an amount to pay members their expenses on to the Estimates. Is the country to be asked to pay hon. members for attending the Toowoomba Show? Are we going to get two guineas for going to this show? It does not matter whether we get it or not to me, but it is an injustice to country members and those who live at a distance from Brisbane that they should be detained about Brisbane just to please certain hon. members who may wish to go to the Toowoomba Show. If there is a division I shall certainly vote against the motion.

Mr. ALAND said: I did not intend to take part in this matter, but I must certainly deprecate the statement that the House is asked to adjourn to please the members for Toowoomba. It is not to please us, but for the benefit of members of Parliament who, I know, really wish to attend the show. This matter has always been amicably arranged, year by year; but if the House wishes to put its foot down and stop this sort of thing I shall be perfectly satisfied. I may say that from the time this Royal Agricultural Society's Show was first started it has been the rule of the House in almost every year to adjourn for it, and on one or two occasions the adjournment was for a whole week. I think the Premier might do well to pay some attention to the wishes of some members of the House, and adjourn from now until next Tuesday. I shall be satisfied if we adjourn over to-morrow, though perhaps the Premier is asking too much when he asks private members to give up their business for Thursday. There does not, however, appear to be much on the paper for that day. I hope the matter will be amicably arranged, and that we will have the presence of hon. members at the Toowoomba Show, and among them the hon. member for Gympie.

Mr. BLACK said: This is getting too absurd. It is bad enough to find that the Premier is willing to sacrifice the time of outside members for one day; but now we have the hon. member for Toowoomba actually suggesting that we should lose a week. And what for? To go and see some, I have no doubt, very excellent sheep and cattle, but the majority of them and certainly the best of them will be on exhibition in Brisbane in the following week, and hon. members particularly interested in stock will have every opportunity of seeing them here. I do not know if hon. members think there is going to be any extraordinary exhibits of agricultural produce. The seasons have been so very bad that there is not likely to be anything there worthy the adjournment of the business of the country for the sake of attending this show. I am always opposed to these shows, and I shall to-day push it to a division, as I am glad to see there are hon. members on both sides of the House who agree with me. We were asked last week to adjourn for one show; this week we are asked to adjourn for another; next week we will be asked to adjourn for a third show, and next month there will be another adjournment, I am informed, for the Beenleigh Show. It would be far more in accord with the dignity of this House if we adjourned for a month at once until we get done with these shows. It is becoming ridiculous; and I should like to have an opinion from the members of the Ministry as to whether they really believe in these frivolous adjournments, and whether they really mean to attend this show themselves. It is hard, I know, for them to resist the pressure from hon. members on their own side, but I doubt very much whether it is their desire to adjourn for these shows. Let hon. members who take an interest in this show, or have taken an interest in it for years past, go to this show if they wish, and let us go on with the business of the country. I believe we shall be able to get a quorum of hon. members to go on with the business of the country, so that the time of hon. members who have come from the Northern and Western districts may not be wasted.

Mr. DONALDSON said: Before the question goes to a division I wish to enter my protest against these adjournments. If we adjourn from now until Thursday next, members will hardly be inclined to return again after to-morrow to enter upon business, and I believe it will break up the whole of the week. Last year I entered my protest against a similar motion, and stated that if the committee of the Toowoomba Show were desirous that members of Parliament should attend it they should consult their convenience, and adjourn the date for the opening of the show for one day. Hon. members would, I think, have no objection to go on Thursday. From the opinions given by hon. members in this House when this matter was under discussion last year, I believe they are not at all desirous to lose a week this year. I for one, should I visit Toowoomba to-morrow, would certainly feel very reluctant to come back to-morrow night, and if there is to be an adjournment at all I should prefer to see an adjournment until Tuesday next. I shall, however, vote against any adjournment, though, as I say, if the House is to adjourn I should prefer that we adjourn till Tuesday next. These adjournments for shows only fritter away the time of hon. members, and keep them here—at a very large expense indeed—when they are anxious that the session should come to an early close in order that they may get to their homes.

Mr. GRIMES said: I think it is time we made a stand against these adjournments for shows. If we show that we do not intend to adjourn for these shows the committees who manage them will, if they wish for the presence of hon. members, choose a time for the opening of the shows which will make it convenient for hon. members to attend. They will not do so, however, until we come to a decision that we will not adjourn for these shows. The sooner we come to a decision, therefore, in the matter the better. We shall not lose anything by making a stand, because we shall in future have an opportunity of going to these shows, as the committees will, when they see we do not intend to adjourn, attend to the matter.

Mr. FERGUSON said: I have always opposed the adjournment of the House for such paltry matters as these shows. I was in hopes, from what we heard last year, that the Government

would oppose it this year; but now the Premier himself has actually moved the adjournment of the House over to-morrow. Last week we only had one day's sitting, so that the whole of that week was wasted; and this week, so far as I can see, if this adjournment is carried, will be just as much wasted. The time of hon. members who have come from long distances is simply wasted to suit the convenience or the fancy of a few of the Darling Downs members. I see that a majority of the members of the House are against it this year, and I think it is time that the House should make a stand against this adjournment. If we do not we shall have every paltry town in the colony asking for an adjournment for a show. We had an adjournment last week for the show at Rosewood, in order that hon. members might have an opportunity of seeing a few heads of cabbage and two pumpkins. I was informed by some hon. members that it could not be called a show at all; yet the House adjourned and the time of members was wasted for a paltry thing like that.

Mr. KELLETT said: Mr. Speaker,—I was rather taken aback when I heard the hon. the Premier making this motion. I could have understood the hon. member for Toowoomba, Mr. Aland, making it, because it is only what he was in duty bound to do for his constituents. We must remember that formerly when it became the practice to adjourn for this show it was the only show in the colony; but now it has become only a third-rate show, and that makes all the difference in the world. Besides, as an hon. gentleman has said, all the best stock will be brought down to the Brisbane Show; and I have no doubt that those gentlemen who are specially interested in the show can attend, and still leave enough to make a very good House without them.

The PREMIER said: Mr. Speaker, — In making this motion I merely expressed a hope that the Government might be allowed to take Thursday as their day, seeing that there was not much private business on the paper. With respect to the practice of adjourning for shows, I confess I do not feel any very strong impression that it is desirable. I think too much time is wasted in it, and that we should do as much work as possible each week from the beginning of the session. On this occasion I thought that, as the question had been discussed every year for some years, it should be disposed of early in the day by a full discussion. If the House thinks it is not desirable to adjourn for this show, by all means let the adjournment be opposed. In any case, I think it is just as well that the House should express an opinion on the subject.

Question put, and the House divided:—

AYES, 14.

Hon. B. B. Moreton, Messrs. Rutledge, Griffith, Dickson, Dutton, Miles, Fraser, Brookes, Aland, Mellor, Isambert, Wakefield, White, and Kates.

NOES, 23.

Sir T. McIlwraith, Messrs. Archer, Black, Jordan, Lalor, Foote, Bailey, Kellett, Donaldson, Scott, Beattie, Grimes, Lissner, Palmer, Ferguson, Smyth, Higson, Sheridan, Annear, Hamilton, Horwitz, Campbell, and Macfarlane.

Question resolved in the negative.

TOWNSVILLE JETTY LINE RAILWAY.

The MINISTER FOR WORKS, in moving—

1. That the House approves of the plan, section, and book of reference of the Townsville Jetty line, from 0 miles, Northern Railway, to 2 miles 40 chains and 53 links, as laid upon the table of the House on Tuesday, 4th instant.

2. That the plan, section, and book of reference be forwarded to the Legislative Council for their approval, by message in the usual form.

—said: The object of extending the line from the present station to the jetty is to facilitate the transit of goods from the jetty up country. I do not know, I am sure, whether the merchants of Townsville are likely to make very much use of it at present, but I am informed that the construction of this short extension will reduce the cost of goods sent up country, as it will obviate the necessity of lightering, the cost of which is considerable. I am assured that the coasting steamers now discharge at the wharf or jetty, and it is found necessary that there should be a connection between the jetty and the main line. The proposed line is a short one, the distance from the station to the jetty being only about two and a-half miles, and it goes through Government land all the way, so that there will be no land to resume. It will not be a costly work, inasmuch as it is a surface line and passes down a street and not through any private property. I hope before very long that the jetty will be extended, and that we shall have a sufficient depth of water for vessels to come right up to the wharves. This line will be a very useful one, and, as I have said, the cost will be very trifling. I trust there will be no objection to the House approving of the plans. I beg to move the motion standing in my name.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—I wish to make a few general remarks on the usual custom of passing plans and sections by the House instead of first discussing them in committee. I have referred to this matter before, and I now advert to it again, as I presume this will be a session in which a large number of plans will come under the consideration of the House. Anyone who has had much experience in these matters must, I think, come to the conclusion that such a motion as we have now before us is not one which should be submitted to the House unless it has previously gone through committee. Innumerable, or at all events various, questions require to be asked upon the various works authorised by motions like this, and it is against the rules of debate for the Minister to reply, so that we have been constantly violating those rules in order that we may get the information desired by the House. But, besides this, there is the further objection to the present system that the Minister may shirk any question he finds inconvenient by sheltering himself under the rules of this House. I am perfectly satisfied that the Government wish to give every opportunity for the discussion of plans and sections laid before the House for approval, and this cannot be done unless they are considered in committee. At the present time when the Minister for Works moves the adoption of plans he says what he has to say about them, and, as I have already intimated, has no right to speak again. It is quite plain, I think, that an arrangement something like that observed in another place should be adopted here, though I would not go quite so far as that. In my opinion, we should first consider the plans in committee—where all necessary information could be given to hon. members—and after that it would be a matter of form to pass them through the House. These remarks I commend to the Premier, because I know the course I have suggested will facilitate the passage of business through the House. In fact it is an absolute necessity, as anyone who has been Minister for Works must know. With reference to the particular railway before us, I may say that I have no objection to a line from the Townsville jetty to join the main line to Charters Towers. I think it will add very much to the convenience of the railway traffic in that district. The plans and sections, however, do not appear to me—looking at them for the first time—to promise much in the shape of convenience, and such information as one would like to have on a point of this nature should be given in committee. The motion before the House is for

the approval of a line which joins the main line at an acute angle, and the only possible way in which a train can go from the wharf to the station is by the engine getting behind the trucks and pushing them before it for two and a-quarter miles, and then it would be in front of the train ready to go up country. I think some better arrangements might have been adopted, and that though the department may try this plan for a short time they will very soon get sick of it. The Minister for Works did not refer to this point at all. I think far more power should have been asked for by the Government, so that they might have been able to construct a loop-line by which means trains could proceed right up country without shunting back across the river. I have no objection to the motion before the House. I would like the Premier to give his attention to the matter to which I have adverted—namely, whether the plans, sections, etc., should not be considered in committee before they are adopted by the House. For myself, I think it is absolutely necessary that we should discuss them in committee.

The PREMIER: Did I understand the hon. gentleman to say that he brought this matter before the House on a previous occasion?

The HON. SIR T. MCILWRAITH: Yes.

The PREMIER: I do not remember it, but possibly it may be that I may not have paid sufficient heed to what the hon. gentleman said. There is a great deal in what he has now stated, and I think it would be very convenient that plans and sections should be considered in Committee of the Whole. There is a general consensus of opinion that the route now proposed is the proper way to go. The original railway, as approved by Parliament in 1877, authorised a direct line from Charters Towers to the jetty. Subsequently a deviation was authorised, and now the question is—What is the best way to extend the line to the jetty? And, as I said, the plan now proposed is, I believe, considered by all parties the most convenient. The two lines will probably be connected in a short time by a short branch close to the spot where they now diverge, which is Crown land. All the rest of the land is private property of considerable value, and it is undesirable that it should pass through private property more than is absolutely necessary. The Government will carefully consider the suggestion of the hon. member with respect to the mode of conducting this business before the next plans come on for consideration. If there is no serious objection to it, I should certainly be disposed to recommend that we should go into committee to consider railway plans.

Mr. BEATTIE said: Mr. Speaker,—I think the difficulty referred to can be got over by making a small loop. Not having seen the book of reference, I am not aware what arrangements the Government have made with regard to giving increased facilities to shipping, by continuing the jetty and making provision for the construction of wharves. It will be very little use running the railway to the jetty if ships cannot lie there to load and unload. If the idea of the line is to reduce the cost to the people of Townsville of goods landed from vessels at the jetty, two miles and a-half away, I would remind the Government that they will have to be a little more moderate in their charges than they are in Brisbane. The complaint at Townsville is, that ships are compelled to lie out in the bay and have to pay lighterage, and that when they get into Ross's Creek they have to pay wharfage. That adds to the expense of the goods and becomes a burden both to the consignees and the consumers, especially to the latter. If the Government intend to be moderate in their charges they will afford relief to the consignees by ridding them of some of those intolerable charges on their goods, and it will be also a corresponding relief to the consumers. I will mention a case in point to show what I mean. The distance from the present terminal station at Brisbane to Mayne, on the Sandgate line, is two miles or two miles and a-half. Application has, I know, been made for the purpose of receiving goods at Mayne and sending them up the country. According to the existing scale, the charge for the carriage of goods by railway from Brisbane to Mayne is 4s. 3d. a ton. That does not decrease the cost of goods to the consignee; in fact, it is found cheaper to adhere to the ordinary system, and send goods thither from the wharves by hired drays. If the Government wish to make the proposed line of any use to the people of Townsville, they will have to adopt a much more moderate scale of charges there than they have done in Brisbane. I hope to hear from the Minister for Works that it is the intention of the Government to make some provision for wharfage at Townsville, and that they will place a sum of money on the Estimates for that purpose. I should also like to know whether it is intended to continue the jetty further to the north than it is at present?

Mr. PALMER said: Mr. Speaker,—There is one thing in connection with this proposed extension of the Townsville line that the Minister for Works has not given us any information upon, and that is with regard to carrying out the line along the stonework now being erected. As to the construction of the line itself there can be no objection whatever; but this stonework is in a backward condition; its progress is very slow, and the finishing of the line will be contingent upon the finishing of the stonework, or whatever it may be called. When that is extended to tolerably deep water, there will have to be wharves erected to enable vessels to lie there. In fact, this line will hinge upon the finishing of the breakwater; one cannot be finished before the other. The necessity for a breakwater has been apparent for many years, and the danger to which shipping is exposed is enormous. If the hon. gentleman can enlighten us as to the finishing of the stonework, the information will be very acceptable.

The HON. SIR T. MCILWRAITH: Mr. Speaker,—Before the question is decided there is one point that arises here. Has the land in Perkins street been sold? The railway goes for about half-a-mile seemingly right up the centre of that street.

The PREMIER: The line was laid out before the land was sold.

The HON. SIR T. MCILWRAITH: And was sold subject to the condition that possibly a railway would go through it?

The PREMIER: I know the railway pegs were put down in that street before the land was sold.

The HON. SIR T. MCILWRAITH: Because, although under the Railways and Tramways Act of 1880 we have power to take a railway in such places without compensation, at the same time it has never been the intention of that Act to do anything of the kind; but compensation should be given wherever it is earned or due. It is quite possible that the property of the people who have purchased land in this street may be very materially damaged by the railway passing through it, but there has never been one word said about that. Under the Railways and Tramways Act we took the power of putting a railway on any road or street in the colony, but we guarded the exercise of that power with this safeguard:

that the Government should not have power to take a street or road for such purpose in anticipation — before Parliament has expressed its approval of the plans and sections of the line. Yet here it is proposed to run a railway right in the centre of one of the principal streets of Townsville, and there has not been a word said by the Minister for Works—we could not hear him at all events—with reference to the way in which the owners of property will be affected by the construction of the line. That is one of the most important points for our consideration. We might possibly be approving of a railway that might infringe very much upon the rights of private property in the locality ; and at any rate we should hear from the Minister for Works exactly how the case stands.

The MINISTER FOR WORKS : I may state that this street was laid out especially for the purpose of a railway going through it. It is four chains wide ; the original survey pegs were down when the land was sold, so that the purchasers knew perfectly well that it was intended to run a railway there. I cannot see how any claims for compensation could be made in regard to land there.

Question put and passed.

POLICE OFFICERS RELIEF BILL—COUNCIL'S AMENDMENT.

On the motion of the PREMIER, the Speaker left the chair and the House went into Committee to consider the amendment of the Legislative Council in the Bill.

The PREMIER said the amendment that had been made in the Bill was one of not very much importance. It was one that he thought they might disagree to on the ground that it was an interference with the arrangements made by that House for the payment of money into the consolidated revenue. The Bill provided that a member of the Civil Service who got the benefit of it should pay into the consolidated revenue, within three months after the passing of the Act, a sum equivalent to the amount which would have been deducted from his salary if he had remained in the Police Force. The Legislative Council proposed that he should get three months further to pay the money. That was an alteration of the time within which the payment should be made into the consolidated revenue, and it was a matter upon which the elective branch of the Legislature had been always very jealous. In the present case, however, the amendment was not one of much importance, and as it was really not inconsistent with the desire of the House to relieve the persons for whose benefit the Bill was introduced, he proposed to ask the Committee to agree to the amendment, and at the same time to set forth their reasons for not insisting upon their privileges. He therefore proposed—

That this Committee agree to the amendment of the Legislative Council because, although it alters the time within which the payments affected by it are to be made to the consolidated revenue, the amendment is in furtherance of the intention of this House to give relief to the officers to whom the Bill applies.

Mr. PALMER said he would ask the Premier, with regard to a matter that came under the Bill, what the position of a police sergeant would be who had retired after fourteen or fifteen years' service, and who during all that time had paid his annual contribution to the Superannuation Fund—was he entitled to a refund to that amount, or would he lose his contributions ?

The PREMIER said he did not quite understand the hon. gentleman's question, as the Bill did not apply to officers of the Police Force at all. It only applied to officers who had left that force and gone into the Civil Service, thereby forfeiting their rights under the Police Act ; but it gave them equivalent rights in the other branches of the Civil Service. It did not apply to members who remained in the force, or who had simply retired from it.

The House resumed, and the CHAIRMAN reported that the Committee had come to the following resolution :—

Agree to the amendment of the Legislative Council, because, although it alters the time within which the payments affected by it are to be made to the consolidated revenue, the amendment is in furtherance of the intention of this House to give relief to the officers to whom the Bill applies.

The report was adopted, and on the motion of the PREMIER it was ordered that a message be sent to the Legislative Council informing them of the decision of the Assembly.

LICENSING BILL—SECOND READING.

The PREMIER said : Mr. Speaker,—When I moved in committee some days ago for leave to introduce this Bill, I explained briefly the principal alterations that it was proposed to make in the existing law ; and I do not propose now, in moving the second reading of the Bill, to enter at any great length into the details of the measure. It has been admitted for some time, I think, that the licensing laws require, at any rate, consolidation. Some people are of opinion that they also require amendment, and the House devoted a great many days' consideration—in the session of 1880, I think—to the consideration of a Bill introduced by Sir Arthur Palmer, who was then Colonial Secretary, and many matters were then very fully discussed. Upon some matters there was then almost a unanimous consensus of opinion, so far as my memory and the records of the House enable me to discover, and that opinion was fully considered in the framing of this Bill. I do not propose to go into the general question of the liquor traffic or its effect upon the prosperity of the colony. We know that at present we have amongst us sellers of liquor, and I do not think it is desired to abolish them ; but we know that the traffic requires regulation because it is easily open to abuse. At the same time I think that we ought, and as far as possible, to place the business upon a higher footing. It is to the interest of everyone that the houses in which intoxicating liquors are sold should be respectable, and I believe there are no people more desirous of seeing all reasonable provisions made by law to bring about that result than the keepers of such houses, with a few exceptions of whom the majority are very much ashamed. In approaching the subject we must bear in mind that there are extremists on either side, but I do not think it is desirable that the Legislature or the Government should attempt to deal with the matter in that way. We do not wish to do anything that would be injurious to people engaged in a business which is at present recognised, and which, I believe, will continue to be recognised for a long time—a business which is capable of being respectable, and which nobody would desire to see otherwise. At the same time we have to see that the very great facilities that are offered in that business for doing injury to the welfare, moral or temporal, of the inhabitants of the community, are diminished as far as possible. The Bill does not go nearly so far as many people would like to see it, and in many respects it does not go so far as measures introduced in other parts of the world. But I believe, nevertheless, that if this Bill is passed it will introduce a great improvement on the licensing system in this colony. It will provide better houses and a better class of people to keep them ; it will encourage in many ways temperance habits throughout the colony ;

and though it does not do everything that might be desired by some people, it goes I think as far as it can be safely and reasonably taken at the present time. It is not the function of the Government to give effect to any views which individual members of the Government may entertain, if they are not in accordance with public opinion; but for my own part most of the provisions of the Bill are as nearly as possible what I should have desired. I might have desired it to go somewhat further in one direction or another; but I believe that it is a great step in the right direction, and that it is in conformity with the opinion and conducive to the welfare of the general community. That, in the view of the Government, is as far as we consider we are warranted in asking Parliament to go with regard to the licensing system. Many hon. members, no doubt, hold different opinions—some think the Bill goes too far in one direction and some in another. But these are matters of opinion in which we may reasonably expect to differ—it is hard for one to say he is right and another is wrong. The first subject dealt with is the constitution of the licensing authorities. We propose, in that respect, to adopt in substance the principle contained in the Licensing Boards Act passed in 1879. That measure was drawn by the Government of which I was a member, and was afterwards introduced by the succeeding Government. The Bill adopts the principle underlying the present system, that justices of the peace are to be *primâ facie* the licensing authority, but in any particular district where it is not desirable that all the justices should be the authority a select number shall be nominated by the Governor in Council. So far, that is in accordance with the present system; but there are two changes. Under the present law the number of justices is limited to five; and there are certain justices who are licensing justices by virtue of their office—chairmen of municipalities or divisional boards, or the nominees of municipalities or divisional boards—when a chairman is himself disqualified. As Colonial Secretary I sometimes see the inconvenience arising from the limited number, and I do not see any reason why the fixed number of five should be retained. In many cases it would be more convenient to have a larger number. That is a matter that I think can be left to the discretion of the Governor in Council. The other change is that all offences against the Act are to be dealt with by the licensing justices, who will not only have to do with the granting of licenses, but be the only justices having authority in relation to anything connected with the licensing laws or breaches of them; so that the same justices who have to try offences against the law will be the persons to decide whether licenses shall be granted or renewed. That, I consider, is an improvement on the present system. There is an error in the 7th section, to which I will at once call attention. The clause enumerates the persons disqualified from acting as licensing justices, and was intended to have been a re-enactment of the existing law; but by some accident, for which I cannot account, an additional disqualification has been inserted—"a member" of as well as the paid officer or agent of any society interested in preventing the sale of liquor. That is not the present law, nor was it intended that a member of such society should be disqualified. Perhaps the clause was set up from what was supposed to be a copy of the existing law, as a Bill was once in print containing this disqualification. Hon. gentlemen may wonder why appointments of licensing justices should be made in March instead of at the beginning of the year—I did myself—but it is because the chairmen of divisional boards and municipalities are appointed in February, and as they are members of the licensing board, the appointments cannot be made till they are elected. The next change of any importance is that contained in the 12th section, which provides that special districts may be appointed for granting licenses in places where they may be required, owing to a sudden increase in the population or otherwise. Hon. members are aware that in this colony large populations suddenly congregate in various places, and it is impossible to carry out all the general provisions of the Act in such districts; therefore some general discretion should be entrusted to the licensing authorities for such districts. Those special provisions will have effect for six months, before which time licensees would not be able to provide houses containing the number of rooms required to be provided by other licensees. The duties of the clerk of petty sessions are carefully defined in the 19th section. He is to keep a register of all licenses and certificates; to prepare lists of applications, to make copies of them, and fix copies outside the court-house where the application is to be made; to report with respect to all applicants whether they have been previous applicants or not, and if so, whether the license was refused; to give notice of applications to the inspector, and when an objection is made to give notice of it to the inspector for his report; to give notice of objections to the applicant, and to perform such other duties as may be required by the licensing authority. The inspector, who may be especially appointed for the purpose—or, if not so appointed, is the principal police officer in the district—has to inspect all premises and make himself acquainted with the manner in which licensees conduct their premises, to report to the clerk of petty sessions, and attend the meetings of the licensing authority. So much for the formal parts and the duties of the licensing authorities, the clerk of petty sessions, and the inspector. The third part of the Bill deals with the granting of licenses. In any particular place new licenses may be prohibited. This has been done more than once, and I think with advantage. A new license is proposed to be granted, called a "wine-seller's license." Attention has been called lately to the question of allowing makers of wine to sell wine on the premises where it is made. It is only recently—since the Bill was laid on the table—that my attention was called to the matter. Hitherto the practice has been allowed without restriction. There are two points to be considered in connection with this matter. One is that just as much harm may be done on the premises of the wine-maker as in a licensed house by excessive drinking or want of restriction, the other is that if all licensed houses are closed on one day in the week it will be an incentive to people to go to the wine-maker's house, which is not closed, and drink without restriction. I am sorry my attention was not called to this matter before the Bill was framed, because I think something should be done—and probably will be done when the Bill gets into committee. I think it is desirable that there should be a separate wine-seller's license. I believe myself that light wines, taken in moderation, are a very wholesome beverage in a hot climate, and I do not think it necessary that they should be sold with spirits. Of course, hon. members who think all spirituous or fermented drinks injurious will not agree with me. Still, I believe, from what I have seen in different parts of the world and from what I have read, that light wines, in a hot climate, form a very desirable and wholesome beverage, especially when taken with water. Section 24 refers to persons disqualified from holding a license. It will be observed that this section makes no provision for disqualifying

a person who is a brewer or distiller, or wine or spirit merchant, from owning premises that are licensed; or rather providing that licenses should not be granted for premises of which a brewer or distiller, or wine or spirit merchant is the owner. That is so; but I am not prepared to ask the House to agree to a disqualification of that kind. Such a proposition as that raises a very large question. It is of course notorious that in some parts of the world there are very few public-houses in which brewers or distillers are not interested; though I do not know that that is the case here to any great extent. If such a law as that were introduced in London the effect would be either that brewers and distillers would have to sell a very large portion of their property or that a very large proportion of licensed houses would be closed. However, as I have said, I do not propose to ask the House to agree to such a disqualification. The 25th and 26th sections refer to the accommodation required on premises within and without municipalities. These are matters again upon which there may be differences of opinion. I believe the accommodation required under these clauses will be found sufficient. Somebody has drawn my attention to the height of the bedrooms, and stated that nine feet is too small a minimum for the height of a room, and that it should be fixed at ten feet. But these are small matters which can be considered in committee. The 25th section requires that premises shall have proper accommodation in accordance with the Health Act—a very important provision that is also required in respect of country public-houses. There is a slip in the 27th section, which reads:—

"Nothing in the two last preceding sections shall affect any license or provisional certificate granted before the commencement of this Act, or prevent any removal or transfer thereof, if the accommodation as to the number of rooms is maintained at the standard heretofore required and applicable to any such license or certificate."

What is intended is, of course, as to the number of rooms, and not as to the provisions of the Health Act. I mention it now so that the matter may not be overlooked. It is an inadvertence in the printing of the Bill. The 25th section also provides that there shall be a bar for public convenience, and it is apparently inconsistent with the 68th section, under which a licensee may dispense with a bar. This inconsistency may be removed when dealing with the Bill in detail. The Bill then goes on to provide for the publication and form of applications for new licenses, the renewal of licenses, and the transfer of a license from one person to another, or the removal of a license from one house to another; and also deals with provisional licenses. A change I consider important is introduced in the 31st section. The license of a public-house involves two things—first, that there shall be a certificate from the licensing authority of the fitness of the house for the purpose, and secondly, a certificate that the intending occupier is a fit person to conduct the house. It should be the same in the case of a transfer of a license; accordingly both the transferror and the transferree have to give notice, and unless the proposed transferree can show that he is a fit person to hold a license in the same way as the original holder of the license he will not get the transfer. There is a defect in that respect in the present law, and it should be corrected. It is also provided that if the holder of a license wants to remove his business from premises in which he is carrying it on, and of which he is not the owner, he must give notice to the owner of the premises. There are some changes also with respect to certificates for houses in course of being erected. It is provided that it shall not be necessary that the person who makes the application for the certificate should be the intending landlord of the premises. A man may make application for a certificate for premises, for instance, and still not intend to keep the hotel himself; and any other person may make application for the license, but it must be made in the same manner as provided in the case of application for new licenses, and he must satisfy the licensing authority that he is a fit person to keep the house. There is some confusion in that respect under the present law, and it is perhaps better that it should be cleared up. I shall not call attention particularly to the billiard and bagatelle licenses. Applications in special districts are not to be granted for a longer period than six months, and licenses in those districts may not be transferred or renewed. They will be merely a temporary provision to meet the temporary state of circumstances. Where a man has got a license to keep a house temporarily — such as at a new goldfield — he must before the six months expire have a proper building put up if he wishes to make application again. With respect to objections to the granting, renewal, removal, or transferring of licenses, it is provided that objection may be made by—

"(*a*) The local authority of the municipality or division in which the premises sought to be licensed are situated;

"(*b*) Any six or more ratepayers rated in respect of property situated within the distance of half-a-mile from the premises in respect of which the license is applied for, if they are situated in a municipality, or within the distance of three miles from such premises if they are situated elsewhere;

"(*c*) Any other applicant for a similar license or person holding a similar license in respect of premises situated within half-a-mile from the premises in respect of which the license is applied for, if they are situated in a municipality, or within three miles from such premises if they are situated elsewhere;

"(*d*) An inspector; and

"(*e*) In the case of a proposed removal, the owner of the premises from which it is proposed that the license should be removed."

The objections which may be taken to the granting of a licensed victualler's or wine-seller's license are set forth in section 41, and are seven in number. They are as follows:—

"1. That the applicant is a person of drunken or dissolute habits or immoral character, or is otherwise unfit to hold a license;

"2. That a license held by him has, within twelve months preceding the time when the application is made, been forfeited or cancelled;

"3. That premises held by him under a licensed victualler's, or wine-seller's, or publican's license, have been the resort of prostitutes, or of persons under the surveillance of the police;

"4. That the applicant has been convicted of an offence against this Act or any of the said repealed Acts within twelve months preceding the time when the application is made;

"5. That the reasonable requirements of the neighbourhood do not justify the granting of the license applied for;

"6. That the premises in respect of which the license is applied for are in the immediate vicinity of a place of public worship, hospital, or school;

"7. That the conditions prescribed by this Act, or any of them, have not been complied with by the applicant either personally or with regard to the premises in respect of which the license is applied for."

Those are the objections, and such of them as are applicable are extended to the renewal or transfer of licenses, and to packet or bagatelle licenses. It is provided that when a license is refused the reasons for such refusal shall be pronounced in open court. The rules of procedure laid down in the 2nd schedule will preclude the repetition of proceedings which have taken place in some courts lately, where the chairman

of the licensing body called for a show of hands. With respect to the renewal of applications once refused, it is proposed to provide that where the application has been refused on the score of the personal unfitness of the applicant he shall not apply again for six months; but if the objection is merely the unfitness or incompleteness of the premises, he may apply again as soon as that objection is removed. A change is proposed with respect to the granting of certificates. The practice hitherto has been to grant the certificate immediately on the license being allowed by the licensing authority, and when the payment is made afterwards the certificate is sent on to the Treasury. It is proposed now that the licensee shall not get the certificate until he makes the payment. With respect to the license fees, some people seem to think that the fees are too small for some houses and too large for others. In that respect no change is proposed in the existing law, which I have never heard of as pressing hardly on anyone. I do not think the license fee is too small in any case, except perhaps for some of the packet licenses, and I hardly see the way to define the principle by which to adjust the fees for packet licenses. It could hardly be done by the tonnage; and it could not be done by the number of miles the ship travels. One does not know how long she will be here, and the fee has to be paid in advance, so I do not see any satisfactory way of making a sliding scale. A change is introduced by imposing an additional fee for a second bar or counter; I think there will be no objection to that. Where it is necessary to have a second bar, there must be a large business, and the additional fee can well be paid. Then there are provisions for the transfer of a license to the widow of a man who has died, or to his representatives in case of insolvency, and for the case of a woman marrying. The 4th part of the Bill relates to the obligations, duties, and liabilities of licensees. It has been a moot point for many years whether an auctioneer is authorised to sell liquor. It is proposed by this Bill to allow him to sell it in quantities of not less than two gallons on behalf of any person himself licensed to sell liquor in that quantity. That is to say, a registered wine-merchant may sell his wine through an auctioneer. It also provides that an auctioneer may sell in any quantity under the direction of the trustee of an insolvent estate or the curator of intestate estates. The 61st section contains a change not important in principle, but one to which attention should be drawn. It provides that the words "licensed victualler" shall be written over the door of a licensed house instead of the words "licensed to retail fermented and spirituous liquors" as at present. It is required that a light shall be kept burning all night in the case of a licensed victualler—from sunset to sunrise. It has occasionally been suggested that this should not be required on moonlight nights, or that it should only be required till midnight; but I think it is very desirable that the light should be burning all night. In the case of premises licensed for billiards or bagatelle, the light is to be kept burning so long as the premises are open. There is a provision in the 65th section that liquor is to be sold by imperial measure if required, except in the case of liquors ordinarily sold in bottles. The 66th section is an important one—that every licensed victualler selling liquor to be consumed off his premises must affix to the vessel containing it a label showing where it came from. The 67th section deals with restrictions on the sale of liquor to certain persons. It is not to be supplied to any person in a state of intoxication, or any habitual drunkard; to any child under fourteen at all, or to any person under the age of eighteen for consumption on the premises; or to any insane person or any aboriginal or half-caste native of Australia or the Pacific Islands. The changes in that are the provisions with respect to young persons, which are certainly very necessary. The 68th section is entirely new in the colonies as far as I know. It provides that no licensed victualler shall have more than two bars on his premises, and no wine-seller more than one. If the licensed victualler keeps more than one it is to be in some place approved by the licensing authority, and specified in the license—

"And every such bar shall at all times while it is open be open to any person passing into the premises from the street."

It also provides that the licensee need not, unless he thinks fit, open any bar. That will, I think, meet almost entirely a want much debated here some years ago. It is what is called a lodging-house keeper's license, and was proposed, I think, by the hon. member for Port Curtis, Mr. Norton. There are many places—more lodging-houses than hotels—where people take liquor with their meals as they do in their own houses, but which in no other respect are different from ordinary lodging-houses. They are a sort of hotel, but they are not hotels in the ordinary sense of the word. It was suggested that licenses should be granted to them, but the facilities for evading such a law would have been too numerous altogether to admit of our adopting that suggestion. But I think if we do not make it imperative for every licensed house to keep an open bar there will be houses here, as there are in other parts of the world, where people who live in the house can get what they want for their meals, but which will not be places where anyone can get liquor supplied over the counter. With respect to not allowing more than two bars, that provision relates to a practice to which my attention has been called by the Police Magistrate of Brisbane. I understand that in this city there are several public-houses in which there are several bars—more than one, at any rate—some of which are situated in out-of-the-way corners—upstairs at the back of the house—and are almost secret places. I have never seen any of these places, which I believe have been introduced since I was younger, when I perhaps knew more of hotels than I do at the present time. I believe that in some places these bars are sublet to women of not very good character, but I have never heard that this has been done in Brisbane. I think, however, that there ought not to be any secret places for drinking in any house, and this Bill provides that a licensed victualler shall not keep open more than two bars where liquor is sold over the counter, nor more than one unless he is licensed so to do, "and then only in the places approved by the licensing authority and specified in the license, and every such bar shall at all times while it is open be open to any person passing into the premises from the street." It is intended by that that no bar shall be in an out-of-the-way part of the house. The provisions in the 71st and 72nd sections are analogous to those in the existing law. The 73rd section, I think, is not in the existing law. It relates to what used to be called "lambing-down." This matter was, I remember, very fully discussed some years ago, and the very stringent provisions of the 73rd section of this Bill are as nearly as possible analogous to those then suggested, and adopted after very serious consideration. A part of the Bill on which there will probably be some difference of opinion, and on which I anticipate some discussion in committee, is the provision made in the 75th section with respect to the hours for the sale of liquor. What we propose, sir, is that the hours shall be between 6 o'clock

in the morning and 11 o'clock at night on every day except Sunday, and that on Sundays the houses shall be closed altogether. The question of Sunday closing has been discussed so often—not in this House, but in the Press—that I suppose we are all familiar with the arguments for and against the system. It has been tried in other parts of the world, and, as in the case of nearly every other reform, there are differences of opinion as to what has been the result. Some say that the effect of Sunday closing in Scotland and Wales has been extremely beneficial, others say that it has only led to the same quantity of spirits being consumed in another way. My own opinion is that the large balance of testimony is in favour of Sunday closing. I am quite satisfied that the benefits to be derived by adopting that system will far outweigh any inconvenience it may occasion. I believe the last time the subject was under discussion here I was not so decided in that view as I am at present. I forget how I voted then, but I believe I voted once for keeping public-houses open on Sunday. But further information I have been able to get since then has quite satisfied me that the provision will be entirely beneficial. With respect to travellers, that is, as I have said on more than one occasion, a difficult subject to deal with, but I believe the provisions of the 75th and 76th sections—which are similar to those in the English Act, and nearly every word of which has been the subject of discussion in the Superior Courts in England — will be found effectual. They have stood the test of time and all attempts to evade them, and I think they are as satisfactory as any that can be devised. One way of dealing with the question would be to say, "You shall not sell liquors to travellers at all." In some parts of the colony a provision like that would do no harm, but there are other parts where its operation would have a different effect. Another way would be to leave it to the licensing authorities to decide who shall be allowed to sell liquor to travellers. But it would be a very hard thing for them to arrive at a right conclusion, and such an arrangement would certainly lead to a monopoly being given to a few houses to sell liquors on Sundays. It would not be difficult to say where travellers would go under such circumstances —the probability is that a large number of travellers would pass that way. The 78th section gives permission to licensed victuallers to reduce the hours during which their hotels are kept open, and provides that "a licensed victualler may, if he thinks fit, close his licensed premises at 10 o'clock at night and may keep them closed until 7 o'clock in the morning," and that "a wine-seller may, if he thinks fit, close his licensed premises at 6 o'clock in the afternoon and may keep them closed until 10 o'clock in the morning." The provisions as to games and music do not very materially differ from the present law. I do not think it necessary to point out the smaller changes which have been made in the present law in these matters. I shall be glad to do so when the Bill is passing through committee, if any hon. member desires it. The 84th section is a familiar friend. It provides that—

"Any officer or other member of the Police Force may apprehend any person found drunk or creating a disturbance on the premises of any licensee under this Act, or in any public place, and may detain him until brought before a justice; and such person shall on conviction be liable to a penalty not exceeding forty shillings."

It is strange that the punishment for being drunk in a public place should be provided for in a Licensing Bill. It might more properly be in a separate Bill. The 87th section and following clauses deal with adulteration. I do not propose to explain these provisions very fully now. I commend them to the attention of hon. members, as I believe they will be entirely satisfactory if they are carried out. Then follow provisions as to the protection of licensees and for inspection—provisions that are necessary for the observance of the law. Clauses 102 and 103 refer to forfeiture of licenses, and require consideration. It is proposed in section 102 that a licensee convicted of felony, or of any offence for which he is sentenced to imprisonment for three months with or without hard labour, shall forfeit his license. That is a provision that will strike almost everyone as being satisfactory; and yet since this Bill was laid on the table a case came under my notice in which a man had been convicted of felony and the justices thought it their duty to refuse him a license on that ground. The case was referred to me for my opinion, as Colonial Secretary, and on making inquiries I found that he had been convicted of manslaughter and sentenced to a week's imprisonment or less. The circumstances showed there was no imputation on his character, and it would have been very hard for that man to have lost his livelihood. Possibly, exceptions might be made in cases of that sort. Section 103 is, I think, of more importance, and is one on which there may be some difference of opinion. It provides that—

"If within a period of twelve months a licensee is convicted of three offences against any of the provisions of this Act, or any of the Acts hereby repealed, it shall be in the discretion of the justices before whom the third conviction is had to order and adjudge that his license shall be forfeited, and further that he shall be disqualified from holding a license under this Act, either absolutely or for such period as they may think fit."

I think that will be an extremely valuable provision. The 5th part of the Bill deals with sellers of colonial wine, and contains provisions as to sale by unlicensed persons, and does not call for special remark here beyond noting the fact that section 112 contains a provision calculated to deal with evasions of the law by selling more than the authorised quantity with an understanding that part shall be returned. The 6th part of the Bill deals with the subject of local option. That subject has been before the House many times, and many times the House has passed resolutions in favour of it. Last session we affirmed unanimously—or at least without division—that no Licensing Bill would be satisfactory which did not deal with the question of local option. The Government took that as an instruction in preparing the Licensing Bill which they had undertaken to bring in, and they have introduced with it the principle of giving effect to local option—a far better phrase than "permissive prohibition." This part of the Bill is complete in itself—or rather, it is self-contained. It provides for the application of local option to districts. It is very easy to talk about local option in a district, but when you come to make it work several conditions are required. In the first place you must have a constituency to vote, and it is not desirable that a constituency should be especially created for the purpose—that there should be a special electoral roll made up, in which case officers would be required to collect the roll; besides you must have a returning officer to whom applications for a poll can be made. When we considered all these things it seemed that if the principle is to be put into force by voting it should be in some district which already has a roll of electors and a returning officer, or a subdivision of one of them, or, if circumstances will allow, a smaller area than a subdivision. It is proposed that the provisions of the Act may be put in force in any municipality or division, or any subdivision of either, or in any other area which forms part of a municipality or division and also forms part

of one licensing district. It is necessary that it should form part of one licensing district, because —supposing it were desired in a particular area to enforce the principle of local option to the extent that not more than ten houses should be licensed in that district—if the area were in two licensed districts, how could you divide the the ten houses between the two? The attempt would give rise to difficulties and become impracticable. The number of ratepayers who have to give notice that they desire a poll we have put down at one-tenth of the whole. That is an arbitrary number. It may be one-eleventh, or one-eighth, or one-half; but I think one-tenth is a reasonable number to call upon the returning officer, who is the chairman of the local authority, to take a poll for or against any one of these three resolutions—

"1. First—That the sale of intoxicating liquors shall be prohibited;

"2. Second—That the number of licenses shall be reduced to a certain number specified in the notice;

"3. Third—That no new licenses shall be granted."

When the requisition has been presented to the chairman of the local authority, he is to make arrangements for taking a poll, and it is proposed that every ratepayer who is rated in respect of property within the area shall be entitled to have one vote for or against the resolution. With regard to resident ratepayers, it may be easy to ascertain who are resident in a small town, but in a large town it would be difficult, if not impossible. Again, I do not see why an owner of property should not be entitled to vote. The establishment of an undue number of public-houses in a particular area may do as much harm to an owner of property as to the people living there—perhaps much more. A tenant might be willing to have a place where he could get a drink close by, while the landlord might be very sorry to have it there. Arguments may be urged for or against that proposition. With respect to the form of the ballot-paper—which is the 8th schedule of the Bill—it will be seen that it makes it quite easy for anyone to vote. A poll may be taken upon any or all of the resolutions. It might be desired to take it on the first resolution only, or if the chance of carrying that is small it may be desired to have an opportunity of voting for the second as well, or if there is small chance of carrying that of voting upon the third. That is a thing which I believe will very often be done, although I think that more often the second and third resolutions will be presented to the ratepayers for their decision than the first. I observe that in England it has been proposed that in every case all the resolutions to this effect should be submitted to the vote. But I confess I do not see why if a ratepayer simply desires that no new licenses should be granted under the Act he should be compelled to ask for a poll with regard to total prohibition. I believe the plan proposed, so far as I have explained it, will be found to be quite workable. In the event of the resolutions being proposed and a ballot taken upon them, the 118th section provides what the consequence will be. A majority of two-thirds of the votes recorded will be required to give effect to the first resolution—that for prohibition; and in the case of the other resolutions a simple majority will be sufficient. In the event of prohibition being ordered, of course the necessary consequences will follow. Under clause 121, no liquor will be allowed to be sold or otherwise disposed of in the area to which the resolution applies, and any breach of the law in that respect will render the offender liable to a penalty. If the second resolution is adopted, restricting the number of licenses to be granted, the licensing justices will take notice of that, and not grant more than the number prescribed. Which ones will be left, if there is to be a reduction in the number, will be for them to determine. Clause 124 provides against people in any district being agitated too often by resolutions of this kind. The resolution adopted will be final for a certain time. If the first resolution is adopted, it will be final for three years; the second and third for two years; and if all three are rejected, the whole question can not be again agitated for two years; and upon a poll being taken at any subsequent period, the same majorities in favour of the respective resolutions will be required — that is, after three years' total prohibition, a majority of two-thirds will be required for its continuance. These are the provisions of that part of the measure. It will be observed that the Bill makes no provision for compensation in the event of prohibition being authorised, or of the number of licensed houses being reduced; nor on the whole do I see any reason why compensation should be granted. Every license is granted for a year, and if prohibition is ordered it will not take effect until the next licensing day comes round. It will be determined by a majority of two-thirds of the people of a district that not only particular licenses but all the licenses in that area are not wanted, and that is a power that the licensing justices at the present time do not hesitate to exercise in the case of any house that is considered unnecessary or undesirable. If two-thirds of the people of a district are of opinion that a house is unnecessary or undesirable, I think that in itself should be quite sufficient reason why the justices should give effect to their desires. It is like any other business that people go into. A man may start brushmaking; no one will prevent him from making brushes, but if no one will buy them, practically his trade is prohibited in that district and he has to go elsewhere. I do not see why any different principle should be applied in dealing with this kind of business than any other kind if the carrying of it on is found undesirable or unnecessary in particular localities. The 126th section contains an amendment which I consider important; and here I would warn hon. members that the references on the margin of clauses do not indicate that they are mere copies. In some instances the clauses are founded on those referred to, and contain important amendments upon them. For instance, in the present case, it is provided that sale by a servant shall be *primâ facie* evidence of the sale having been made by authority of the employer. That is a very proper provision. I do not think servants ever sell liquor for their master without his tacit instructions or authority. It is not the law at the present time. Then there is the provision in clause 127 that every defendant, other than a person charged with drunkenness or disorderly conduct, and the husband or wife of a defendant, shall be a competent witness on his or her behalf. That is a very important provision, which applies at present in cases of sly grog-selling; but it does not apply to ordinary prosecutions for offences against the Act. The provisions as to railway refreshment-rooms are not materially different from the present law. I believe it has been said that too great powers are given to the Commissioner for Railways, but I do not think so, seeing that the liquor is to be sold only within a reasonable time before and after the arrival of any passenger train. I think it would be useless to provide what the size of the rooms should be, or other details of that kind, which must be left to the Works Department. There is an exception in clause 135, in regard to the exclusive jurisdiction of licensing justices, to which I have already adverted. It provides that small offences may be heard before other justices. The forms in the

schedules have been very carefully framed, and I believe will be found sufficient to embrace everything necessary for the working of the Bill. They have been scrutinised by a good many persons, and I do not propose to go through them in detail. The Bill, although by no means a perfect measure, is, I believe, a very great improvement on the existing law. I have endeavoured to explain, as briefly as I can, the changes that it makes in the law, and some of the reasons for adopting those changes; and I shall be very glad if it commends itself generally to the favour of the House. I beg to move that the Bill be now read a second time.

Mr. ARCHER: What about the exclusion of women from bars?

The PREMIER: The hon. member reminds me that I have not proposed to exclude women from bars. I have not, sir. That is one of the subjects upon which I am afraid I am not far enough in advance. I think there is a great deal to be said on both sides on the subject. I am not prepared at the present time to propose that they should be excluded. I believe that the remedy is to be sought in another direction. I think that their presence in many cases has rather an improving influence than the contrary; although there are many exceptions. Of course there are barmaids and barmaids. I have seen some of the most estimable women I could desire to meet who have been but are not now in that position; and I should be very sorry indeed to stigmatise, or to do anything that would stigmatise, women in that position as an undesirable class of persons. I believe that they will bear—I have no intention of standing up as the champion of barmaids, sir, but I believe that they will compare favourably with young women employed in other walks of life. They are exposed to dangers—great dangers; so are others. I doubt that they are any exception in that respect. I did not intend to say so much on the subject only the hon. gentleman called my attention to it. It is not the intention of the Government to exclude them, and, individually, I am not prepared to propose it.

Mr. ARCHER said: Mr. Speaker,—I am not going to enter at any length into this discussion. I am afraid that I would be unable to do so; but I have a few words to say. I believe that the Bill is an extremely fair attempt upon the part of the Government to improve our licensing laws, taking it altogether. There is no doubt that they have already been improved. It was a great step in advance when we had licensing justices, instead of the old plan of bringing applications before a court of all the justices of the peace. The peculiar way in which licenses were granted in those old times is familiar to all of us, and I have not the slightest doubt that a great many men obtained licenses under that system who would not have got them under the present one. Still, even so far as that goes, the Bill will be an improvement, and I believe it will tend to do what the hon. the Premier spoke of—namely, to make houses more respectable, and give us better accommodation for our money, and to provide that, on the whole, the law is more strictly carried out. There is one trouble which will no doubt arise here, as in other places, where the law is strictly observed, namely, that there will be a strong tendency for places to spring up where grog is sold without any of the restrictions which fall upon honest persons, and I have no doubt from what I have known myself that something more will have to be done than has been done hitherto to see that the trade does not fall into very poor and bad hands indeed. There was one remark the hon. Premier made in relation to those who are not to be on the licensing board. A great many gentlemen are excluded from it who are not fit to act, such as brewers, etc. But there is a clause here apparently excluding persons in the employment of any society interested in the prevention of the sale of liquor. Did I understand the hon. gentleman to say that that got in here by mistake?

The PREMIER: I said the disqualification of a mere member of a society did, not a paid officer or agent.

Mr. ARCHER: Clause 7 says:—

"A member of or the paid officer or agent of any society interested in preventing the sale of liquor."

The PREMIER: The words "a member of" were not intended.

Mr. ARCHER: I do not think it would be fair to prevent teetotallers from sitting upon the bench; but it would undoubtedly be quite unfair for a paid servant of a society to have a seat there. A great part of this Bill, as has been stated by the Colonial Secretary, is simply to try and improve what is the law at present and which is not sufficiently well enforced. One great thing—one interesting to teetotallers—is the matter of local option. I am not one of those who say that local option is not a good thing. Some people condemn it altogether, while others are strongly in favour of it. I look upon it in a country such as this—where the majority of the people make the laws, where they elect the governing power of the colony, and where everything is entrusted to them—that, all these other functions being entrusted to them, local option should be entrusted to them also. I do not think, however, that the method which is here proposed by the Government is altogether right. There are a great many voters of this country who are not ratepayers, and I fancy that it is the voters who ought to decide in the matter more than the ratepayers; that the great body who elect the government, and have the whole of the government of the country in their hands, should determine whether this local option shall be carried into effect in any particular district. I do not know whether, in the case of ratepayers, one can come to an honest opinion upon the subject—that is to say whether the opinion of the country can be honestly expressed by taking that section of it only—namely, the ratepayers. Why should it only be ratepayers and no others? I think, as the Colonial Secretary pointed out, that we must have some body of voters in the matter whom we can lay hands upon and enrol. I suppose that a great many of the districts that will be formed under this Bill—or "areas," as they are called—will be merely electorates and municipalities where the rolls are already prepared, so as to enable a person who wants to give an opinion upon the matter to do so without having to get a fresh roll compiled, and where the returning officer can decide. I do not see where we can find a fairer body of voters or lay our hands upon better rolls than those which are used for electing members in this House. I think that would be a fair system, and that without that we shall probably not have what is really the opinion of the majority of the country. There is one other matter in which I cannot agree with the Premier, not only in regard to his opinion that no compensation should be granted where the renewal of a license is refused, but also his reasons. He gave as one reason that the licenses were yearly, and that therefore no hardship was caused by refusing a license when applied for. It is true that the licenses are annual; but still a person builds a house specially adapted for an hotel or an inn with reference to the business he is to carry on, and under an implied contract with the Government that, so long as he conducts it in such a way that

no charge can be brought against him, he will get a renewal of his license. As long as he conducts his house properly there is an undoubted understanding with the State that he shall have his license renewed; and I do not know why, when the State has held out such inducements for people to build houses for this purpose, compensation should not be taken into consideration. I must say I never heard such an illogical comparison as that made by the Premier when he compared the case of a publican with that of a brushmaker who, when he found there was no demand for brushes in one place, went to another. If the cases were similar, publicans would shut their houses without their licenses being refused, because if people ceased to buy the thing they had to sell, of course they would soon shut their houses. But it is a very different thing to refuse a publican a license even though he had conducted his business in a proper manner. While I am not prepared to say—and it is not my business to say—how this difficulty is to be got over, it is perfectly clear that a license should not be refused without in some way compensating the licensee, when the law implies that he shall have his license if he conducts himself properly. Therefore the 1st subsection of section 114—"That the sale of intoxicating liquors shall be prohibited"—is one that will probably give rise to the expression of a great many different opinions in this House, though we may be prepared to give people a very great power in regulating the number of houses for the sale of spirits. There is one other matter connected with this which I think might have been thought of: Suppose that it is decided in any district or area that the number of licenses shall be reduced or that no new licenses shall be issued, I think there should have been a reservation in the clause to enable the Government to charge a higher license as the number of houses were reduced. If the people continue to drink, and the number of licensed houses is decreased, the reduced number of houses will carry on a larger trade and a much more profitable business, and I take it the licenses at present are light and very favourable to the sellers of spirits. I quite agree with the Premier in his remarks about the employment of barmaids, and I think it would be a great pity if hey were not allowed to serve. I believe that in a bar where there is a respectable woman, even if there are a great many ruffians going about drinking, if there are also a few decent men there they will interfere at a much earlier period, if there is any blackguardism going on, than if there was a man behind the bar. I believe that they may have a good influence, and I agree with what the Premier has said, though I know there are a great many people who are very eager just now to prevent women being employed behind bars. There is one other thing I would like to say. I have no doubt this Bill will be modified to some extent in going through the House, and I believe it will be a great boon in many respects. One has only to turn to the schedule of Acts repealed to see that codifying the law, as this Bill will do on this subject, will very greatly ease the labours of those who administer the law for the sale of spirituous liquors, and that in itself will be a great deal of good. There is one great disadvantage from which this, and in fact all prohibitive Bills, will suffer, and that is that people will expect from it far greater results than can possibly be obtained. I do not believe it possible to make people sober by an Act of Parliament. I believe that if people wish to drink they will have their glass of grog no matter how stringent may be the prohibitive measure, and I believe I shall have my glass of grog if I want it no matter how prohibitive the measure may be. I do not believe that the effect of this prohibition will be anything like so great as some people expect it will be. Drinking will only cease when the drunkard is reformed or by the moral improvement of the community. The Bill will be much modified before it becomes law, but the fact of its becoming law should not raise the hearts of those earnest temperance men to hope that there will be a very great decrease in the quantity of spirituous liquors consumed. It will doubtless give us better houses and more respectable landlords; it will have a great many good influences in this way; but it will require a very long time to elapse before the evil of drinking will have diminished very much in the land.

Mr. MACFARLANE said: Mr. Speaker,—I wish, in the first place, on behalf of a great number of temperance reformers in the colony, to thank the Ministry for bringing forward this Bill this session. In the next place I wish it to be thoroughly understood, in reference to any remarks I may make in criticising this Bill, that I have nothing to say at all against the publicans—against their characters; or against barmaids or their characters. I am simply dealing with the system, and to that system I will address myself, hoping that this will be understood during the time I make my remarks. This Bill is one, we are told, to consolidate and amend the laws relating to the sale of intoxicating liquors Now, the very fact that we require to consolidate our liquor laws inside of twenty years—our first Licensing Act was passed in 1863—and the fact that we have during that time passed eight laws, and now require to consolidate them, signifies at once that the thing we are dealing with—the licensing of public-houses—is a danger to the community. We are told that during the last 300 years there have been no less than 400 licensing or liquor Bills passed dealing with the subject. This shows that at all events it is very difficult to regulate that traffic —that has been admitted by nearly all nations speaking the English language. We are told that the first licensing law was passed in 1552, during the reign of Edward VI., in consequence of the evils of the liquor traffic, and from that time up till now it has been looked upon as a dangerous traffic. But from the fact that they have in England passed so many licensing laws and that we have here, inside of twenty years, passed eight Licensing Acts, we see at once that the traffic requires careful regulations. The regulation of the liquor traffic has not cured the evils following from it, and I believe a deep-rooted conviction has taken possession of the hearts of all English-speaking nations that some more effectual means must be taken to deal with these evils. All attempts to reduce the amount of the traffic have been in vain; the liquor traffic prospers to-day as much as ever in the past. No matter what trade suffers, no matter how bad the times become, the liquor traffic is never depressed. If the liquor traffic did not work any evil in the community of course the community would have no right to complain, but the fact that it is working a terrible amount of mischief in our midst causes men to do what they can to try and mitigate or remove it. I do not mean that regulation has entirely failed, because the Divisional Boards Act passed by this House was a great improvement on all previous licensing laws, and the promoters of that measure deserve great credit for the way it has worked. But not only is this liquor traffic a great and terrible evil, it also lies at the root of many other great and terrible evils. Prince Leopold, in the last speech he delivered in England, said the drink traffic was the greatest enemy England had to fear. There are men in high positions who see the evil just as we see it.

Mr. Gladstone has declared the evils from this cause to be greater than the combined evils of war, pestilence, and famine. What do medical men tell us? They say that by far the greater number of the evils that afflict poor humanity are the direct or indirect result of the consumption of the drink—that, just in proportion to the amount of drink imbibed, is the amount of physical suffering. They tell us that not only have we to suffer physically, but also mentally; and that perhaps is a greater evil than the physical evil we have to endure. If it be true that three-fourths of the lunacy in the asylums springs directly or indirectly from the consumption of drink, what a terrible evil it is, and what a responsibility rests on legislators if they go on licensing a system capable of producing such an amount of mental suffering! Some hon. members may say that three-fourths is too great a number; but I am not concerned about numbers at all. It is sufficient if only one-half or one-fourth of the mental suffering endured throughout the world is produced by drink. Well, sir, that is only one of the evils flowing from the system. The judges tell us that nine-tenths of the criminals who come before them owe their position to indulgence in strong drink. Some hon. members may say that nine-tenths is too great. I am not concerned about numbers. If only one-fourth of the crime can be traced to strong drink, our duty is plain. Then the poor-law guardians at home tell us that the poor-houses are filled through over-indulgence in intoxicating liquors. I do not wish to detain the House too long, but there is one other evil I would like to mention. A society exists in Brisbane called the Social Purity Society. I remember about thirty years ago, before I left Scotland, there was a very earnest man named William Logan, who took a great interest in the social purity question, and he made it part of his business to come in contact with the very lowest class of these poor girls. After talking with about 1,800 of them, they nearly all admitted that without intoxicating liquors they could not carry on the terrible business in which they were engaged. Before I go on to the Bill itself, I wish to make one or two remarks on what I consider an omission in it. The Bill makes no mention of it at all, and I suppose the Premier would not have mentioned it had not the hon. member for Blackall questioned him on the subject. Well, sir, in reference to barmaids. As I said before, I have nothing to say against them, but what I do say is that we are exposing these girls to a needless temptation, and that they are placed in a very dangerous position we might easily save them from by prohibiting them from serving liquor behind these bars. I know there is a great deal to be said for and against this question. The institution is a very old one—it has existed for a great number of years—and it is very difficult to effect a sudden reform in such matters. I will just say this: The influence of woman for good is very great and her influence for evil is just as great. The publicans are wise in their generation, and they place beautiful girls behind their bars for the very purpose of attracting custom. To our horny-handed working man they are no temptation at all. He cares not at all whether he is served with his quart of beer or glass of rum by the hands of a barmaid or by the hands of a man. But there is another class of persons who delight to be served by the barmaid. I do not know the slang used by these gentlemen, but I have heard them called "mashers" or "slashers," or something of that sort. The young men who delight to be seen in our streets with their canes in their hands and their rings on their fingers, and their hats sitting on three hairs and their cigars in their mouths, are the men attracted to the bar-room, and these are the men the barmaids are an attraction for. What do barmaids care for working men? Nothing at all. It is the men whom I have described who are attracted to the bars. The knowing ones know very well that if you go down Queen street at night you may hear these "mashers" saying, "Come and have a drink at Nellie's bar," or "Come and have a drink at Susie's bar." They know that the names of the barmaids are all known to them, and here is the temptation. It is at the dark corners, mentioned by the Premier when introducing the Bill, where the mischief is done. It is there that barmaids are tempted. I do not know that they suffer a great amount of evil from it; but I say this, that we are exposing them to evil by not putting on our Statute-book a law to prevent them being brought into temptation.

The HON. SIR T. MCILWRAITH: The girls?

Mr. MACFARLANE: The girls and the boys too—the masher boys. Therefore I think the Government would have done well to have introduced in this Bill a clause prohibiting females serving behind the bars of public-houses. I will now briefly refer to a few clauses of the Bill. The first one to which I would draw the attention of hon. members is clause 7. I find that I have marked subsection (*d*), which at present provides that no member of any society interested in preventing the sale of liquor shall be appointed or act as a licensing justice, but as the Premier's explanation on this point is quite satisfactory to me I shall not say anything on the subject. The provision prohibiting anyone who is a paid agent of a temperance society from sitting on the licensing bench is in my view perfectly right; but had the same disability applied to members of such societies it would, I think, have been very unfair. In the same section it is provided that "the owner or landlord of any house or houses within the district used or licensed for the sale of liquor or for playing at billiards or bagatelle" shall not be appointed or act as a licensing justice. Now, there is another class of persons who ought to be included in this subsection—namely, the mortgagee. The mortgagee of a public-house should be prevented from sitting on a licensing bench as well as the proprietor of the house, for he has quite as much interest in the license being granted for the house as the proprietor, even if the hotel is a bad one. I think some alteration might be made in clause 14, which relates to the meetings of licensing authorities. The licensing boards, as at present constituted, generally meet every month. I think this is a great tax on the licensing board, and answers no good purpose. The 14th clause of this Bill provides for quarterly meetings of the licensing authorities, but the latter part of the clause gives power to the Governor in Council to direct that, in any district which comprises one or more municipalities, special meetings of the licensing authorities shall be held in the months of February, March, May, June, August, September, November, and December in every year, in addition to the quarterly meetings. These special meetings I think we can very well dispense with, and when the Bill goes into committee I shall move that that portion of the clause referring to them be omitted. I wish also to draw the attention of the House to the 53rd clause. It will be observed that according to the provisions of this section licenses are of four kinds. Under the existing Act there are only three kinds of licenses. But now it is proposed to introduce another—a wine-seller's license. The Premier, in moving the second reading of the Bill and speaking on this

provision, said that light wines taken moderately were beneficial. Well, I will not dispute his statement, but I would say the lighter the better, and the more good they will do. But this is not a Bill dealing with light wines. The wines of our colony, which are the only wines this Bill deals with, it is well known are not light wines but contain from 25 to 30 per cent. of alcohol. They are half as strong as brandy, and you only want to drink two glasses of wine to produce the same effect as one glass of brandy.

The MINISTER FOR WORKS: Have you tried them?

Mr. MACFARLANE: No. This clause may be a success or beneficial as far as the wine-growers are concerned, as it may help them to dispose of their wines; but I believe that the granting of wine-sellers' licenses will be the introduction of the thin end of the wedge, which will do a great amount of damage to the rising generation. Young men and young women will go and drink wine who would not dare to drink strong drink. They will go into the wine-shop when they would not think of going into a public-house. I believe the adoption of this proposal will be simply burning the candle at both ends; it is burning at one end now. The wine licenses will, in my opinion, be an evil which some legislators here present will live to repeal if it becomes the law of the land. A great agitation is going on in England at the present time with reference to wine and grocers' licenses, which have been doing such terrible mischief in that country, especially among the female portion of society. Now, we propose to follow the example of England, which has resulted in this mischief. What will be the consequence of passing this provision? Why, every little fruit-shop, every little huckstering shop, will want a wine-seller's license. It is true the licensing authorities may refuse to grant the license, but we all know the influence that is often brought to bear in such cases. If once wine-shops are established all over the colony the community will suffer as a whole and the taxpayers have to bear the cost. In another clause it is provided that a person holding office or employment under the Government shall not hold a publican's license or a wine-seller's license. When this Bill is in committee it will be the proper time to ask a question in regard to this provision which I would like to have answered. I happen to know at the present time a publican who is a large contractor for the Government. Would that man be an exception? The 35th clause, referring to packet licenses, is a copy of the existing law. I notice that in the Licensing Bill now passing through the Victorian Legislature the fee for packet licenses is £15. We propose to charge only £5. These packet licenses, although they are floating licenses, in many instances, I believe, do far more harm than some public-houses on land; and yet, for doing as much trade as they like or are able to do, they are only to be charged £5 per annum. From the amount of money the taxpayers have to pay as the result of the drinking customs of the colony they have a right to demand that a far larger sum than £5 per annum should be paid for packet licenses. Clause 36 refers to booths—not R. T. Booth—and is as follows:—

"1. The police magistrate or any two licensing justices may grant to any licensed victualler or wine-seller an authority, in the fourth form of the seventh schedule to this Act, and for a term to be specified therein, to exercise all the privileges conferred by his license, at any public, industrial, artistic, or scientific exhibition, or at any public race-meeting, regatta, cricket match, rifle match, meeting for athletic or other sports, encampment, fair, bazaar, or other lawful place of public amusement within the district."

What is the use of mentioning all those places? Why not say that a publican can have a license on any occasion for which he chooses to ask for it? Every possible place seems to be mentioned in the clause. It is a wonder they did not include churches; that appears to be the only exception. I think that if this section is entirely omitted from the Bill it will be a good thing; but if the Government insist upon retaining the clause, then I say there ought to be some restriction—some extra fee paid by those persons who obtain this privilege, which extends over from one to six days. We see these men at every race-meeting or exhibition paying £100 and sometimes £200 for the privilege of selling drink at those places. There ought certainly to be an extra license fee for the extra work which is thus thrown upon the police, and for which the ratepayers have to pay. Police are sent there in numbers to maintain the peace, at a great cost to the country, and yet the publicans have to pay no additional license for the privilege. It would be far better, and would please the publicans themselves better, if at every one of those racing meetings, or exhibitions, or societies' meetings, a special license—say of 10 per cent. on the amount they paid for the booth—were demanded. If this were done the other publicans would be protected. Under the present system one publican gets an advantage over the other publicans, but if he had to pay for it no one would be to blame and the Government would receive the benefit. The 39th clause has reference to special licensing districts, and will apply in such cases as the discovery of a goldfield and a sudden rush of people to a particular district. But the great danger that has always attended these cases is that they generally have far more public-houses than are required, with the consequence that the public peace is disturbed and a great deal of trouble created in the district. If, in those special licensing districts, the board resolved to grant not more than one licensed house to every 200 or 250 inhabitants, the evil would be reduced to a minimum. The past history of these cases has been that as soon as ever 200 or 300 gold-diggers got to a district perhaps half-a-dozen licenses were applied for and granted, the place has been flooded with little low shanties, and the poor diggers have had to suffer. I think the board ought to have some power to restrict the number of licenses in those special districts, and if this is attended to the evil will not be so great as it would otherwise be. The 53rd clause contains a scale of fees payable for the various kinds of licenses. It is thought by many people that the license fee for a public-house in town is too small. I notice that in the Victorian Bill the license fee is in accordance with the rental of the premises for which the license is granted, and may run up as high as £100. Here we make a uniform rate in town of £30, and for country licenses a uniform rate of £15. I was in the House in 1877, when a Bill was brought in to reduce the fees for country licenses; but I never approved of it, because it is admitted by nearly everyone that the country public-houses are even more dangerous than the town public-houses. The worst class of drink is sold there, evils of various kinds abound, and yet we give them a license for £15 per annum, whereas we charge the town publican £30. It is unfair to the town publicans that they should be charged more, and in committee I shall endeavour to get the clause so altered as to increase the country license fee to £30 per annum. I notice a subsection in this clause as follows:—

"For a second bar or counter over which liquor is sold under a licensed victualler's license, £10."

This means that a publican may erect a second bar in a place approved of by the board, and for

that second bar he is allowed to pay £10 per annum. Is it not very inconsistent to allow one publican to have two bars in his house, when you are giving power to the people to reduce and abolish other public-houses? It is proposed in the second provision of the local option clauses that the people shall have the power of reducing the number of public-houses. Now suppose this takes place: that in a town where there are twenty public-houses the people say they will reduce the number to ten; but when the number is reduced to that extent each of the remaining ten can put up another bar, and in that way provide the same amount of bar accommodation as there was before, so that the fact of the ratepayers reducing the number of licensed houses from twenty to ten is absolutely defeated. It seems inconsistent, on the very face of it, that a publican should have more than one bar. If he wants more than one I should certainly make him pay the same for the second as he did for the first. But I do not think it right in any case that a publican should have more than one bar. If he can keep that going all day he will make a very good thing out of it without having a second. I want to say a word on the 60th clause, which deals with exempted persons generally. Subsections (*c*), (*d*), and (*e*) include in the exemptions any person who—

"(*c*) Sells liquor in a refreshment room at the Houses of Parliament by the permission or under the control of Parliament;

"(*d*) Sells liquor in any military canteen lawfully established; or

"(*e*) Sells liquor in any premises *bonâ fide* occupied as a club; provided that such liquor is so sold only to members of such club and their guests."

Now, first, as to the bar of the refreshment rooms of this House. I am not hardy enough to suppose, sir, that anything I say will affect members of this House, or lead to the taking away of the drinking-bar attached to it; but I say it would be a very good thing. I would not go in for abolishing the liberties of hon. members, but I think it would be a very good thing for the House itself, and for expediting the business of the country, if the bar of the House was only opened when the House was shut. If that were done, Mr. Speaker, you would see that business would go on all the time the House was in session, and after it was closed members could amuse themselves and gratify all their feelings in any way they pleased. I repeat that it would be a good thing for ourselves and a good thing for the country, and that it would tend very much to shorten our sessions if we were simply to close the bar when the House is sitting. I would say the same with regard to subsection (*d*). Let the canteen be closed so that the men may always be sober, and always ready to defend their country. With regard to subsection (*e*), I would point out that if the local option clauses are passed and areas are proclaimed within which public-houses are prohibited, there will be a great temptation to clubs, not only to supply themselvs with an additional amount of liquor, but also to take in and supply their friends. I do not see why they should be exempted. I think it would be far better for all respectable clubs to be licensed than that they should supply themselves with liquor "free gratis."

The HON. SIR T. McILWRAITH: They do not get their liquor "free gratis."

Mr. MACFARLANE: I mean without a license. I think it far better that they should pay a license, because we can easily understand that if the local option clauses pass there will be a great temptation for working men to establish clubs.

The HON. SIR T. McILWRAITH: Hear, hear!

Mr. MACFARLANE: I grant that at once. It is an evil that we must take into consideration. It is one that has taken place in the old country, and it may take place here; but we can provide against that now, by simply passing a clause to the effect that all clubs shall be licensed. Then working men's clubs will not be started, because they will not pay the license. Respectable persons in the higher walks of life can go to their clubs, take in a friend, have a smoke, and so forth, and it will be no drag or expense upon them to pay a small license fee; and if they do that it will have the effect of preventing spurious clubs from springing into existence, which will be sure to come into existence if the option principle is carried out. Just a word on the 63rd clause, which provides that every licensed victualler shall keep a lamp fixed over the door of his licensed premises. This is also taken from the old Act and has been in existence for many years. What I want to say about it is this: Why do you compel the keeper of a licensed house to put a lamp over his door? Is it to show the people to the door, and then leave them there? No; it is to show them to the door; but if they want to see anything they must go inside, because when they come to the door of a public-house what do they find? They find that the windows are all glazed over, and they cannot see through; they find a screen thrown across the door which they cannot see through; the barmaids are there; the glittering glasses are there; the burnished brass is there; all is glittering light inside, but you cannot see anything until you go in. I suppose that is what the lamp outside is for—to lead people to the door, and once they get there they must go inside. I think it would be far better without the lamp. It is not a place of light. I look upon it more as a place of darkness, and I suppose that is the reason why the light is put there—to show the people the way into these dark places. Then clause 65 provides that publicans must sell liquor by the imperial measure. Why interfere with the publicans' measure if the toper is satisfied? Why interfere between the publican and his customer? The smaller the measures are the better, and the greater the amount of water put into the liquor the better; and, therefore, why interfere with the publican about his measure while the toper is satisfied? I think it is legislating a little too fast. I should do away with the imperial measures and allow the publican to use any measure he likes so long as the customer is satisfied. I want to say a word or two on the 67th clause, especially in reference to subsection (*c*), which prohibits the selling or supplying of any liquor to any boy or girl under the age of eighteen years for consumption on the premises. That is a blow at larrikinism. Nothing will tend more to put down larrikinism than this subsection (*c*) of clause 67 of this Bill. If that does not do it the next thing will be to try the lash; but I believe this will go a great way in that direction, if proper instructions are given and the provisions of the Bill are carried out as they ought to be. I believe it will go a long way in preserving our young men and young women from the early custom of consuming strong drinks. I am, therefore, very glad to see the clause in the Bill, and I hope it will pass through committee. The 75th clause deals with the hours of selling, which are from 6 o'clock in the morning until 11 o'clock at night. I was quite prepared to make them from 7 o'clock in the morning until 10 o'clock at night; but I saw another clause in the Bill which says that, if he chooses, the publican may shut at 10 o'clock at night and remain closed until 7

o'clock in the morning. I hope many publicans will avail themselves of this privilege, and close their houses at an earlier hour, and open them at a later hour, than the Bill states. The 4th subsection of the clause is the greatest humbug that I ever came across, here or in England, and that is the "*bonâ fide* traveller." He is a great humbug. The way I should deal with him would be this: Instead of having it "*bonâ fide* traveller," I should have it "*bonâ fide* lodger." That meets the thing at once, because if you insist in this Bill that a man must lodge in the house, either the night before he comes for his drink or the night upon which he comes for his drink, he is a *bonâ fide* lodger, if he only stopped in the house one night. And if a man walks a few miles upon a Sunday, and calls himself a *bonâ fide* traveller, and is content to lodge in the house all night, we will get rid of the *bonâ fide* traveller. If we make the distance that the traveller has to travel ten miles instead of three, it will do away with *bonâ fide* travellers. If the Bill pass into law the publican will be compelled to shut up on Sundays, but he will be compelled to attend to *bonâ fide* travellers. A person who walks three miles out of Brisbane is to be a *bonâ fide* traveller, and it was never intended when that was put into the Bill that persons like that should come under that designation. Let us take away "*bonâ fide* traveller" altogether and put in "*bonâ fide* lodger," and then we can cure, with one stroke of the pen, the great difficulty that is troubling both England and the colonies—the *bonâ fide* traveller. In the 2nd subsection of clause 72 there is an anomaly. We have first the definition of a *bonâ fide* traveller, and then subsection 2 says:—

"If in the course of any proceedings against any liquor retailer for infringing the provisions of the last preceding section the defendant fails to prove that the person to whom the intoxicating liquor was sold was a *bonâ fide* traveller, but the justices are satisfied that the defendant honestly believed that the purchaser was a *bonâ fide* traveller, and further that the defendant took all reasonable precautions to ascertain whether or not the purchaser was such a traveller, the justice shall dismiss the case as against the defendant."

What an anomaly! The publican has only to get up and say that he honestly believes that this person, who walked only half-a-mile and was supplied at his drink-shop, was a *bonâ fide* traveller and the justices shall dismiss the case. What bosh! It would be far better to erase the section altogether from the Bill and make him a *bonâ fide* lodger, and we will then get rid of these difficulties. The 77th clause says:—

"Any person who falsely represents himself to be a traveller, lodger, or guest within the meaning of this Act, in order to obtain liquor at or on any licensed premises on any prohibited day, or within any prohibited time, shall be liable to a penalty not exceeding five pounds."

The 80th clause provides against licensed victuallers or wine-sellers having music upon their premises, and the 43rd line of that clause says—

"Without first obtaining in open court the permission in writing of the police magistrate or two licensing justices."

In other words, it prohibits publicans from having music or dancing on their premises, and then a police magistrate or two justices can override that prohibition and grant a license, just as they think fit. The publican will simply apply for a prohibition to do away with the afterpart of the clause. In the 83rd clause there is something rather amusing. It says:—

"Any licensee may refuse to admit into, or may turn out of, his licensed premises any person who is drunken, violent, or disorderly, or any person whose presence on his premises would subject him to a penalty under this Act. And all police officers and constables are hereby required, on the demand of such licensee, to expel, or assist in expelling, every such person from any such premises, and may use such force as may be required in so doing.

"Any such person refusing to quit such premises, or resisting removal therefrom, shall, in addition to any penalty to which he may be liable for his conduct under any other Act, be further liable under this Act to a penalty not exceeding five pounds on account of such refusal or removal."

It seems that the publican may admit a sober man into his premises, make him drunk, turn him out into the street, and call the police to arrest him, and if he refuses to go he is fined £5 before a magistrate. It seems to me that it is the privilege of publicans above other men to call in the police to assist them. No man can demand the assistance of the police like a publican. It is true, of course, that he has to pay a license and has certain rights. But it is far better that when a man is made drunk he should be taken out of the way; and is it not far more just to a man who has been made drunk, that the publican shall be compelled to look after him than to hand him over to the police? In olden times the publican used to say, "Drunk for a penny; clean straw for nothing." If a publican be allowed to make a man drunk by giving him too much liquor, he ought to look after him and keep him until he is sober, because otherwise he will be a burden upon society and a trouble to the police. In the 106th clause, in the 5th part of the Bill, dealing with colonial wine-sellers, there is a part that I object to—

"Or if any grower or maker of such wines sells or otherwise disposes of the same elsewhere than on the premises where they are made, he shall be liable to a penalty not exceeding thirty pounds and not less than ten pounds."

The publican is restricted as to hours, but the wine-maker is not restricted; and what will take place? If local option is passed in any district, and the number of public-houses reduced, the wine-grower has his house open Sunday or Saturday, by night or day, and people can drink there just as in their own houses. I come now to the local option clauses, commencing with the 113th. When I moved the resolution in this House last session, Mr. Speaker, that no Bill to amend the licensing laws would be satisfactory to this House if it did not contain the principle of local option, I certainly did not expect to find such a complete masterly system of local option as I find in this Bill. It is the most complete I have seen anywhere. Perhaps the Canadian Act—or what is called the Scott Act—would appear to be more complete, but the Canadian Act has only two options—that of entire prohibition, or the licensing system as it is. I believe, however, that the system contained in this Bill is superior to the Scott Act, because it gives three options—people can leave things as they are, or new licenses can be refused; the number of houses in a district can be reduced; and there is also the option of entire prohibition; while for the second or third it only requires a bare majority of the ratepayers, for the first—entire prohibition — it requires a two-thirds majority, and I think that is only just and fair. Some would have liked a bare majority to decide in favour of prohibition; but the two-thirds majority will give a far better chance of the law being respected, and once prohibition is established by a two-thirds majority it will be less likely to be rescinded at any future time. I am not disappointed, but all the better pleased, that provision is made for a two-thirds majority in preference to the question being decided by a bare majority. There is one thing I object to in the 122nd clause, the second paragraph of which says that "No license shall be granted by the Colonial Treasurer in respect to a certificate bearing

a higher number than the number specified in the resolution"; that is to say, the ratepayers in a certain area may reduce the number of public-houses, say from fifty to ten—that is the instruction they give to the board, but the board may only grant eight while the ratepayers say ten. This clause gives power to the Colonial Treasurer to raise the number to the number approved by the ratepayers; but I do not think the Colonial Treasurer should have anything to do with the licensing board, which should be left to the instruction given by the ratepayers. The 133rd clause, which has reference to licenses for refreshment rooms at railway stations, does not meet with my approval. I object to the Commissioner for Railways having power to issue licenses, because I do not think it is the place of any Civil servant to license the sale of intoxicating drinks at station-houses. We know that railway stations are the worst places to allow drink to be bought at, because not only are the servants of the Government tempted to drink while on duty, but travellers also are tempted to take too much; and I object altogether to the Commissioner for Railways being a board by himself. If we must have licensed houses at the railway stations the board should grant the licenses at the request of the Commissioner for Railways, because if left to himself he can grant licenses to whom he will and refuse to whom he will. Before I sit down there is just one table I wish to bring before the notice of the House. I was speaking to-night of the medical testimony in favour of temperance and against drinking—that a great amount of evil resulted to persons, mentally and physically, from the consumption of drink. If that be the case, it must also shorten the lives of men; and every man's life is valuable in a young colony like this. We should do all we can, by legislation or otherwise, to make a man live as long as possible, so as to reap the fruit of the expense of bringing out persons from the old country. There are several hon. members in this House who have something to do with life assurance societies, and it is well known that none of those societies will take the risk a man who is known to be given to much liquor. Temperate men are admitted, and it is now found that the less men drink the better chance they have of getting into such a society. I have a return for eighteen years from the United Temperance and General Provident Institution; and instead of reading all the figures, I will give the totals, which I believe will convince every member in this House of the superiority of temperance men over men who partake of intoxicating drinks. I may say that this society has two sections—a temperate and a general—in which the members are admitted to the same privileges, but kept distinct in the books of the society. This is what we find at the end of eighteen years: The expected claims in the temperate section were 2,879, while the actual claims were 2,035, there being a difference of 844. Coming to the general section: for the eighteen years the number of expected deaths was 4,741 and the actual claims 4,640, a reduction of 101. In other words, life was saved in the general section at the rate of 2⅛ per cent., and in the temperance section at the rate of 29 per cent. These figures are certified to by the actuary of the society. They were the result of the transactions of the society for eighteen years, and were not figures got up for a purpose; they were in black and white in the books of the society, and certified to by the society themselves, plainly showing to the world that we save life by trying to reduce the consumption of strong liquor. The return states also that the division of the profits was greater by 50 per cent. in the case of the temperance section than in that of the general section. After this I think we shall have the Mutual Provident, the Colonial Mutual, and all the societies here coming out with temperance sections, and thus do good for themselves and for others as well. In conclusion, I see we are informed by the papers that cholera is devastating some of the continental towns of Europe, more especially in Spain and France, and a day or two ago we were informed that it crossed the channel into England. To be forewarned is to be forearmed, Mr. Speaker. If this terrible plague should get into our midst it will work an immense amount of destruction; and it is our present duty to do all that we can to prevent its coming into this colony. If this terrible plague should come here it may destroy its hundreds; but, sir, we have a plague already in our midst which is destroying its thousands, and we take little or no notice of it. Let us deal with this plague, and, as legislators, do what we can to minimise the evils from this traffic in liquor, and if we do we shall have done what we could to reduce the great evils flowing from drink and to stamp out the plague in our midst.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—This is a Bill for consolidating and amending the laws relating to the sale of intoxicating liquors by retail and for other purposes connected therewith. So far as the first object of the Bill is concerned, I think the House could not be better employed than in taking into consideration the proposition put before us by the Government. No doubt the many laws affecting the licensing of public-houses require to be consolidated now, and they require amendment also. In many places they are amended here, and several changes have taken place, and I think myself that most of those changes are for the better. I have no doubt, however, that the "other purposes" mentioned in the title of the Bill will form the main bone of contention in the Bill, and that is shown pretty clearly, I think, by the speech just made by the hon. member for Ipswich. There are none of the principles in the 1st part of the Bill that involve such a change as to ask for any long discussion on the second reading. I wish only to make a few remarks with reference to an amendment of the principle—which might have been carried further—in force at present. In clause 53 we have an approach to what I consider would be a much fairer principle for the licensing of public-houses than the one we have adopted at the present time All public-houses pay the same license fee in the same locality. It does not matter what trade they may do, or what accommodation they may give, or what rent they may pay, or any other gauge as to their business. It is all the same, and all in the same locality pay the same license fee. In a municipality all pay the same; outside a municipality, within a certain distance, say five miles, so much less; at a greater distance so much less again; but in the same locality the license fee is always the same. That is a wrong principle. I do not see why they should not be rated on the same principle as other property is rated, and pay a license fee in accordance with the rent. We have in the clause I speak of an approach to this principle by charging an additional amount for an additional bar in the same house; but I think we might well have adopted the Victorian system, and gone further and adopted a scale of license fees in proportion to the rents paid by the different houses. The hon. member for Ipswich carried last year, without a division, a proposition "that no Bill introduced by the Government to amend the licensing laws of the colony will be satisfactory that does not contain the principle of local option." That proposition found the universal assent of the House. A good

many hon. gentlemen did not care about discussing it, and very few cared about dividing on it. When I say it was carried by the universal consent of the House, I ought to say it was not after a keen discussion or after the matter had been very thoroughly discussed. It was assented to as being one of those general propositions which may do good, and with which almost all can agree. I know I agreed with it. I have always been an advocate of local option, defining local option to be the ruling of the majority in any municipality or division, the same as in the ruling of the country. The grand thing to find out, and that is found out in that way, is the will of the majority. But we often try to accomplish a certain object by legislation and fail, and we often bring about, in fact, the very opposite to the result we have tried to aim at. You yourself, Mr. Speaker, have been in your day a great land reformer. I believe you are identified with almost all the new principles upon which the lands of the colony, and especially those of the Darling Downs, have from time to time been proposed to be dealt with. Well, look at the effect of that. I believe it was the object of the different Bills introduced, and the aim of the members of the Legislature, and that they tried conscientiously, to make good laws that would settle people upon the land of the colony, so that we might have an industrious population engaged in getting the produce from the soil. Well, after all the years we have been at it the result is this: The hon. member for Darling Downs brings down a proposition that we should buy back the whole of that land for redistribution.

Mr. KATES: Not the whole of it.

The HON. SIR T. MCILWRAITH: Not the whole of it, but as much as suits the hon. member. As a matter of fact, the whole of our good intentions with regard to the land have resulted in this: that in the opinion of some hon. gentlemen opposite we ought to begin again at enormous expense. I am afraid that if we rush into local option with the ideas held by the hon. member for Ipswich we shall bring about results that he does not anticipate, and results that certainly will not make us a soberer people than we are. From the hon. member's standpoint it is very hard for me to reason with him. He seems to think it a thing to be put down by legislation, that if a man goes out for a walk on Sunday morning—or any other morning—and after going three miles wants a glass of beer, he should go in and get it. He looks on that as something like a crime. He does not consider the position of a man like me, for instance, who thinks that if, after doing a good honest three miles' walk, you come to a place where you can get a glass of good beer, and have the money to pay for it, you should go in and buy it and drink it. How can you reason with a man like that? The teetotallers in the world at the present moment are in too small a minority to rule it. If the hon. member got the law altered as he wants, and got a municipality to proclaim that no drink should be sold in the municipality—so that a man would have to take a day's walk to get a glass of grog—he would find that much more bad wine and bad spirits would be drunk than before he began to tamper with the subject. If you aim at too much, while you have not the people you are operating on with you, you are sure to make the laws abortive. Now, if this Bill passes and every municipality in the colony adopts it it will not have the effect of stopping you, sir, or me from having as much beer or wine or other intoxicating liquor as ever; but the man who works till 6 at night and then goes home to his tea will not be able to have his beer or grog, because he would have to walk three miles and become a *bonâ fide* traveller before he could get it.

Mr. MACFARLANE: He could have it at home too.

The HON. SIR T. MCILWRAITH: I am talking of the class of the community who cannot afford the luxury of keeping it. The hon. member no doubt can buy a bottle of whisky when he likes; but many men just have to trust to Providence for the sixpence to pay for a drink. Just consider how it is proposed that this local option shall work. One would think that when we proposed legislation that would affect a certain class of men we should take them into our confidence, as it were—take their opinion—ask their vote, in fact. But by this method do we get their opinion—their vote? At the present time, and up to the present time—and it is not very much altered by the present Bill—the nominees of the Government actually say what houses shall be licensed, and how many shall be licensed, in every part of the colony. Of course local opinion is brought in to a certain extent; the chairman of a divisional board, for instance, or the mayor of a municipality, is *ex officio* a member of the licensing board. But practically it is in the hands of the nominees of the Government. Now look at the change we propose to make at once. We propose to say—not to the inhabitants of a district, but to the persons, whether inhabitants or not, who are ratepayers—"What is your opinion on this matter?" If two-thirds of these ratepayers, many of them not residents in the district at all, say that there shall be no more public-houses, then the whole thing is completely changed. That is passing from one official system to another, very much more strait-laced, and very much worse. Who are the men to whom we propose to give this power? They are the ratepayers of the colony. Guessing roughly from an examination I have made, I should say there are about 50,000 names on the rolls of ratepayers. Now, very many of these people have property in different places, and have votes in one town and another, in one municipality and another. That is to say, many of these 50,000 names are duplicates—represent the same people. Suppose we deduct 20,000 for that, we have then 30,000 people paying rates. Two-thirds of 30,000 is 20,000, and that is the majority necessary to say whether such a radical change should be made if every ratepayer in the colony voted. In other words, considering that there are 320,000 people in the colony at the present time, one man says to the other sixteen, "You shall manage your business in this way, and not in the way you wish to manage it yourself." One man, in fact, speaks for seventeen. The ratepayers are actually the people who are least interested in this. They are interested of course, like all of us, in trying to keep the world as sober as we can, because the more sober it is the better world it will be; but the ratepayers are not the people who are going to do the penance business with less grog. Those men will get what they call their necessaries or their luxuries just the same as before, and the men who are to be made sober in spite of themselves, because they will not be able to get a glass of grog without walking so many miles, are not to have a vote at all. I know perfectly well that a great number of the working men of the colony are ratepayers, but if you take the men over twenty-one years of age who are not ratepayers, you will find that the great majority of them belong to the working classes. The men affected by it will undoubtedly be the ones who have the least to say in the declaration of this new law. I do not consider that that is a fair thing. The

hon. member for Ipswich saw it at once, because whenever he gets to anything practical he is bound to show the weakness of his argument.

Mr. MACFARLANE : The wider you make it the better ; you will bring the women in then.

The HON. SIR T. MCILWRAITH : The women are in now, for they pay rates as well as the men. The hon. gentleman, as I have said, saw the weakness of his own argument. He picked out as an illustration of his contention a clause which exempted certain people from paying a license fee. Among the exemptions are clubs, and he asked why should people in clubs be able to sell liquor there without a license? Well, unless he goes to the foundation of the licensing question, he cannot understand why they should not pay as well as anybody else. But he grumbled about clubs selling liquors to members without a license, because if we make that exception we will have the working men forming clubs and getting their liquor in the same way. Why, in the name of common sense, should they not do that if they like, I should like to know? There is not a single provision in the Bill which touches the man who can afford to have liquor in his own house. The only men affected by the measure are the working men, who from their long hours of labour cannot possibly go the distance that this Bill says they must go to get their spirits and beer retail. The hon. gentleman asked us to take it for granted that the world would be far better if it were more sober. There is no doubt that it would, but I think myself that a teetotal world would be about the most dismal world that one could imagine. I should not like to represent a teetotal constituency, because I believe the people in it would be tyrants. Talk about local option! I believe they would not allow me to have an opinion upon anything : they are so dictatorial on the drink traffic question. We know perfectly well that the evils from drink are enormous, and we ought to set ourselves to work as common-sense men to reduce those evils, and not introduce a system under which bigger evils will arise, as I shall show presently. The hon. member for Ipswich has quoted statistics to show the advantage it would be to insurance societies if we were all teetotallers. I doubt his conclusions very much, because if his system were as perfect as he says it is the insurance societies would not have any business at all. The hon. gentleman did not take a fair illustration of his argument when he instanced the town which he pictured as an earthly paradise. It was not fair to compare that with ordinary places. Let him take Brisbane. Here there are less restraints on young men than in any other country in the world ; most of them are strangers in the place, and much less subject to parental advice and example than in the old country. But it is not fair to compare a town of this sort with a model teetotal town like Saltaire, for instance. Does the hon. gentlemen think it is a fair thing to point to the fine houses and condition of the people there, and say that they are all to be attributable to the one fact that grog is not allowed to be consumed in that town? If so, he does wrong, for that is not the fact. In that case a rich nobleman owns all the land and builds the houses as he likes, and if a man is a drunkard he is turned outside the municipality. But it is not fair to compare a town like that with Brisbane. We know perfectly well that it is an advantage to men to save money instead of spending it in drink, and that if you turn the drunkards out of society you will have a better community than you had before. The hon. gentleman says that we should provide that no drink should be sold in certain places at certain times, and argues that such a course would reduce the consumption of liquor. That, however, is not the case. Suppose it were the law of the land that public-houses were to be closed on a Sunday. I do not believe that a stranger coming here would know that such was the law of the country, for he would find that he could go into every public-house and call for grog and get it. And what is the reason of this? Simply that our legislation is in advance of the opinion of the times, and we cannot get convictions. Suppose we introduce this system, and this very small majority of one in sixteen decides that there are to be no spirits sold in certain districts, what will be the result? If of the other fifteen—which includes women and children—one-half, or say eight, have made up their minds to have spirits they will have it. In a country like this, where every man makes wine and is to be allowed to sell it without any license, and where the licenses for wine-shops are to be so cheap, you will soon have wine-sellers in dozens where you have now only one public-house ; and instead of having a class of drinks sold the ingredients of which the Government can ascertain with some success, there will be put before customers a far more deleterious stuff than has been consumed in the colony before. That is what will be the result. The hon. gentleman points now to some restrictions in the Bill preventing them doing that, but I say when you get the great body of the people against you, in punishing offences of this kind, what is the use of the restrictions set forth in the Bill? I have, I think, described what will be the effect of the local option clause in this measure, and the hon. member for Ipswich may well say it is the finest local option system he has seen. I know of no such legislation being attempted in any of the other colonies, nor of any approach to it. The Bill that is now before the Parliament of the colony of Victoria at the present time is a matured measure which has been determined upon after a wonderful amount of discussion from year to year. The question there has received far more attention than it has in this colony during the last twenty years, and what is the scheme brought forward in Victoria? They propose to deal with the matter in a very different way to that set forth in this Bill. They say, "We will not allow the local authorities to have this power of deciding whether there shall or shall not be a public-house, but we say that there shall be a public-house for every 250 people, and that for every additional 100 inhabitants we will give an additional house." The licensing bench grants that amount, and it is not in the power of those majorities of the ratepayers to reduce the number of public-houses beyond what the Bill calls the standard number allowed. That is the system proposed there, and it has this recommendation, that it reduces to a considerable extent the evil. It is a capital system for beginning with in new places, and if it works well the standard can be reduced. The same system has been tried in New South Wales for a long time, and I was rather astonished the hon. gentleman did not quote New South Wales as an instance of how well local option works. It has been in operation there for the last four years, but hardly anybody has quoted it as an example. Yet local option has had a fair trial there. It is referred to the ratepayers in each locality to say whether the public-houses shall be increased beyond the numbers then existing. The ratepayers voting in that case have no right to say they shall be reduced below the number that existed when the Act came into force, but they can prevent the number from being increased. What is the effect there? It is this : that the great body of the people take very little interest in it. There are a few enthusiastic teetotallers who are always voting, and if they get a two-thirds

majority they can diminish the number of public-houses ; but, whenever that is done, the publicans, at the end of three years, work an opposition, and are sure to defeat the teetotallers and have the decision reversed. I recently read an account of a ballot at which that was done. At all events the hon. member drew no arguments from the good effects of the local option as applied in New South Wales. In Victoria they are trying to apply it in the modified form to which I have referred, but they have made no attempt to apply it in the aggravated form in which it appears in this Bill. Hon. members will see at once what I consider the serious objection to local option as attempted to be carried out here. The objection is that the people most interested are not those who will be able to force the law on any particular locality. They are certainly ratepayers, but they may not even be residents. The hon. member said he did not see why a ratepayer who, perhaps, lives in Brisbane should not give a vote for local option across at Woollongabba. I think myself that the men who are most interested are the men who live at Woollongabba, and I do not think strangers should have a vote in a case of that sort. My conviction is that the voting ought to be restricted to the people themselves. In this colony every man twenty-one years of age is entitled to vote for a member of Parliament to make laws on every subject connected with his life and liberty, but here we put a most stringent property qualification on voters who are to carry out a law that takes more from the liberty of the subject than any law that has ever been attempted to be passed in the colony. I do not see how anyone who believes in the principle that underlies all colonial government—that is government by the people themselves—can contend against the principle of local option as sanctioned by this House. The principle we are now asked to adopt, however, is something very different. We ought to have a more extended franchise—we ought to have a more extensive roll of voters in a matter of this sort. In fact, we ought to bring in all the people; and I would not object to the women coming to the rescue of the hon. member for Ipswich. They are quite as much interested in it as we are ourselves. I do not see why that system should not be tried, but the propertied classes should certainly not be allowed to force a certain law upon the working classes against the wish of the working classes themselves. The hon. member who just sat down spoke very hopefully of the good results from the restrictions proposed to be put on the sale of liquor, and he referred particularly to subsection (*b*) of section 67, which makes it an offence to supply liquor to a girl or boy under fourteen years of age. Surely he is not under the delusion that publicans are in the habit of supplying liquor to children! The hon. member also argued that drink was the cause of immorality in women. I think he should read a little more on that subject before he comes to such a sweeping conclusion. The immorality he refers to he will find to be much commoner in the most sober countries ; in fact, that the freer the women get the less they drink. I have no intention to criticise this Bill in detail. I have confined my remarks merely to the principle, which will be the most important change in our legislation on this subject. I do not consider it the most important part of the Bill, however, because I consider the whole Bill is well worthy of our attention. I shall do my best to make it a good measure. Licensing Bills have got better treatment in this House than almost any other class of Bills, because there is a general desire to ameliorate the evils connected with drink. There is nothing connected with party in it that I can see ; at all events, I shall ignore any such thing in any discussion I may initiate upon it. I look with some interest on the local option clauses, and I fervently hope the Government will well consider their decisions before they make such a very radical change. They require to see the results of it. If they look back upon the pitiable failures of legislation in the past—not only in this colony, but in the other colonies—they will see how we have gone confidently forward, thinking that we were right. We wanted to accomplish a certain object ; but, sir, if we look back three or four years we find that we have accomplished something perfectly different—something that we did not aim at at all. This should make the Government and ourselves very cautious in trying to make a change so radical as this. I oppose the change simply because I believe the result will be disastrous, and I feel convinced that the most disquieting part of the community to us generally, if the local option clauses are adopted, will be the total abstainers. I am perfectly sure that once give them three years' power and we will not let them have it again for another century.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said : Mr. Speaker,—I do not intend to occupy the time of the House at any considerable length. The various speakers who have addressed themselves to the Bill have, on the whole, said very kind things of it, and their criticisms have been characterised by remarkable fairness. As my hon. friend the Premier intimated in the speech in which he introduced the Bill, there are some subjects upon which a variety of opinions may be expected, and a great many upon which we can agree to differ. There are, however, some arguments that have been addressed to the House this evening which rest upon a basis of fallacy, upon which I wish to make a few remarks, and more particularly the observations made by the hon. gentleman who has just resumed his seat. The hon. gentleman seemed to think that our past experience in connection with legislation was such as to warn us against attempting to go forward in any direction where we had not experience of our own to guide us; and he instanced the case of land legislation in the past, pointing out that the honest endeavours of our legislators to bring about a certain condition of things were foiled by the rapacity, and the avarice, and the dishonesty of those who took advantage of liberal provisions in order to defraud the people of land which the law of the country had rendered easy of access to them. I do not think that an argument of that kind should have much weight, Mr. Speaker, with members of this House. If we were always to wait before making an experiment until we had the observations and the certainty of our own experience to guide us we should be always at a standstill. Men are bound to venture and to encounter certain risks in any enterprise in which they embark, and it is the same in legislation. The Land Acts that have been passed in this colony were all attempts honestly made by members of this House, with such light as they had, in order to devise the best means of settling the people upon the land, and although a great many mischiefs did arise in connection with attempts of that kind yet a great many advantages have been found to follow. Those who made those attempts have had practical experience, and if they have not been altogether successful they are able to amend the defects of previous legislation and by degrees to arrive at a tolerable state of perfection. I have no doubt, sir, that by the adoption of the principle of local option in this colony, after we have made a few mistakes—as probably we shall, but which experience alone will prove to be mistakes—

we shall be able to amend what is defective and by degrees attain nearer to that perfection which we all seek to secure. The hon. gentleman also referred to the fact that there are some 50,000 ratepayers in the colony, and stated that inasmuch as there are 300,000 residents in the colony it would not be fair to allow the ratepayers to decide, in matters of such importance as this, for the whole of the inhabitants. But I think the hon. gentleman's estimate of the number of those who are entitled to vote in respect of the rates they pay in different municipalities is an exaggerated one. I think 20,000 out of 50,000 is rather too large a proportion to estimate as the number of those who are entitled to vote in respect of properties situated in more than one municipality or division. I think that the estimate that will be found to be accurate will be an estimate probably fixed at about half of that number. The hon. gentleman did not make the allowance that ought to have been made for the families and for the servants of ratepayers and those who are dependent upon them. I think if you allow eight persons for every family that you will allow a very fair proportion for each of those who are entitled to vote for the return of members to this House. But, Mr. Speaker, the hon. gentleman contended that it was unfair that, in a matter of this sort, people who were ratepayers should have the right to dictate to those who have the privilege of voting for the return of members to this House—that they should have the right to dictate as to how many public-houses there should be in any one locality. Now, I do not think that any vital principle at all is aimed at in connection with these local option clauses. It does not follow that because many of those who are upon the electoral rolls of the colony are only entitled to vote in respect of the qualifications of residence, they will be in any way interfered with by the local option clauses as they are framed in the Bill. Persons who are entitled to vote for restricting the number of public-houses are entitled to do so only in respect of the qualification of being ratepayers. We have adopted the principle in a great many ways, Mr. Speaker. The hon. gentleman has overlooked the fact that this House has delegated to the ratepayers the right to speak for the people who are resident in any locality, upon matters of quite as serious importance as this. By the Local Government Act the ratepayers are allowed to return as aldermen persons who shall have the right to say what shall be the width of all new streets in any town or district over which they exercise jurisdiction. This House has delegated to the ratepayers—and not resident ratepayers either, but to persons who are simply ratepayers in any municipality—the right to say of what kind of material a man shall build his house in a certain part of the municipality; and a great many restrictions are placed upon the liberties which men ordinarily enjoy by the votes of ratepayers in given localities. And there has not been any principle of the liberty of the subject really infringed by this Legislature in committing such responsibilities as these to the ratepayers. Then, if these privileges — these responsiblities—are committed to ratepayers in respect of matters so far affecting the liberty of the subject in the direction I have indicated, how is there any new principle adopted in this Bill by which the rights of the subject are infringed, when we propose by these local option clauses that the ratepayers shall be the persons who shall decide whether or not there shall be a given number of public-houses in any one locality? I think it is a matter upon which the ratepayers are peculiarly qualified to speak. The hon. member for Blackall said he would prefer, in connection with a matter of this kind, to permit the majority of those persons who are entitled to vote for the return of members to this House to decide whether there should be a certain number of public-houses or not. In other words, that the vote by which the local option principle should be decided should be the vote of persons who have the same qualifications as persons upon the electoral rolls of the colony. But do we not know very well that a very great many of those who are upon the electoral rolls of the colony, and who have a right to vote for the return of members to this House, are persons who are not resident in the electoral district for which they have a vote? And do we not know that there is scarcely a member of this House who is not, by reason of his property qualification, entitled to vote in other districts, and is upon the electoral roll of some other district than that in which he himself resides? The same thing no doubt exists in connection with municipalities and divisions. There are ratepayers who, though they are not residents in the municipality or division in respect of which they are rated, yet have as much right to take part in connection with the local government of those places by giving their votes as those who have been resident for many years in those localities. And then again, if we were to adopt the principle contended for by the hon. member for Blackall, how on earth would it be possible to decide as to the right of a man in any given district to vote for the restriction of the number of public-houses in another licensing district? How would it be possible, for example, to tell whether a man who is upon the electoral roll in respect of residence was actually a resident of the district for which he proposed to give his vote upon a matter of this kind? The question, if it were to be left to those whose names are upon the electoral rolls, would be beset with such innumerable difficulties that the scheme would be wholly impracticable. The hon. the leader of the Opposition referred to what he conceived to be the merit characterising the proposal of the Victorian Legislature with respect to the number of public-houses being graduated according to the population in any given locality. That may or may not be a very excellent feature, and probably if we had the means of arriving at a correct conclusion as to what the population of a district is at any given time, there might be some prospect, probably, of the introduction of a system like that with a reasonable likelihood of success. It has been said that after the population rises to 250 then, according to every 500 increase of population, an additional public-house might be granted. But how could we devise a system by which anything like accuracy in the calculation of the increase of population could be ascertained? The subject would be so beset with difficulties that the scheme would be reduced to a complete nullity. Dissatisfaction would be created, and I am certain that a system like that, so inaccurate and so incapable of being made reliable, would soon become distasteful to the community. The hon. gentleman referred to the fact that the restriction of the number of hotels might affect only poor men, and that it is not proposed by the Bill to touch cases where men whose wealth and resources enable them to have liquor in their own houses. No doubt there is a great deal of truth in that. That the humbler classes are most seriously injured by the drink traffic is an evil that has been complained of in every community—not merely by teetotal lecturers, but by every sensible man. The hon. gentleman himself deplores as much as anybody can do the extent to which drunkenness is found among the masses in every large community. We know very well that a large majority of those who form the drunken contingent of the population, and whose drunkenness and inability to resist their passion for

strong drink, and who make legislation of this kind necessary, are of the class to which the hon. gentleman referred—those men whose daily occupation causes them to pass morning and evening in front of a certain number of public-houses, and who are not able to resist the temptation to go into one or more of them. They are the men from among whom a large proportion of those who fall victims to this vice are recruited, and it is for the protection of such that we are called upon to introduce a system of this kind. It is not for the men who can afford to drive past in their carriages; they do not get out to walk into public-houses and drink. It is not the busy men who are engaged in commerce in their offices from morning to night who are likely to fall victims to the fascinations of the public-house. It is in a great majority of instances the working man, who, contrary to his own inclinations, is more likely to develop a propensity for this vice than his rich neighbour. It is because there is a greater amount of temptation placed in the poor man's way, and it is necessary that that temptation should be to a great extent removed, that this system is demanded. We know very well that the majority of those who become victims to the craving for alcoholic liquors are tempted by the multiplicity of facilities that abound in every direction for obtaining liquor, and which lead to the formation of a habit which the man himself would deprecate as much as any teetotal reformer could. I say, for the protection of those men who are obliged to confront temptation at every street corner, a measure of this kind is called for; and if those are the men who will be affected more than the richer class, it is because of the peculiar circumstances of the cases of those men, not because they are better or worse than those who would not be so directly affected by the passing of a measure of this kind. The hon. gentleman has not made any reference to any other features of the Bill, and it is not necessary, therefore, to say much, because the Bill itself is acknowledged to be a measure likely upon the whole to accomplish the object aimed at. I am perfectly satisfied that the House, having committed itself to the adoption of the principle of local option, will, in the various divisions that will take place in committee upon that principle particularly, show that in arriving at the conclusion it did last year it was not giving expression to a sentiment which was never intended to become anything more substantial; but that, by its decision upon these clauses, it will prove that what it said last year it now means.

Mr. SALKELD said: Mr. Speaker,—I wish to draw attention to a few matters in connection with this Bill which, I think, deserve the careful consideration of hon. members. I shall first refer to the local option clauses, which provide, first, for entire prohibition, and, second, for a reduction of the number of licenses; and I may remark that there is something in connection with the second which I consider objectionable. In the event of the ratepayers deciding to reduce the number of licenses by one-half or by two-thirds, very great power would be placed in the hands of the licensing bench. Suppose the number were reduced from twenty to six or eight, very great pressure would be brought to bear on the bench and very great interest would be taken in securing licenses in that district, and the licensees would have a monopoly of the liquor trade. Some means should be devised to make those few pay a higher fee in a district where twenty licenses at £30 each originally existed but were reduced to six licenses. I do not mean to say that the six would sell as much liquor as the twenty; perhaps they would not sell more than half as much, but they would have the monopoly of the trade, and the revenue would suffer. There would be more liquor sold in proportion to the number of licenses than under the present Act, and some provision should be made for a scale of license fees. In regard to the power placed in the hands of licensing benches, I suppose they are generally as good as any other class of persons in the community; but there is a great temptation placed in their way, and as they are simply nominees of the Government, I think their power should be greatly modified. We know that influence has been brought to bear in the past—how whole benches have been packed to obtain licenses. I remember, a great many years ago, endeavouring to prevent a license being granted to a house near where I was living at the time. We presented a petition with nearly 300 *bonâ fide* signatures of residents within a radius of five miles, against the license, but the bench was packed from end to end—there was not sitting-room—great interest being taken in the matter. The petition was read, but the magistrates would not take any notice of it. I believe that state of things has passed away now; and we all know that the evil of packing benches has been remedied by the Licensing Act providing for a limited fixed number of magistrates. That is a great improvement, but it is yet far from being perfect. I have known cases in which the present benches have gone against the emphatically expressed wish of the majority of the residents, and I am not far wrong in saying that interest was brought to bear when those decisions were given. Reference was made to the failure of the New South Wales Act; but one reason for that is that the people most interested did not take action, and the Act only provides for the refusal to issue new licenses. Then we have had trotted out by the hon. member for Blackall the stale argument that we cannot make men sober by Act of Parliament. But it is a great deal more difficult to make people honest than to make them sober by Act of Parliament; yet we pass laws to punish, and, as far as possible, prevent dishonesty; and who shall say that these Acts are inoperative? All experience shows that if we can lessen the facilities for obtaining strong drink we do away with a great deal of drinking; and it is too late in the day to try and argue against that fact. Exception has been taken to the basis of these local option clauses, and I do not think the leader of the Opposition stated the case fairly. I understood his argument to be that 20,000 ratepayers can prohibit the remaining 300,000 from obtaining intoxicating drinks at any licensed houses; but, as my hon. colleague pointed out, he left out the fact that those 20,000 have their wives and children, and not only that, but a great number connected with or dependent on them who are not ratepayers. If you take all the electors in the colony it is not such a tremendous number, and yet they elect members to make laws affecting not only property but life and death. It is impossible to get a system that will effectually and perfectly represent every person in the colony; but, as the Attorney-General pointed out, this House and past Houses of Parliament have placed in the hands of the ratepayers all kinds of power—power to interfere with the building of houses, with streets, with everything that affects the public health or safety—so that no objection can be taken to the basis. But if any other basis could be devised which could be set in motion without great expense the Government might adopt it. In regard to the issue of licenses for railway refreshment rooms, I think too much power is given to the Railway Department. A district in favour of the prohibition of the sale of liquor might have three or four railway

stations, and the Commissioner for Railways might issue licenses for the sale of liquor at any of those places; but I do not think he should be allowed to override the decision of the ratepayers of a district, especially when the decision is that of a two-thirds majority. The general provisions of this Bill I agree with. There may be some matters of detail that require to be remedied, but I believe it is a step in the right direction. In a matter of this kind it behoves us not to over-legislate—not to legislate in a fixed manner beyond public sentiment and public opinion. That is provided for in this Bill; if the public opinion and desire is not there, the restrictive clauses must remain in abeyance, and as public opinion advances in any district there is the machinery to put it into force. It does not force public opinion, but gives fair play for it. It has long been felt as a crying injustice that not only owners of properties, but residents, should have to submit to a place for the sale of intoxicating liquors being licensed next door to them, and it has been a wonder to me that the people did not put an end to that sort of thing long ago. It has been a monstrous injustice. I have seen cases where licenses have been granted against the wishes of all the persons in the neighbourhood; against even the wishes of those who indulged in drink themselves, but who had the good sense to wish to keep their wives and families away from the neighbourhood of such places. The licensing bench have overruled their wishes, and I believe it is because a few of such cases have aroused public feeling that it has eventuated in the Government bringing in this Bill. Generally I approve of the provisions of this Bill, and shall vote for its second reading.

Mr. BAILEY said: Mr. Speaker,—It seems to me, after having listened to the discussion so far, that the licensed victuallers of the colony are under a cloud; are looked upon as the pariahs of society; men who live by plundering and ruining the people of the colony; not the men whom we have hitherto taken them to be—men of good standing and repute—but men whom it is necessary to visit with all sorts of pains and penal provisions to hamper them in all their doings. I have a higher opinion of the licensed victuallers of the colony than that. I believe that most of them have received their licenses because they have been respectable men—men willing to carry on their business as properly and well as it can be carried on. But if you subject men to a series of penal provisions constantly hampering them in every respect, you actually force them to break the law when they would otherwise be most willing to help us to keep the law. I believe that restrictive measures of this kind tend more to promote crime and cause the breaking of the law than if we left the thing alone. If we had good men as licensed victuallers — if the licensing boards allowed only responsible and respectable men to hold licenses—then I believe the traffic in drink would be better conducted than it is now, and it is not very bad now. But if we force respectable men out of it—if we only allow men to come in who will subject themselves to all these penal provisions—we shall get a lower class of licensed victuallers who will make up their minds to evade any laws we may make, and we know they will be able to do so. I will not oppose the second reading of this Bill, because it is a consolidation of our present Acts; but I must say that in committee I hope to have an opportunity of criticising very many of the clauses. I will point out one very curious feature in the local option part of it. I saw something about it many years ago—something of the way in which this clause was worked in the United States of America. Clause 121 provides that—

"It shall not be lawful for any person to sell in the area"—

That is to say, the area in which the sale of liquor is prohibited—

"any liquor for medicinal use except on the prescription of a legally qualified medical practitioner, nor unless he is a pharmaceutical chemist registered under the Pharmacy Act of 1884, or any Act amending or in substitution for the same."

I remember very well the effect of that in the State of Maine in America. The chemists drove a roaring trade. If a man wanted his dram he went to the drug-shop for it. It became a regular custom there, and the chemists actually made more money by selling grog than by selling drugs.

Mr. MACFARLANE: Nonsense!

Mr. BAILEY: It is a fact. As I am not going to seriously argue on this Bill, the House will perhaps allow me to tell a little story of what happened some time ago in the State of Maine. An American farmer sent his son Ike to visit his relations, and he said, "Ike, I would like you to go and see your uncle Jacob at such a place; you have not been to see him since you were a little child, and he will be very glad to see you." And Ike went. But I must mention that where Ike lived they had not local option, but where Ike was going they had local option and the Maine law. And when he got there he met his uncle Jacob and his aunts and cousins and the rest of them, and they were glad to see him. At night when they were going to bed and just before he went to bed, his aunt came to him and said, "Ike, you must know we are good Presbyterians here and strict teetotallers; I know they are not so where you come from, and perhaps you would like a drink before you go to bed; if you would I can give it to you." Ike said he would, and she gave him the drink. In the morning early he went down with his uncle Jacob threshing in the barn. He watched his uncle threshing for a while; at last his uncle got rather tired, and he said, "Ike, we are strict teetotallers here, you know, and good Presbyterians, but I always keep a bottle here; will you have a drink? But you must not tell the old woman, you know." Then he went out with his cousins to the haymaking, and it got on towards noon, and the cousins said, "Ike, we are good Presbyterians and strict teetotallers down here, but we always bring a bottle out with us; will you have a drink? But you must not tell the old woman or the old man, you know." And the end of it was, that Ike said he never got so drunk in his life as he did with the good Presbyterians and strict teetotallers in the State of Maine. That is the state of things we shall bring about here. Do not make a mistake: when you stop one man from drinking a glass openly, you will make three men drink on the sly. I hope that when the Bill is in committee we shall be able to rectify a very great many clauses, which are indeed very arbitrary and very unjust to the licensed victuallers of the colony.

Mr. BLACK said: Mr. Speaker,—I cannot agree altogether with the last speaker. I do not think there is anything in the Bill which will be very harassing to the licensed victuallers, and in my opinion there are very few respectable licensed victuallers in the colony who will not be glad to see the Bill pass this House in the shape I believe it will pass. So far as I can see the only real novel principle in the Bill is that of local option, and from the moderate way in which the Premier introduced the Bill I can safely say I will give him my support. I believe that in doing so I shall be merely carrying

out the wishes of a very large majority of the people of this colony. At all events, we have had an opportunity for a large number of years of trying the other system, and I do not think we can safely say that it has led to an increase of temperance. It was pointed out by the leader of the Opposition that we may drift into a worse state of things, but I am quite prepared to give it a trial for two or three years. I do not think we shall drift into a very much worse state of affairs. I look upon this Bill as a Bill which will do an immense amount of good; and if one effect of it is to make the young people of this colony take a different view from that taken by many of the older colonists, it will be a step in the direction many people would like to see us go. But in dealing with this local option clause, I should like the House to be certain that they are going to get the vote of the number they are supposed to get. For instance, in the clause by which a two-thirds majority is enabled to absolutely prohibit the sale of intoxicating liquor in a district, the House should be certain that there is a two-thirds majority. I notice that the majority is to be two-thirds of those who vote, not two-thirds of the number of voters in the district, and in that respect I think the Bill is capable of considerable amendment. Several hon. members have referred to the proportion of ratepayers to population, and I have also worked it out. From the statistics of 1883 I find that the total number of persons who would be entitled to vote in the municipalities is 13,508, out of a population of 93,545. Two-thirds of 13,508 would be 9,004—as a matter of fact just 10 per cent. of the total population. Now, the House has to decide whether it really intends that 10 per cent. of the population shall be allowed to say whether the sale of liquor shall be absolutely prohibited or not. We find that out of the 13,508 voters only 6,491 recorded their votes at the municipal elections. Now, if only that number recorded their votes for or against local option, and they decided in favour of it, it would mean that 7 per cent. of the population are to be allowed to decide what is to be the law in this respect. I think myself it should be a two-thirds majority, not of the number recorded, but of the number of voters in the district. When we come to the divisions, the proportions are very much the same. I believe in the principle. I think it is monstrous that a small section of the community should be allowed to go and foist public-houses upon a district against the wishes of the respectable portion of the people, and it is not always the more respectable class of publicans who wish to do this. I am quite prepared to see this principle get a fair trial, and I hope it will be passed by the House. I was very glad to see that the Premier, in introducing this Bill, was not prepared to go to the length some of the temperance advocates desire. A measure of this kind, in order to pass the severe criticism it is sure to get in this House, must be moderate; we cannot expect to effect this reform too rapidly. It has been pointed out by hon. members what will be the effect if we prevent the working classes—to whom the restrictive clauses of this Bill will chiefly apply—from obtaining what those who occupy a higher rank in society can obtain with the greatest ease. There is no doubt that working men's clubs would start in the same way as we have clubs for other classes. If people are inclined to indulge in liquor—if they have been accustomed from infancy to take their glass of beer—you cannot restrict them. If we endeavour to prevent people from obtaining refreshment in a legitimate open way, it will lead to evils of a far worse nature. There will be far more private drinking than ever there was before. I maintain it is far better for a man to take a glass of beer or spirits in an open manner than to adopt the system of drinking at home, which is apt to demoralise not only the man himself, but all the members of his family. I was very glad to see the Premier did not endorse the views of those well-meaning people who wish to prevent the employment of barmaids. I think we may very well give this measure a two or three years' trial, and then, if we find the barmaid difficulty becoming more serious than I think it is now, there will be plenty of time to step in and stop it. I consider the temptations to which barmaids are subjected are not any worse than those of a great many young people employed in factories, whose evenings are not fully occupied as is the case with the barmaids. I am not going to advocate the barmaids' cause at all. I do not consider they are any more susceptible to evil than a great many other young women; but I must say that if we are to restrict the employment of barmaids I would also like to see some of the strong, active young men turned out of the drapers' shops, who are now standing all day selling ribbons and calicoes across the counter. That I consider as demoralising an employment for young men as the employment of barmaids can be for girls. There may be a difference of opinion about the attempt to limit the sale of colonial wine. I must say I would rather see the sale of colonial wine encouraged to a very much greater extent than is done by this Bill. I should like, if the hon. the Treasurer could see his way to do so, to have colonial wine introduced into this colony duty-free; and I should like to see wine-shops taking the place of many of the public-houses. Those who are willing to confine their sale to good colonial wine should, I think, be allowed to sell it without any license at all. I believe it would be far better for the revenue to suffer a slight loss in order to encourage the consumption of colonial wine than to compel publicans to take licenses and induce the people to drink far more spirits than, in the majority of cases, is good for them. At this late hour I shall not in any way criticise the Bill. I consider that the chief principles of the Bill are those that can be safely modified by both sides of the House, and cannot possibly be made party questions. The one question which will come chiefly under discussion is that one of local option. As I have already said, I am quite prepared to do all I can to put it in a shape that will be acceptable to this House and at the same time will not inflict any injury on a class—the licensed victuallers—who, I believe, are about as respectable as any other class in the community.

Mr. GRIMES moved the adjournment of the debate.

The PREMIER: It is certainly early to adjourn the debate.

The HON. SIR T. McILWRAITH: A teetotal debate at 10 o'clock!

The PREMIER: I say it is early to adjourn. Of course if more members want to speak we cannot close the debate this evening.

Mr. FOOTE: I wish to make some remarks in reference to this Bill, and I know that several other members also desire to say something upon it.

Mr. PALMER: I was about to move the adjournment of the debate at the same time as the hon. member for Oxley made the motion. I think a great many members have yet to speak on the subject.

Question—That the debate be now adjourned—put and passed.

On the motion of the PREMIER, the resumption of the debate was made an Order of the Day for to-morrow.

PRINTING COMMITTEE'S REPORT.

Mr. FRASER, on behalf of Mr. Speaker as chairman, presented the second report of the Printing Committee and moved that it be printed.

Question put and passed.

ADJOURNMENT.

The PREMIER, in moving that the House do now adjourn, said it was proposed to proceed with the business to-morrow in the same order as to-day. The adjourned debate on the Licensing Bill would be taken first, and after that the Elections Bill would be further considered in committee.

The HON. SIR. T. McILWRAITH: When will the Treasurer make his Financial Statement?

The COLONIAL TREASURER: I hope to make my Financial Statement on Tuesday next.

Question put and passed, and the House adjourned at fifty-four minutes past 9 o'clock.