Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 12 AUGUST 1885

LEGISLATIVE ASSEMBLY.

Wednesday, 12 *August*, 1885.

Petition.—Question.—Question without Notice.—Formal Motion.—Licensing Bill—second reading.—Message from the Legislative Council—Additional Members Bill.—Pacific Islanders Employers Compensation Bill.—Elections Bill—committee.—Adjournment.

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

PETITION.

Mr. HAMILTON presented a petition from the miners and residents of Maytown, praying that the Cooktown and Maytown Railway may be taken direct to Maytown; and moved that the petition be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. HAMILTON, the petition was received.

QUESTION.

Mr. SMYTH asked the Minister for Mines—

Has he received any report from the Inspector of Mines for the Southern Division, in which he reports the bad ventilation at the Burrum Coal Mines?

The PREMIER (Hon. S. W. Griffith), in the absence of the Minister for Mines, replied—

A report upon the Burrum Coal Mines was received yesterday from the Inspector of Mines, in which the ventilation of the Burrum Mines is referred to, and it is stated to be not so satisfactory as can be desired.

QUESTION WITHOUT NOTICE.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—May I ask the Minister for Lands, without notice, when he expects the return I moved for with regard to the Allora lands will be laid on the table of the House?

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: Mr. Speaker,—The return asked for by the hon. member will be laid on the table as soon as it can be finished. There is a great deal of work to be done in the way of preparing returns, as can be seen from the list read out by the Clerk. The one I laid on the table yesterday is very voluminous, and a great many hands are now employed in preparing various returns which entail a great deal of work. The one asked for by the hon. member for Mackay is being pushed forward, and I will put on additional hands in the preparation of that asked for by the hon. member for Mulgrave if he wishes to have it sooner than it can be completed under present arrangements.

The HON. SIR T. MCILWRAITH: My object is to have it here for hon. members when the discussion of the motion of the hon. member for Darling Downs (Mr. Kates) comes on.

The MINISTER FOR LANDS: I will get the return completed before the motion comes on.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. PALMER—

That there be laid upon the table of the House a Return showing,—

1. The number of yards of silt removed from the port and river of Brisbane during the last five years for each year; also cost of same per yard.

2. Number of yards of silt from the Fitzroy River and port, and cost per yard of same for same time.

LICENSING BILL—SECOND READING.

On the Order of the Day being read for the resumption of adjourned debate on Mr. Griffith's motion, "That the Bill be now read a second time"—

Mr. GRIMES said: Mr. Speaker,—I moved the adjournment of the debate on this Bill last evening because I thought the measure was of such importance that it demanded the fullest discussion and the most careful consideration by us as legislators. I look upon it as a measure of vast importance, because it not only deals with the finances of the State in some measure, but also with the social and moral condition of the people; and I may add that the eternal welfare of the community will be considerably affected by the result of our deliberations upon the Bill. I regard the Bill as exceedingly important, and I trust it will receive at the hands of the Legislature that careful consideration which I think it demands. I am a total abstainer myself, and I think I shall compare favourably with any other individual, whether in robustness of health, or happiness, or buoyancy of spirits; of course hon. members will understand when I speak of buoyancy of spirits, that there are spirits and spirits, and that I have never required one kind of spirits to keep up the buoyancy of the other spirits. From a personal experience of total abstinence I can recommend it to others. At the same time, though I abstain myself, I do not consider it a sin or a shame for other persons to use intoxicants in a moderate way. I do not wish to bind the consciences of anyone by insisting that it is a sin and a shame for him to use intoxicating liquor moderately, but I do think that if we were to stick to the moderate use of strong drink the community at large would be much the better for it, the state of our colony and its inhabitants would be the better for it, and I am sure that the prosperity of all concerned would also be enhanced. Now, sir, though I do not wish to bind the consciences of others in reference to this question and though I would give them full liberty to use this drink in a moderate way, yet when I look abroad and see the national waste and loss which is occasioned by the drinking customs of society—when I think of the loss of material used in the manufacture of liquor, and the loss of time, and the loss of happiness and comfort, and the loss of health and also of life—I am bound, realising the responsibilities and the duty placed upon me as a legislator, to give this matter careful consideration, and assist if I can in bringing about that reform which is so much needed. Popular opinion has changed a good deal upon this question in every community that lays any claim to advance in civilisation. It has changed considerably in Queensland, and there is no denying the fact that there is a clamour for a radical reform with reference to the sale of intoxicating drinks. I shall not stop here to inquire how this has been brought about. The

fact remains that there is a strong feeling, not simply amongst those who are total abstainers but amongst others also—it is a general feeling—that it is time some prompt action was taken with reference to the retail of intoxicating liquors. I am pleased, therefore, to find that the voices of the representatives of the people will be heard upon the question in this House; and I trust that the result of our deliberations will show that the Legislature of the colony is desirous to assist the masses to live in a temperate, industrious, and provident way. In a great measure the weal or woe of members of the community lies in our hands, and I hope the outcome of our deliberations will manifest that we feel our responsibilities and act accordingly. I am pleased to see that there is introduced into this Bill the principle of local option, and also a clause for the entire closing of public-houses on Sunday. I try to take a common-sense view of this question of local option and to divest myself of all prejudice in this matter. Looking at it, then, from a common-sense point of view, I cannot see that it will act very unjustly or arbitrarily. There is not an hon. member present who would allow a public-house to be opened next door to his residence without objecting thereto and using all his endeavours to prevent it; and I think it right that we should give others an opportunity of protesting against what they might consider a nuisance to them. Hon. members by their influence might be able to prevent such a thing; but those in humbler walks of life might not have the influence to prevent it, and yet feel as keenly as hon. members would the annoyance and nuisance of having such a place in close proximity to their residences. Something has been said about the injustice of insisting that others should do without intoxicating drinks simply because a few or even a majority of persons are opposed to it. Well, we do not hesitate to carry out the principle as regards other evils and nuisances by which we may be surrounded. For instance, if there is an attempt made to establish a boiling-down place, a tannery, a fellmongery, or chemical works in our neighbourhood and we think it would prove a nuisance, we would make application at once to the local authority of the place, and if the petition is numerously signed and shows good cause for the complaint the local authority would be bound to take action in the matter. We would think it very absurd if one or two individuals were to say, "We do not consider it a nuisance, and in fact would be rather pleased to have it in our neighbourhood; that which is so offensive to you we do not consider offensive, and we think also instead of being prejudicial to health it will rather tend to increased health and longevity." Would the local authority listen for a moment to such arguments as those, or would we think it right if they did? No; we would consider that since the majority of the residents in the neighbourhood were opposed to it, it should be done away with. It should be just so with the nuisance arising from public-houses. Where there is a majority in a neighbourhood they should have a like control over this nuisance, and if they consider it should be done away with the local authority should carry out the wishes of that majority. There has been some objection raised to the power that shall determine this question. I think, if it is right that this should be submitted to the people at all, we have no right to insist upon a two-thirds majority. If we, first of all, decide that this matter should be submitted to the residents of a neighbourhood for their decision we have no right to ask for a majority of two-thirds against it. I think that simply a majority ought to be quite sufficient. I would not press so much for this if it were laid down that it would require the same majority to rescind a resolution of this kind passed in this way. If that were the case there would be the same difficulty in rescinding a resolution passed prohibiting the sale of intoxicating liquors as there would have been in passing it in the first place. We have been told during this debate that we must not expect very grand results from the adoption of the principle of local option and the Sunday-closing clause. Well, I for one anticipate good results, and we have a right to do so when we see that such results have followed the adoption of similar principles in other countries. This will not be experimenting on untried ground. It has been tried in years past, and in different countries, and in the opinion of those competent to judge the best results have followed. If we look to Ireland or to Scotland, we shall see the results of the working of the Sunday-closing clause in those countries—they have not local option there—we shall see that it has brought about such good results as to considerably decrease the amount of crime, and we may look for greater results still if the public-houses are closed altogether.

The HON. SIR T. MCILWRAITH: That is the law of the land now.

Mr. GRIMES: I can give the opinion of those in high positions in Ireland who have been able to observe how it has worked there, and have given us their testimony. The Right Hon. W. E. Forster, M.P., Chief Secretary for Ireland, in reply to a deputation which waited upon him in October, 1880, said:—

"There can scarcely be any doubt that the Sunday Closing Act will be renewed by the Government that is in power. As far as I can learn, it has more than justified the expectations of its supporters. In two ways the positive effects have been shown to be almost better—really better, I think—than most of us hoped they would be, although there were expectations of good. And also it is quite clear that those who prophesied that it would be a step considerably in advance of public feeling in Ireland have been disappointed. As far as I can make out, public opinion has entirely gone with the operation of the Act."

The next testimony we have is from the Lord Chief Justice of Ireland, in his address to the grand jury of Kilkenny. He said:—

"From the police returns it appeared that the number of cases of intoxication had considerably decreased, and it was encouraging to find that the Act for the closing of public-houses on Sunday had largely realised the expectations of its promoters."

Judge Lawson, at the Clare assizes, said—

"The county inspector reports that drunkenness has decreased."

Baron Dowse, at the Kilkenny assizes, said—

"The county inspector's report contained nothing to detract from the character of the county. There was a considerable decrease in intoxication as compared with the return at the March assizes—110 cases less—and this the inspector attributed to the Sunday Closing Act."

At Newry, Mr. Thomas Lefroy, Chairman of the County Armagh—

"Had the great luxury of announcing to a large crowd of jurors that there was nothing for them to do, a fact which his Worship believed was due to the Sunday Closing Act."

At Waterford, Mr. George Waters, Q.C., County Court Judge—

"Declared that he had been at Lismore and Dungarvan, and in the whole county had not a single case arising out of drink. He never could say this before, and whoever said such a result was not due to the Sunday Closing Act would require to account for a very singular coincidence."

Then, again, the Right Hon. Lord O'Hagan, in his address at the inauguration meeting of

the Social Science Association, bore unreserved testimony to the value of the Sunday Closing Act. He said :—

"I can only make the briefest allusion to a measure most worthy of attention in the department to which I am referring—the Irish Sunday Closing Act. It was hotly contested and violently denounced; but it has succeeded beyond expectation; and its moral influence in removing, even partially, the withering curse of national intemperance, has made it a practical reform of a high order. I cannot dwell on the mode of its operation; but the results are indicated in the most conclusive way by the unanswerable evidence of our criminal statistics. In 1878, when it was in action for a few months, the number of punishable cases of drunkenness was reduced by 3,000 as compared with the year 1877. In 1879, when in was in full force, the reduction was 11,000, and last year it was 22,000; the number of offences, which in 1877 was 110,000, having fallen to 88,048. It is not wonderful that success so signal, proved by these figures and in many other ways, should already have induced wise and good men to imitate the example of Ireland in other districts of the empire, with the sanction and by the authority of the Legislature. And does it not give us a fair ground for hope that the undoubted and most salutary improvement in the drinking customs of the wealthier classes may be gradually extended to the multitudes beneath them, and that we may be emancipated more and more from the cruel dominion of a vice which is to us the perennial source of crime and misery, and degrades these kingdoms in the estimation of the world?"

Now, sir, this is testimony that cannot be gainsaid. All those gentlemen have had full opportunities of witnessing the results of the system, and those are their expressed opinions. We have, therefore, confidence in legislation of this kind, and need not fear to carry this Bill through committee as far as these two principles are concerned. I might also quote returns that have been called for in the Imperial Parliament that bear out these opinions, and I might quote the Board of Trade returns, that show the great decrease that has taken place in the consumption of intoxicating liquor since this Act has been in force. But I have quoted enough to show that in other countries it has worked in the most satisfactory manner, and I see no reason why it should not work as well here. Doubts have been expressed as to the fairness of bringing into operation the principle of local option without compensating those who will be affected thereby. I cannot see where the compensation comes in. The licenses are only granted from year to year, and if this Bill becomes law and the prohibitory provisions are adopted, they will not come into effect until the expiration of the licenses. The people who hold them knew very well when they applied for the licenses that they were only to be on sufferance from year to year. If they may be deprived of these licenses by the will of the licensing board at any time, why not also by the will of the people? We do not take this matter of compensation into consideration when we are dealing with other matters. For instance, we passed the second reading of the Rabbit Bill the other day, and that does not contain a word about compensation to those who will have their rabbits destroyed. Then, again, we have before us a Bill to prevent the undue subdivision of land. That will affect a great many individuals. There are many speculators who have bought paddocks or blocks of land for the purpose of cutting them up into small areas, and if they are prevented from doing that they will make much less profit than they anticipated. Now not a word is said in the Bill about compensating those people, and hon. members have not thought it worth while to mention the matter. Again, if the public weal demands the sacrifice of the convenience or pecuniary interests of private individuals, we do not consider ourselves bound to make it up to them. When a vessel comes into the Bay with a contagious disease on board she is sent into quarantine, and those on board, instead of being allowed to come on shore and engage in the business of life and get remuneration for it, are kept on the island; and not a word is said about compensation. And goods on board may be detained till they are out of season and cannot be sold except at an enormous sacrifice, yet nothing is said about compensating the owners. I cannot really see that there is any more reason for compensation in a case of the kind before us. I think the good results arising from the passing of these clauses will be in some degree hampered by the clause dealing with the *bonâ fide* traveller. I think the Sunday traveller might be done away with without any great hardship, or at all events he might do without his drink without any great hardship. It is only in the sparsely populated districts that there is any necessity for this proviso about the *bonâ fide* traveller. It is not necessary near municipalities, and I think we might get over that difficulty by not allowing the proviso with reference to the *bonâ fide* traveller to apply to any public-house within five miles of a municipality or a borough. It would allow places to be opened in country districts, where men have perhaps travelled long stages, and where they might require some refreshments; but near the metropolis, or near municipalities or boroughs, there is no necessity for keeping the houses open for travellers. There is no doubt it will open the door to a deal of abuse. Individuals will take advantage of it and go and enjoy what is commonly called a "booze" on the Lord's day. There is nothing to hinder them, for instance, from starting from Brisbane and going the ten or twelve miles by train to Sandgate, and then claim that the licensed publicans there should supply them with all they want. It is in that way that the clause will be abused. I notice that clause 24 provides that no licensed house shall be kept by a constable or bailiff, a licensed auctioneer, a brewer or distiller, a wholesale spirit-dealer, or a wholesale dealer in wine or beer. If the wholesale spirit, wine, and beer dealers are prevented from holding a license it would be just as well that the houses owned by them should not be licensed. It is well known that in Brisbane and the other large towns of Queensland most of the public-houses are in the hands of wholesale spirit-dealers, and that those who occupy them are merely their tenants-at-will—in many cases mere dummies, mere agents. This system works very badly, especially in the country districts. Unless a person put into one of those houses uses extraordinary means—not legitimate means—to dispose of his grog, he is often dismissed in a very summary way, and some other person is put in his place who will, by means which are not exactly in accordance with the right view of things, sell more grog. I have noticed that in the country districts around Brisbane change after change has taken place in the supposed proprietors of the houses, who are merely the occupiers of them. It would be well so to amend this clause that no house owned by brewers, distillers, or wholesale spirit-dealers should receive a license. I have a word to say now about the wine-growers. The wine-growers are just left as they were by this Bill; they are not affected by it in any way. I refer to the growers of grapes, who make the juice of the grapes into wine. This is very unfair to those who have to take out licenses for their houses. The individuals to whom I refer command a large trade. Although they may not have a quarter of an acre of ground under grapes they manage to make enough wine to supply a large trade all the year round. Of course it is not for me to say how that is done; but it is difficult to find them out

and catch them at it. Again, a licensed house is under the control of the police in a great measure, while these wine-growers' shops or premises are not. A public-house cannot have music or dancing without the permission of the bench of magistrates, nor can it have a billiard-table or a bagatelle-table without a license. On these wine-growers' premises they can play any game they choose. There is no control over them whatever. They may not be able to have a bagatelle-table or billiards, but they have that which is far worse and a far greater nuisance to the neighbourhood. They have bowling-alleys, and it is not unusual to see some forty or fifty individuals in one of them from 11 o'clock on Sunday morning till 12 o'clock at night, drinking, playing bowls in the bowling-alley, singing and dancing, and occasionally having a fight by way of diversion. Unless those places are licensed, and we have some control over them, the passing of the local option clauses will only tend to increase their trade; and I hope that before the Bill passes through committee some clause giving that control will be inserted. I do not think the respectable wine-growers will object to paying a license. I do not think those who are legitimately carrying on the business of wine-growing will object for a moment to a £5 or £10 license fee enabling them to sell their wine in quantities of not less than two gallons. I notice another very good clause in the Bill, prohibiting the supply of drink to an habitual drunkard who wastes his property in drink. On proof being shown that he is so wasting his property, no publican is to be allowed to serve him with liquor.

An HONOURABLE MEMBER: That is the law now.

Mr. GRIMES: I know it is, but I see no reason why we should not go a step further in that direction—why we should not allow the individual himself to apply for a prohibition order against supplying him with drink. I believe that if an amendment to that effect were inserted in the clause a number of individuals, in their sober moments—realising the position to which they had brought themselves by yielding to the temptation to take intoxicants—would willingly avail themselves of the privilege, and ask the bench of magistrates for a prohibition order. By so doing some temptations would be placed out of their way. I believe that there is many and many a drunkard who makes a resolve to abstain from intoxicants, but his good resolution is overcome by the temptations and facilities which are thrown in his way to obtain drink. Sir, I thoroughly approve of this measure so far as it goes. I think, with a few amendments, which no doubt will be made in committee, that it will tend to advance the cause of temperance amongst the people, and so increase the prosperity of the working classes; and I believe that all true philanthropists will look back with pride and pleasure to the day when this Bill becomes law.

Mr. PALMER said: Mr. Speaker,—Whatever questions this Bill may give rise to, there is no doubt that it is a measure dealing with so much that involves personal interests that it will give rise to a great many questions and opinions. There can be no doubt also as to the moderate manner in which the Premier introduced the Bill to the House. There are, of course, some who say that it is not strict enough, and others who hold that it is too strict, and the Premier claims that he has struck the happy medium. I have no doubt that in going through committee the Bill will be amended in some points, and altered to suit different circumstances; but it really is not such a drastic measure as has been anticipated by the country. There is nothing new in it except the licensing courts and the local option clauses. Licensing courts have been in force in New South Wales since 1882; they are in the Bill now before the Victorian Legislature, and they have been in force in the United States for a great number of years. And, with regard to the local option clauses, they also have been in force in a great many countries for a number of years. That is the only part referred to by the Premier in which he seemed a little cloudy. The qualification of ratepayers will, I think, be a question for discussion in committee. It seems to be a disputable point as to what shall be the qualification of ratepayers who shall have the right to vote under these local option provisions. Those gentlemen who profess to be reformers have missed a good chance—in fact, I think they are only half reformers. If they really want to carry a measure that will be a thorough reform, why have they not proposed or advocated that women should have the right to vote on the question?

HONOURABLE MEMBERS: So they have.

Mr. PALMER: If they had they would soon throw out the public-houses. I am quite surprised that the hon. member for Ipswich, who is such a staunch reformer, did not advocate or refer to that matter. I have no doubt that if women had the right to vote they would soon carry a great reform as to what public-houses shall exist and what shall not.

The HON. SIR T. McILWRAITH: Fancy women carrying a reform over their husbands' heads!

Mr. PALMER: There is one point in the Bill which has not been referred to so far by any hon. member. It has come under my notice several times, and is a matter that affects the liquor trade more than any other, and that is the adulteration clauses. I know that these clauses have been in force—that they are on the Statute-book—but so far they have been almost a dead-letter; and what guarantee have we that even if they are introduced in this Bill they will not be allowed to remain so? Administration of these clauses is required. I will give an instance. It is a case that I know, where a bushman bought a bottle of grog at a far-away public-house; he rolled it up in his blanket, and by some means the liquor escaped, saturated his blanket, and burnt it to a cinder; it was rendered absolutely useless.

The HON. SIR T. McILWRAITH: It must have been colonial wine.

Mr. PALMER: Now, sir, the question is —What sort of liquor could that be which would consume a bushman's blanket, and what effect would it take upon the lining of the bushman's stomach? or what should be done to a man who would concoct such liquor?—for that it was concocted there can be no doubt. We hear of men having been hanged for slow, deliberate murder in the way of poisoning—cases that were not half as quick as those cases of poisoning by deleterious liquor. I know another instance where a friend bought a cask that had been used at a wayside shanty, and he found at the bottom about two inches of sediment. What it was composed of does not matter—it was not found out, but there was no mistake about eighteen or twenty sticks of tobacco, swollen and saturated, that had been used to make the grog spin out from time to time. Whatever question there may be about grog, there can be none about tobacco as a stimulant to fortify grog. There is no doubt that more men are poisoned and injured by the villainous stuff that is sold in country places, than by the quantity of grog that is consumed where they can get it pure. That is a point that I think the Bill cannot be too

strict in dealing with. I think both drinkers and temperance men will allow that it is a really serious part of the question. Men have been known to keep up their supply of grog for months and months, although they only started with two gallons, and have been selling it all along. In fact some of them make a boast that, like the wonderful inexhaustible bottle of Professor Jacobs, they can make any kind of grog they like out of one material. I am surprised that the hon. member for Ipswich did not refer to the Act, which is in force in the United States, called the Civil Damages Act—one of those drastic measures passed in that country for the repression of grog-selling—by which anyone who is injured by an intoxicated person can bring an action not only against him but also against the person who supplied him with the liquor. Then, again, if a husband or wife, an employé, or servant has acquired habits of drunkenness, his friends can give notice to the licensees prohibiting them from supplying him with drink in any shape or form, or even to allow him to loiter about the premises, under a penalty of from 100 to 500 dollars. These are all questions affecting the case in a different manner to what this Bill does. If the seller of grog were held amenable to an action equally with the drunkard for any damages he did, he would take care to see that he did not supply grog unwisely. The feature that is new in this Bill is, no doubt, the local option clauses. With regard to the different resolutions that are to be placed before the ratepayers, the second is much more reasonable than the first, and is the one that is most likely to be taken notice of. The same may be said of the third. The second says, "That the number of licenses shall be reduced to a certain number specified in the notice"; and the third, "That no new license shall be granted." The first one is of that drastic nature that I think it is more likely to defeat the purpose than to have any salutary effect. To say that no liquor shall be sold whatever in a district is, knowing human nature as we do, more than we can expect. I think to carry that out in its entirety we should almost have to alter human nature. The same prohibition is in force in New South Wales, but there it takes a much milder form. The following is the question on the voting-paper placed before the ratepayers :—

"Shall any new publicans' licenses or removals of publicans' licenses be granted in respect of premises situate within the above [*ward or municipality*] for the period of three years from this date?

"[*Voter's answer*]:—

"Yes.

"No.

"Directions :—The voter must strike out the word 'Yes' if he desire to record his vote against increasing the number of public-houses within the area referred to. If he do not desire so to record his vote he should strike out the word 'No.'"

In the Bill that is before the Victorian Parliament the local option is of a very much milder form. There it merely states that it shall reduce the number to that which is provided for in the Bill. It allows one public-house to every 250 inhabitants up to 1,000, and after that one to each 500. So that local option there has a much milder form, and one more likely to be adopted by the people. Among the different questions that have been referred to is Sunday closing. I know that Sunday closing in New South Wales has had a very good effect, and the principle of closing at 11 o'clock in the evening was one that met with approval from nearly all classes. I have heard some people say that they should be closed even earlier than 11 o'clock. This Bill provides that the publican may, if he choose, close at 10 o'clock, and I am inclined to think that a great many of them will take advantage of that permission. The debate has dragged on so long, having already taken up one evening, that I do not intend to take up much more of the time of the House. In committee the Bill will be very much discussed, as there are so many different views upon it. Its main recommendation is, as the Premier said, the codification of the different laws in existence in the colony, so that people can see at once the law that affects publicans' licenses. The question of teetotalism has been so much argued, and has so much fanaticism and bigotry connected with it, that it is almost a dangerous subject to discuss. The question is, if a people were absolutely and strictly teetotal, would they be better off than now? There would be, perhaps, other vices as harmful to them. We know that the Russians, who are a stalwart and hardy race, derive half their revenue from the income received from the sale of spirituous liquors, and they are said to be able to carry their liquor almost as well as a Scotchman does his whisky; and we see that the Russians are a far more progressive people than the—I will not say temperate, but than the nation that is supposed to be absolutely a teetotal nation, the Turks. There is no comparison between the people, and, in fact, if we look at all the nations that are progressive, I believe that those who have the name of being drunken nations are the most progressive. Man being reasonable he must get drunk; we have strong authority for that. Whether it stimulates energy in any way, or makes their fighting capacity greater, or not, there is no doubt that there is a certain amount of "go" amongst drinking nations that there is not amongst nations that are considered water-drinkers absolutely. Our forefathers in ancient times were noted for their capacity for taking liquor, and they have been a conquering people from all time. The question, therefore, is, if we all become staunch teetotallers, perhaps that virtue will leave us. The drinking custom is imbued in the labouring classes; and I cannot help recording an anecdote which appeared in an illustrated paper a short time ago, where a man met a friend who had come home after spending a holiday, and he said, "Well, Bill, how did you spend your holiday?" and his friend, with a very sour face, replied, "Holiday! I ain't been more than half drunk all day—call that a holiday?" So that man deliberately went out to spend the holiday in getting drunk; and they look upon it as one of the legitimate ways of spending a holiday. That, of course, does not refer to all classes of working men. I have no doubt that this Bill will have a salutary effect in checking the needless exposure of people to temptation, and so far I shall be happy to do anything I can to assist its progress in committee.

Mr. WAKEFIELD said: Mr. Speaker,—It has been said by one hon. member of this House that we cannot make people sober and temperate by Act of Parliament, and the best thing to do is to legislate to minimise the evil as much as possible. If the whole community were like you, Mr. Speaker, and me, and other members of this House, we should not want to legislate for this class of business—we should be able to get the publicans and licensed victuallers to carry on the trade the same as any other trade. But we find that that cannot be done, so we must legislate to counteract the evils that crop up in the matter, and no one can dispute the benefit that has been derived during the last fifteen years in legislating for this traffic. If we look back over Brisbane and its suburbs for the last fifteen years we see a very great improvement in the way this traffic is carried on. It was stated by the hon. member for Wide Bay

last evening that this Licensing Bill is far too strict—that it is far too strict upon the licensed victuallers. I do not believe that myself. He made the statement that it would drive the traffic, to some extent, to the chemists; but I believe we have a better class of chemists in this colony than that—a class of men who will not go in for sly grog-selling. So that I cannot agree with the hon. member on that point. The licensed victuallers themselves will hail this Bill with satisfaction, for very few of them, if any, like to see drunken men about their premises—such men are more of a nuisance than profit. I therefore think that the restrictions imposed by this Bill will meet with approval. If the measure does nothing more than do away with the Sunday traffic and provide for the exercise of the principle of local option it will do a great deal of good, and will be a step in the right direction. We must not expect to remedy every evil at once, nor must we expect to accomplish all we desire in this matter at once. If we go on we may in future have to legislate for defects in this Bill. With respect to the principle of local option, I must say that I consider the inhabitants of a district should have a voice in the granting of licenses. We see populous localities, in some places for a mile in extent, where there are no hotels, and such neighbourhoods are just as prosperous as others where there are hotels established. There may be some difficulty in applying the local option system—some difficulty in getting the parties interested to record their votes in their particular districts—but I cannot see any other way than to take the ratepayers' roll as the roll of voters. That is not exactly a fair arrangement, because a ratepayer at one end of a district may not be interested in the other end, and yet he would have a voice in any question respecting the number of licenses to be granted, etc., at the end where he has no interest. But as far as I can see no better plan can be devised unless we adopt the expensive scheme of preparing a special roll for the districts to which the local option clauses are to be applied. I quite approve of the Bill. I think it is a step in the right direction, and, as I have said, if it does nothing more than introduce local option and Sunday closing it will do a great deal of good.

Mr. FOOTE said: Mr. Speaker,—I have carefully read this Bill, and I must say that I like its provisions and its general appearance. I think it is a Bill calculated to do a very great deal of good. The object sought is to regulate the spirit traffic and also to protect the public, and whilst protecting the public to protect the licensee. I know that there is no part of the measure that has not been pretty well threshed out by hon. members who spoke last night. I notice that several members have alluded to some paragraphs against which I had placed a tick myself, and I shall therefore not go through the Bill paragraph by paragraph, and say what I think about them, but shall reserve that until the measure comes before us in committee. I will now refer to the subject of wine-sellers' licenses. The hon. member for Ipswich, in discussing this question last night, stated that the effect of establishing wine-shops in any district would be detrimental and demoralising to the community. I do not know whether the hon. gentleman knows it, but it is a fact that wine-shops exist in the colony even at the present day, and they are not licensed and are not under the supervision of the police. And Sunday is the day in wine-growing districts when the young men of the place congregate at certain places where wine is sold, and oftentimes these gatherings have a very demoralising effect on the whole community. I think this Bill provides against such things as that, by enacting that the wine-shops shall be under proper police supervision. But I am of opinion that £5 a year is not a sufficient license fee for a wine-seller's license, and that the amount should be at least £10. That, I think, would be a very reasonable sum for a wine-seller to pay. I do not, however, think that he should be compelled to sell wine made from Queensland grapes only. I think it would be wrong to make such a restriction—that Queenslanders should be compelled to drink only Queensland wine. Some of it may be very good, but some of it may be very bad. Indeed, I have heard a wine-maker say that to get intoxicated on Queensland wine is far worse than to be intoxicated with the strongest spirits one could possibly purchase with money. I believe it arises from the fact that Queensland wines are fortified with an inferior spirit, and that wines so fortified never get age, and consequently have a very deleterious effect upon those who use them. In reference to the license fee for country public-houses, I think £15 per annum is too low, and that it ought to be increased to £20. If that is done we shall very likely have a better class of persons engaged in the trade. There is not a great difference between £15 and £20, and if a license were wanted for any particular district and the applicant was not able to pay £20, a public-house could be very well dispensed with in that district altogether, and no harm would result to anybody or to the country either. Another point that has been touched upon by hon. members is that relating to club-houses. Until I read this Bill I did not know that clubs did not pay a license fee, and I certainly see no reason why they should be exempted. I do not understand why a certain section of the community—who call themselves aristocrats, and may very properly be called so by everybody else, for all I know or care—should not pay for a license for the spirits they consume at their clubs. It is the old question of one law for the rich man and another law for the poor man. I do not like it, and I see that the same concession has been made with respect to billiard and bagatelle tables. They will not have to pay licenses to keep them, nor will they be under the supervision of the police, though possibly it may not be necessary that they should be. But I think, for the sake of fair play and in the interests of the country, they should be obliged to contribute their quota to the revenue for the grog they drink, and pay a license for it the same as other people. If I am in the House when this matter is before the Committee, I shall test the question by moving that the words, "or occupied as a club," in the clause dealing with it, be struck out. If this paragraph is allowed to remain in we shall have many clubs; the middle-class people and the poorer people will want clubs, and they will be just as much entitled to have them; and if they form themselves into clubs they will be able to evade this Bill altogether, because they will not come under the supervision of the police or the licensing authorities in the slightest degree. I do not see why they should not be. According to this clause a member of a club may take his guests, one or ten—the number is not limited—and enjoy himself with them for the evening without being subject to a license. That is not proper—they should be compelled to pay a license; though, as to the supervision by the police, that is not of so much importance where they are concerned. I point out that persons can evade this Bill by forming themselves into a company and calling themselves a club, and then carry on this business without being subject to the Act, or within its scope. In clause 60, I see the quantity of spirits to be dispensed by persons who are not publicans must be not less than two gallons. I object to this, inasmuch as two gallons is

a great deal too much for a person to take. One gallon or less would be quite sufficient, but two gallons is overdoing it; it is a stock of liquor that persons do not want. I shall also, in committee, move the omission of the word "two" in this clause with a view of inserting the word "one." These are the principal matters I intend to speak upon. As to the principle of local option, I am quite prepared to see it get a trial, and I have no doubt that when it does get a trial it will succeed in some degree; and if it should require amendment in any way it will be seen after it has had a trial where the amendments should come in, and no doubt the Government of the day will be prepared to deal with the question as circumstances arise. There is one point upon which the Bill scarcely goes far enough. I think the Government should have provided in this Bill for an inebriate asylum. The country gets a great deal of revenue from the consumption of wines, spirits, and beers. Parties become overcome from the use of them, and become incapable of managing their affairs, and in many instances a man declines to and does not maintain his wife and family. If provision for an asylum of the character I have spoken of had been included in this Bill it would have been an improvement. I do not mean to say that inebriates should be a burden upon the State, but that a man who will not work for his wife and family outside, through being constantly intoxicated and spending all his earnings, should be made to work for them in an asylum. He should be allowed a fair rate of wages at some trade or calling he would be able to work at, and, after a fair amount had been deducted for his keep in the asylum, the balance of the money he earned should be handed over to his family. I think that would be a much better system than sending men to gaol, as is often done for one, two, or three months, to rescue them from their drinking habits; whereas it simply restores them to health, and when they come out they go on the old track the same as before, and their wives and families have to do the best they can for themselves while these men are incarcerated. An asylum of the character I have spoken of would put a stop to that sort of thing, because men would greatly prefer to work outside. I do not mean to say it would be a cure in all cases, but there would be a large number of persons upon whom it would have a very material influence, and might tend to improve the state of things existing at present. I am very glad this Bill has been introduced, and that the Government have had the courage of their opinions in connection with it. I believe it exceeds the expectations of every member of this House. We have been accustomed to see Licensing Bills brought in of a character which scarcely anyone could approve of, but this is a Bill of a milder character—it deals with the question effectually and oppresses none. I am quite pleased with it and it will have my support. There may be alterations required in some places, but I approve of the general principles of the Bill.

Mr. FRASER said: Mr. Speaker,—This is a Bill in which doubtless, and very naturally, a general and deep interest is felt, and I can only account for the mild tone of the discussion throughout from the fact that the general provisions of the Bill evidently meet with the approval of hon. members on both sides of the House. I do not intend to protract the discussion, as I am not able to throw any fresh light upon the features of the Bill; but as this is the only opportunity I shall have of expressing my opinion, I think it right to make a few observations upon the Bill before the second reading is passed. No doubt the principal provision of the Bill is the introduction in it of the principle of local option, though there are other new matters also introduced into it. The question of the amount of license fees has been already alluded to. I am aware it cannot be rectified at the present time; but I am very much inclined to agree with the opinion expressed by the leader of the Opposition, that the licenses should be imposed on quite another system. It does not accord with common sense that the same fee should be paid for the license of a first-class hotel in Queen street, and for a hotel down in Albert street, or out in the Valley, or over in South Brisbane. The rent of the one perhaps is £1,000 a year, and of the other not more than £300 or £400; one proprietor may be able to sell out his interest for a small fortune, while the other spends years in merely gaining a bare livelihood. There is another matter I should like to allude to. It is not mentioned in the Bill, but the opinion of the Premier was elicited by a question from the hon. member for Blackall; that is the question of barmaids. Now, I have not the slightest intention or wish to reflect in any way on the class of young women engaged in this occupation, but at the same time it cannot be denied, and I think it will be universally admitted, that though they themselves may enjoy the most unimpeachable character, and may, as the hon. member said, be, to a certain extent, a check on the irregularities of those who frequent the bars; still the associations and atmosphere of a public-house bar are not what we could expect a young woman to pass through unscathed. It is not that these young women are inferior in any point of character to any other young women; I am simply speaking of the injurious effect it must inevitably have on themselves. We cannot pass through any association without being in some way affected by the character of that association, and it is upon that that I shall base my objection to the continuance of young women serving in public-house bars. I am glad to find—at least I am informed—that one or two of the more respectable hotel-keepers in Brisbane are dispensing with their services, and substituting barmen. To the best of my recollection, when I was in London some years ago I never saw a barmaid, nor in Liverpool—they were all barmen. I have seen the mistress of the hotel serving, but I certainly never saw a barmaid in any of the bars. I am told that in America they are not permitted. With respect to Sunday closing, I think it is pretty well agreed that this is a step in the right direction. I am aware that there is a difference of opinion: some people tell us that in other places it has led to a great increase of secret drinking. Well, that may be the case; it is impossible to expect complete reformation in a matter of this sort all at once. But I believe that if we can limit the evil—keep it to a certain extent out of sight—that is a step in the right direction. It is a very singular thing, and we find it mentioned in that splendid speech which has been copied into the local papers, delivered by Mr. Goschen at Manchester, that contemporaneously with the limiting of the hours and the closing of public-houses on Sunday there has been a diminution of 10 per cent. in the quantity of liquor drunk. I do not say, neither does Mr. Goschen, that this is the cause, but it is a striking coincidence and deserves to be pointed out. As to the local option principle, there does not seem to be any difference of opinion as to the desirability of it, or its fairness. When we consider that all our public movements are governed by the voice of the people, we must all admit that it is as fair to apply it to this as to any other measure requiring local self-government.

But then comes in the question how the principle is to be carried out. The hon. member for Blackall suggests that the electoral roll, and not the roll of ratepayers, should be the basis on which we are to go. But it must be borne in mind that the question is a local and not a general one; and it should be left to those interested in the locality to say whether the sale of liquor should be discontinued altogether, or whether the houses should be diminished in number, or what should be done. It is objected that the number of ratepayers is limited, and does not constitute a fair representation of the population of the locality. But surely this question is not of more importance than the election of a member of this House, where all the most important business of the country is transacted, and we do not insist in that case on a majority of two-thirds, or one-half, or a quarter. We accept the decision of the majority of those who poll. One-quarter of the electors, or one-tenth of them, may not poll, still we accept the bare majority. I cannot see why the same principle should not apply to the question of local option. It is the ratepayers and property owners of the locality who are emphatically interested in this matter. So long as a majority determine any of these questions I think we ought to accept it. That would simplify matters very much. Indeed, the objection seems to me to be raised more as a matter of curiosity than anything else. I have not the slightest doubt that if we carry out this system of local option as it is proposed in the Bill it will have the best effect on the community. We hear a good deal about the poor man—the working man—being deprived of his beer. I come, perhaps, as much in contact with the intelligent working man of the colony as any hon. member of the House, and I venture to say that if you poll them all—from Moreton Bay to the Gulf of Carpentaria—you will scarcely find a dissentient voice amongst them against the carrying out of this principle. Even those of them who go home jolly on Saturday nights singing "I likes a drop o' good beer, I does," would be the first to sanction interference of this sort, and would wish, as several of them have often told me, that the temptation were kept out of their way—a temptation which they would like to avoid but which they have not the courage to resist when it is presented to them. The hon. member for Wide Bay—I am sorry he is not in his place now—amused us last evening by giving us what is called the English jester's version of the effect of the Maine liquor law. I know that that law has been a subject of jest, and not being a total abstainer myself I do not take an extreme view of the matter; but it is a fact that writers and travellers who have visited those localities give but one opinion concerning the result of the operation of the law there. I will take the liberty of quoting from Hepworth Dixon, an author who cannot be supposed for a moment to be biassed in favour of this view of the subject. And what does he say about it? Referring to St. Johnsbury, a working village in the State of Maine, he says:—

"What are the secrets of this workman's paradise? Why is the place so clean, the people so well housed and fed? Why are the little folks so hale in face, so neat in dress? All voices answer me that these unusual, though most desirable, conditions in a village spring from a strict enforcement of the law prohibiting the sale of drink."

And a little further on, after some general observations on the question, he says:—

"What remains? The workman's paradise remains; a village which has all the aspect of a garden; a village in which many of the workmen are owners of real estate; a village of 5,000 inhabitants, in which the moral order is even more conspicuous than the material prosperity; a village in which every man accounts it his highest duty and his personal interest to observe the law. No authority is visible in St. Johnsbury. No policeman walks the streets; on ordinary days there is nothing for a policeman to do. Six constables are enrolled for duty, but the men are all at work in the factories, and only don their uniforms on special days to make a little show."

That is the result of the Maine liquor law where it has been strictly and rigidly carried out. I have not the slightest doubt that in the State of Maine, as elsewhere, there are grumblers—men who desire to be permitted the privilege to enjoy a glass of beer; but notwithstanding that, and notwithstanding all we hear about the liberty of the subject, it must be admitted that, if we could bring about such a state as is pictured to us in those paragraphs, we should be fully justified even in infringing a little upon the liberty of the subject to accomplish so desirable an object. The hon. member for Wide Bay also told us that this Bill was an injustice to the licensed victuallers. I maintain that instead of that it is highly in their favour. It is, in fact, a protection to the respectable licensed victualler, because it will keep out of their calling men who can be guilty of such acts as were described to us a few minutes ago by the hon. member for Burke—acts which, if true—and I have no doubt they are—I can only characterise as diabolical. If the provisions of this Bill are strictly enforced we surely shall not hear of such circumstances as the hon. member told us of. There is one remark of the hon. member for Burke which—although, as I have said, I am not a total abstainer—I cannot allow to pass unchallenged. He told us that our forefathers were a drinking people, and that the Russians have nearly as great a capacity for drinking as the Scotch. As to that I do not know, but I believe it is a characteristic of northern nations to have a capacity for imbibing a very large quantity of liquor and to carry it with a good deal of comfort. But there is one fact about the northern regions which I may mention. It is a singular thing that Arctic explorers such as Ross, McClintock, and others give uniform testimony to the effect that the men who stood the hardships and the cold of those northern regions best were the men who abstained from intoxicating drinks. And we have the evidence of some of the best officers in the British Army — such as Havelock, Captain Hedley Vicars during the severity of the Crimean war, and the late commander-in-chief in Egypt, Lord Wolseley—that the best fighters, the men who endured the greatest hardships with the least fatigue, were the men who were total abstainers. I simply mention this in passing, for I am not speaking as a total abstinence man, or as a fair specimen of the moderate drinker; and I am prepared to give all credit and to do full justice to the labours and the efforts of our friends the various societies of total abstainers. I am free to admit that they have done and that they are doing great service to the community, but there is one thing that strikes me as somewhat remarkable, and that is, that during all these years in such a place as Brisbane, or any other large centre of population, there is no such thing—nor has it been attempted so far as I know—as a first-class temperance hotel. If I am a traveller and wish to avoid a public-house, where am I to go, or how am I to be accommodated? I do think, sir, that that is a reflection upon our friends the total abstainers, and I hope that the hint will be taken and acted upon. Why, sir, more than twenty years ago, in Edinburgh and Glasgow—places of which we hear so much as being pre-eminent in their drinking capacity—they have those hotels, where you will get every accommodation, every convenience, and every comfort that is to be found in any hotel in the country. And I may say this,

that the best and most frequented commercial hotel—that is the hotel most frequented by commercial travellers in Liverpool—is strictly a temperance hotel. I think, sir, the time has arrived when our friends, the total abstainers, should bestir themselves and supply this felt want—for a felt want it is—in the community. The question of compensation has been mooted, sir, and while I would not like to dogmatise on this point, upon the general question I cannot see where the ground for compensation comes in at all. Let it be borne in mind, Mr. Speaker, that the license in every instance of this kind is granted from year to year, and the inference is inevitable that it is subject to be removed for any just cause at the termination of such period; and I cannot see how or on what ground the question of compensation can be brought in. Nor am I afraid at all, Mr. Speaker, that the enforcement of local option and limiting the number of public-houses is likely to result, as some hon. members seem to imply, in giving us inferior houses. My own opinion is that it would have the contrary effect; that it would vastly improve in every respect the character of the houses, and for this reason, sir, it would be a species of protection to the persons engaged in the traffic; it would be a sort of monopoly which would enable them—and I am quite sure that it would be the object of every respectable hotel-keeper to do so—it would enable them to give far better accommodation to the public than they do at the present time. As I said before, Mr. Speaker, I would not have trespassed upon the attention of the House upon this matter only that, as you are aware, when the House goes into committee upon it I must be silent. I have, therefore, taken this opportunity of expressing my general approval—my hearty approval, indeed—of the general principles of the Bill; and I am quite satisfied—indeed, I have not the slightest doubt—that the Bill, in its general bearings and principles, will become the law of the land, and that we shall see very great improvement and happy results as the consequence.

The HON. J. M. MACROSSAN said: Mr. Speaker,—A great deal of merit has been given to the Government by members on both sides of the House for the manner in which they have drafted this Bill, and for their courage in giving expression to their opinions with regard to local option. Well, I do not know whether there is any great credit due to them for any such courage, seeing that the hon. gentleman at the head of the Government admitted that the local option clauses had been introduced in consequence of the resolution passed last session on the motion of the hon. member for Ipswich—that no Licensing Bill will be considered satisfactory to this House unless it contains provisions for local option. I believe myself that the Government are simply giving the House an opportunity of expressing its opinion upon it. I do not think they should—at least, I hope they do not intend to press local option as if it were a party measure.

The PREMIER: It is not a party measure in any sense.

The HON. J. M. MACROSSAN: I have not the slightest doubt that the occupants of the Government benches would make it or anything else a party question if they wished to carry it; but I think a question of this kind should be disassociated entirely from party, and that members on both sides should be perfectly at liberty to take up whatever position they may please to occupy upon the question.

The PREMIER: Of course.

The HON. J. M. MACROSSAN: Before going on to consider the question of local option, which is the main point, in fact, of this Bill, I wish to point out what I consider to be an error on the part of the Premier in regard to subsection (*d*) of clause 7—that is, an error on the part of that hon. gentleman and not in the Bill as it stands. The hon. gentleman said last night that the words "a member of" had got into the Bill by mistake. The clause as applied to that subsection reads:—

> "No person who is—
>
> (*d*) A member of or the paid officer or agent of any society interested in preventing the sale of liquor—
>
> shall be appointed to act as a licensing justice."

Now, I think that the member of any society interested in preventing the sale of liquor should be prevented from being a licensing justice as much as a brewer or distiller who is interested in the sale of liquor. The hon. gentleman takes no exception to the "paid officer or agent" of any such society, but he does to a member. Of course, we know that there are a great many societies which profess teetotalism—the members of which profess to be and are total abstainers—but they are not necessarily interested, as members of such societies, in preventing the sale of liquor. They make no promise to prevent the sale of liquor, but simply to abstain. If those societies are to be considered as established for the purpose of preventing the sale of liquor, I think every member of them, as well as the paid officer or agent, should be prevented from sitting on the licensing bench. Of course, if the clause applied to all the total abstinence societies in the colony it would limit the range of selection of justices, but it cannot be applied in that sense, because they are not societies established for that purpose. They are simply societies the members of which voluntarily promise to abstain. Then there is subsection (*c*), which provides that no brewer or distiller shall be appointed to act on the licensing bench; and very properly so too. But what would become of this portion of the clause if all the brewers and distillers in the colony should become companies instead of being firms of one or two members? The tendency at present is to turn all industries into syndicates or companies. Now will a man holding a share in one of these companies be reckoned a brewer or a distiller, and as such be prohibited from being on the licensing bench, or will the prohibition apply simply to the paid manager of the company? That is a point that I think the hon. gentlemen has overlooked, and it is a very important one.

The PREMIER: It is very important.

The HON. J. M. MACROSSAN: I believe myself that the Bill, so far as it regulates the sale of liquor, the licensing of public-houses, and so on, is an improvement upon our present system; but I would like to point out that some hon. gentlemen who have spoken upon the Bill have made a mistake in thinking that this is the first time that Sunday trading in liquor has been prohibited by law. It is the law of the land now. Public-houses are not open now on Sunday, unless for two hours, and that is only for the sale of liquor not to be drunk upon the premises. They are open from 1 o'clock to 3 o'clock, for the purpose of giving the working men who are in the habit of drinking beer or liquor of some kind with their dinners an opportunity of getting it. That has been the law for the last twenty years, and many hon. gentlemen who have spoken are under the impression, seemingly, that this is an innovation. I think, myself, that the only innovation will be in the direction of preventing workmen who desire to get their beer on Sunday for dinner from getting it. I may say at the outset that I am thoroughly opposed to local option so far as regards prohibition. I am in favour of local

option so far as it applies to the prevention of new houses in certain districts being established; but regarding the closing of all public-houses I am as thoroughly opposed to it as anybody can be, and I will give my reasons for it. I think, in the first place, that we have no right as individuals to force our opinions in the matter of what we shall eat or what we shall drink, or what we shall wear, upon any person in society; it is simply going back to the old system which existed ages ago and until very lately—the "sumptuary laws." That is what it is. There was a time in the history of Europe when the authorities in the different countries prescribed what men should wear and almost what they should think. I really believe that we are tending in that direction now, because temperance should be taken out of the domain of politics entirely. It belongs to morals, and not to the platform of politics. I will give the opinion of a people in the world who have done more in the direction of local optionism than any people that exist—that is, the Americans. It is well known that in America there have been some States that have gone in for local option. There have been some districts in the States in which local option has been established voluntarily, such as the place just read about by the hon. member for South Brisbane, Mr. Fraser—St. Johnsbury. That is a place in which the people themselves voluntarily agreed to prohibit the sale of liquor the same as a society of total abstainers; but it is a remarkable fact that in respect of so many people in America being in favour of local option, and being opposed to drinking habits, at the last presidential election when there were three candidates, one of whom stood upon the prohibition ticket, the great body of the American people refused to give their vote to that man, simply because they did not believe in elevating, or rather degrading, temperance by bringing it on the political platform. Out of the whole number of 10,000,000 votes recorded for the presidentship of America, there were only 90,000 given to the prohibitive candidate. That itself is a proof that, in the very country where local option has been most tried, the people do not believe that it should be made a political question. I think myself that we are making a serious mistake here in making it a political question now. If we do make it one why should the question be relegated solely to ratepayers, the owners of property? That is a conservative tradition, which the hon. gentleman who introduced the Bill has not been able to get over. In America and Canada, where local option is established in some places, the establishment of it is not left to the votes of property holders; it is left to the votes of the whole people, and I think that is the right way. If we are to elevate temperance into politics—to raise it to the political platform—we should at least give the people who are to suffer, as it were—the people who are to be seriously affected by the operation of this local option law—the power of saying whether they shall be affected or not. That is true liberalism in politics; but the way in which this Bill deals only with a property qualification is actually the most conservative way that can be adopted, and I think it is only adopted because of our English traditional habits. In England no man has been allowed to have a vote until very lately—until the Franchise Bill was passed—unless he was a property holder of some kind or other. Therefore, any attempt that has been made on behalf of local option in England has always been relegated to the ratepayers, and we, being English people, are simply imitating them. If the hon. gentleman really wishes local option to have a fair chance, he should give those who are to be affected by it the chance of saying whether they wish to accept it or not. I do not think myself at all that local option will have the effect of turning the portion of the country which will be affected by it into the paradise which hon. members imagine. Several of them, I believe, sincerely think that all the evils of life spring from the drinking of grog. The hon. member for Ipswich last night quoted some statistics to prove that certain results were caused by drinking grog—that people went mad through drinking grog. No doubt they did go mad; and therefore, because they go mad through drinking intoxicating liquor, he would prevent the sale of intoxicating liquors. Will the hon. gentleman prevent people from being religious because they go mad from religion? Will he enact a law against any man professing belief in these things because people go mad from being too sincere or from something radically wrong in their mental system? Does the hon. gentleman not remember a return which was called for, I think by myself, some years ago, when the late hon. member for Logan (Mr. McLean) made assertions similar to those made last night about the people in the asylum at Woogaroo? That return showed that a very large percentage—I think nearly one-fifth of the people there—were there through religious mania. Surely it is no argument in favour of preventing the sale of liquor to say, because men will go mad through drinking grog, liquor should not be sold to anyone. The argument cuts both ways, and there is no argument used on either side, I believe, to convince men that one side is right and the other wrong. It will be better, no doubt, as the hon. member for Mulgrave said last night, if we drank less. That is, those who drink too much. I do not think it would do me much good if I drank less; I do not drink enough to injure myself. But it would be better if a great many people who do get drunk would drink less. I do not think the world would be so much improved as many seem to imagine if there was no drinking at all. I believe that drink has been sent to us for use, and if we use it properly it will do no harm. I think, myself, that before this local option principle should be established it would be right, instead of appealing to members of this House upon the subject, to appeal to the people. We are making a radical change in the law—a change which was not contemplated until very lately; and I think in making that change, instead of taking it for granted that because a resolution was allowed to pass last session — without division, I think—no Licensing Bill will be satisfactory unless local option be in it—that the people are also of the same opinion, is a mistake. Instead of doing so we ought to appeal to them and ask their opinion upon the proposed change. We have appealed to the people in this colony, and the people have also been appealed to in other countries where representative government is established, upon matters of far less importance than this; and I think the local optionists would have been studying their interests or the interest of the cause they advocate by appealing to the people, because if a law of this kind is established against the opinion of the people it will not work. But if people are once led to believe that it is a salutary law they and their friends will do all in their power to carry it out, although they may not be inclined to do so at first. I think that instead of going in for local option—that is, for the prohibitionary part of local option as contained in this Bill—we should go in for punishing the drunkard more than we do; that, in my opinion, would be a reasonable course. Some persons appear to think that the Bills introduced into this House for the regulation of the sale of liquor have been a failure. I do not

believe they have been a failure. I believe that there is less drunkenness in the land now than there was ten years ago, and I believe that there is less drunkenness in the world than there was ten years ago. I do not think the people of this colony are given to habits of drunkenness. I have travelled about this colony as much perhaps as most hon. members of this House, and have frequently seen people at large gatherings, and I have seen but very little drunkenness. I think if drunkards were more severely punished, and if the publicans who supplied the drink to make them drunk were more severely punished, it would be a step in the right direction and would do far more good than local option. This Bill provides for the examination of liquor in public-houses and for the punishment of adulterators. Why not examine the liquor before it gets to the publican? According to this Bill there seems to be an impression that it is only the publican who adulterates the liquor. My own opinion is that he does very little of the adulteration—that the liquor is adulterated before he receives it; that it is adulterated in bond. There should be a severe inspection of liquor in bond, and the punishment for adulteration should be as severe as the inspection. I believe the madness caused by grog is by drinking bad grog, by drinking new wine, and new rum from Mackay. It is the newness and crudeness of the spirits consumed that causes men to go crazy; it is the quality, not the quantity of liquor drunk. If we were to legislate in the direction I have just indicated I think we should do far more good to the community than by going in for local option. It is quite possible the prohibitory provision of this measure—clause 114—will be carried, but I am afraid if it is passed that it will be evaded as systematically as it is well known such a law has been evaded in America in those States where it has been established. One hon. gentleman stated to-day, in the course of this debate, that he thought the chemists of this colony were honourable men, and would not be found lending themselves to an evasion of the law. I suppose the chemists are as honourable as the chemists anywhere else, and it is a well-known fact that in some places where local option is adopted a man who wants to get liquor can get it, because he can easily get a medical certificate stating that it is necessary for him. A medical certificate can be obtained as easily as a Civil servant gets one when he wants a day's rest; and the chemist is bound to supply the liquor when his customer presents a certificate. Is it not a proved fact that, in some places where local option is established, as much liquor has gone across the borders into those places illegitimately as went across legitimately before, in addition to what has been introduced in a legal manner? Local option did not lead to any diminution in the consumption of liquor; it simply led to the liquor being consumed privately, and not publicly at the bars of hotels; and I think the same effect will follow here if that principle is carried into law without the people being first asked for their opinion. If the system is to be embodied in our law I think the Government will do wrong in denying compensation to the publicans at present carrying on business in areas where public-houses may be prohibited. The argument advanced by the hon. gentleman against such a proposal was that the licensed victuallers have only an annual license, and under the existing law may lose it at the end of the year. I contend, however, that the law implies that the license will be continued under certain conditions—that if a house contains everything that is required by law, and the publican has done nothing to disqualify him from holding a license, he is entitled to get a renewal of it at the end of the year. By the new feature introduced into this measure under discussion a publican who has been established in any particular area or district may by the will of the people be deprived of his means of livelihood, and his house will be rendered valueless for the purpose for which it was built. I think, as I have intimated, that the hon. gentleman makes a mistake in denying compensation to publicans now carrying on business within what may hereafter be a prohibited area. There is a Bill before the Victorian Parliament at the present time in which local option is a prominent feature; but the Government of that colony has not denied compensation. A portion of that Bill provides for compensation to men who may have been injured by the operation of the Bill. I do not know the exact way in which it is proposed that compensation shall be given, but it is to be given; and that provision will be sufficient, I think, to induce people not to inflict an injustice on the publican. Now, as to the number of votes which the Bill before hon. members says shall be sufficient to put the prohibitory clause in force, I am of opinion that this provision is unsatisfactory. The Bill requires a majority of two-thirds of the ratepayers in the district where the vote is taken. I have already said that the electors and not the ratepayers should be the voters in this matter. I think there should be a large number of electors in favour of such a proposal before it is made law—that is, if the law is to be carried into effect after it is passed; because if you have only a bare majority in favour of a measure of this kind, the large minority will try every means to evade the law, while, if the majority is a large one, the small minority will not be so likely to evade its provisions. I do not know much about the majority required in the States of America, but I know that in Canada there is a law which requires three-fifths of the voters on the electoral roll to cause a prohibition to extend to any particular area or district. I would even go as far as saying that the majority should be the three-fourths, but certainly less than three-fifths should not be taken as a majority to establish local option. The proposal before the House is that here it should be two-thirds of the ratepayers who vote, not two-thirds of the ratepayers on the roll. In Canada it is three-fifths of the actual voters on the roll; so that there, before the law is established, it must have a very large majority of the inhabitants of the district in favour of it. Here it may be only a very small minority of the inhabitants of a district who are in favour of it, yet by this Bill they will be able to force their opinions upon a very large majority, who, perhaps, do not believe in the principle. The actual working of the clause in the Licensing Act of New South Wales—and it is not a prohibitory clause, but simply a clause preventing the extension of public-houses, which I believe in myself because I do not think that public-houses should be forced upon people against their consent—but the actual working of the clause in New South Wales has been this: When the day of election comes it is only a few fanatics on both sides who vote; the great majority of the people are really neutral and do not care much about the matter, and refrain from voting at all. In one particular district which I saw mentioned in the *Sydney Morning Herald*, though at present I forget the name of it, only one-tenth of the ratepayers voted, and in another district only one ratepayer in eleven voted; yet they are to have the power of saying whether new public-houses are to be established or not. The same provision exists here, but it will be worse under this Bill, because it will be entire prohibition instead of

simply the extension of licenses. Suppose one-fifth only of the ratepayers voted, and two-thirds of them carried prohibition, we see that still there would be a very large majority of people who have not been consulted at all, and a very large majority of those entitled to vote who did not vote. Can we expect a law passed in such a way as that to be effective? Or can we expect the people in the district in which that law will operate to assist us in carrying out that law? These are some of the objections I have to local option; but my great objection is that I do not believe any man has a right to force his opinions in regard to eating, drinking, or wearing, upon any other. Upon these points we should be perfectly free, and temperance should not be associated in any way with our laws. It should be made a matter of morals, and should not be elevated on to a political platform.

Mr. JORDAN said: Mr. Speaker,—I wish to say a few words upon the subject, though I have begun rather late, but seeing that the matter was so fully discussed, I had not intended to waste the time of the House. The remarks made by the hon. gentleman who has just sat down will of course carry that weight with them which his speeches always do in this House. No man has greater powers of persuasion in dealing with an assembly such as this, in this colony, than the hon. member who has just spoken. But there was one remark which he made that determined me to say a word or two. He thinks local option will be a failure in the colony, and further, that we have no right to impose this principle upon the colony; and he hopes that the Premier will not insist on the local option clauses. I suppose he means that we ought to strike out those clauses and do away with local option, as far as the prohibition of the sale of liquor in any district is concerned. If we do that, I think the Bill will just be a piece of waste paper. The principle of local option has been introduced at the express wish of the House. When the hon. member for Ipswich brought forward his motion last year it was carried, I believe, without a division. The House unanimously accepted a resolution binding the Government to bring in a Bill containing the principle of local option. One remark made by the hon. member for Townsville was this: that in Canada three-fifths of the whole of the electors in a district—the hon. member objects to the conservative principle of limiting the decision to ratepayers and thinks the whole of the electors should vote—that in Canada a three-fifths majority of the actual persons on the roll as electors is required before local option, so far as prohibition is concerned, is carried. I am not as well acquainted with these matters as many hon. gentlemen; but are there not a number of places in Canada where local option has been carried?

An HONOURABLE MEMBER: Yes.

Mr. JORDAN: Well, I say if three-fifths of the whole of the electors are required in a new country like Canada, and if there are a number of places there—and I believe there are a great many where local option has been carried by three-fifths of the whole of the electors—it would appear to me that in that very advanced colony, populated to a very large extent by British people—perhaps the most intelligent people in the world—the principle of local option has taken such a hold upon the people there that three-fifths of them in many places have adopted that principle. In the face of that, I can hardly understand how the hon. member for Townsville can suppose that this law will not commend itself generally to the people in this colony. It may be somewhat too conservative to provide that ratepayers only should decide this question. The hon. member for Mulgrave, the leader of the Opposition, says that there are only 50,000 ratepayers in the colony. They constitute about one-sixth of the whole population, and they represent five-sixths of the heads of families. I think so, at all events—the average, I think, being five persons to each family; and this number will very well represent the families in the colony; and, though it is somewhat conservative that ratepayers only should decide, I think it is a wise thing that the qualification for voting in this matter should be that of a ratepayer. I am, therefore, glad to see that it has been adopted in the Bill. I think it might further include women—married women especially. But whether it should be the whole of the electors in a district, or the whole of the ratepayers resident in that district, or the ratepayers, or that women should be allowed to vote as ratepayers or otherwise, is a matter for discussion. I would suggest that the whole question should be relegated to the married women of the colony—and I know how it would go then—I know we should have local option and prohibition all over the colony.

The HON. SIR T. MCILWRAITH: We might have local option, but it would not cure drinking.

Mr. JORDAN: Our intention is not entirely to prevent drinking by this Bill, but our object is to stop the improper multiplication of public-houses. We want to help men who cannot control themselves. I was not professedly a teetotaller—though practically I have been one for many years—until the other day, when I was present at a great meeting, and by way of example I put a blue ribbon on my coat. I did not feel that there was any necessity for me to take that pledge, because I was practically a teetotaller before; but I had one or two of my boys with me, and there was a very large number of people in the hall—about 3,000 altogether—and I believed there were some amongst them who could not control themselves. It was for their sakes I took the pledge—to help them. We cannot expect drunkards to take the pledge if people who can control themselves will stand aside. I am not disposed to interfere with any person who takes drink in moderation. There are some persons who may take drink every day and take it in moderation. My idea of taking it in moderation is taking it when I am sick; but I say let every man's conscience fix it for himself. The object of this Bill, as I understand it, is not to put a stop to drinking intoxicating liquors: it is only to reduce the temptation to excessive drinking, as far as we can do it, by legislation. I think it will be admitted that in these colonies there is a habit of drinking very freely, not so much among the natives of the colonies as among arrivals from the old country, especially new arrivals. We know that in Europe there is a very prevalent notion that the labouring man cannot do good work without his beer. In these colonies it has been ascertained—I believe it applies everywhere, but especially in these colonies—that men can work, and work hard, without intoxicating liquors of any kind, if they are in good health. But our population consists very largely of those who are recently out from the old country, and the drinking habits which are too common in Great Britain are repeated here among that class of people. I think we may congratulate ourselves on the fact that the young men of Australia are not, as a rule, given to excess in drink. That seems to be the voice of nature proclaiming, as it were, that in a hot climate and a fine climate, such as we enjoy, intoxicating liquors are not necessary. The climate itself is sufficiently exhilarating, and very few people, I believe, require intoxicating fluids in a hot climate. We

know that Europeans going to India feel th effects of the climate after they have been there ten or fifteen years, and have to return home. Like Australia, it is a thirsty land, and unhappily those who go to it from the old country are generally in the habit of using these things very freely. I know many persons, well known in the civil and military services of India, who have found that they could work, and work very hard, there without taking any intoxicating fluid. I recollect one remarkable case of a gentleman who visited us not long ago in Queensland—an old man, upwards of seventy years of age, who went through prodigious labours in India nearly every day of his life—I refer to Dr. Somerville—and who never took a glass of any intoxicating fluid during the whole time he was in that country. They told him he could not possibly sustain his labours without some stimulant, but he assured us that throughout the whole of his labours there he never touched it. In our own city of Brisbane—and it is no worse than other Australian towns—it cannot be denied that there are far too many public-houses. I have not counted them, or gone into statistics on the subject ; but some two or three years ago I was requested to wait upon our late Governor, Sir Arthur Kennedy, to ask him to become the president of an institution about to be established —a bushman's home—on temperance principles. The late Bishop of Brisbane took a very warm interest in the question. Sir Arthur Kennedy said he would do so most gladly, and, remarking on the number of public-houses in the town, he said, "How many public-houses do you suppose there are between Government House and the railway station?" I replied I did not know ; and I think he said there were eighteen. The object of this Bill is to lessen the number of public-houses, and to take care that they are in something like proper proportion to the inhabitants. The great principle of teetotalism is to help the weak. Men who cannot control themselves have generally a claim to the sympathies of other people, and a very strong claim. We know how easily the habit of the excessive use of these things slides in in a hot country, and where people are generally hospitable. The most large-hearted men, the most genial men, some of the finest men I have ever known in my life ; men who can keep the table in a roar, whose company is sought after, not only because of their intellectual power and brilliancy, but because of their kindliness of disposition—these are the men who too frequently fall victims to this kind of excess. The principle of teetotalism is to help that class of men. I know well that advocates of teetotalism often damage their own cause immensely by their own intemperance in advocating it. I have heard statements of this kind: that if two glasses of whisky will make a man drunk, one glass will make him half drunk, and so on. I have actually heard it said that the wines spoken of in the inspired Scriptures were not intoxicating. Can anyone in his senses believe such nonsense as that? I, although an exceedingly moderate drinker, was some years ago urged to become a staunch teetotaller by a very zealous friend ; and he was ready to unchristianise me because I would not do so. I hold my views temperately and with good temper. There are one or two things in the Bill which I consider are defects, and which I should like briefly to refer to, because they can be easily removed in committee. They have already been dealt with at length by the hon. member for Ipswich, and I agree with almost every one of his remarks on this question. That hon. member may be called the Sir Wilfred Lawson of Queensland, and I congratulate him on the fact that he has been more successful than the apostle of local option in Great Britain, inasmuch as Sir Wilfrid Lawson had to bring the question a great many times before the House of Commons before he could get the principle affirmed. The first of these defects has reference to clubs. I think clubs should be licensed. I cannot understand why gentlemen should be able to go to their clubs and use these things even in moderation, as I suppose they do generally, and that the clubs should not have to pay a license. Is there one law for the poor and another for the rich? I believe very much in what the hon. member for Ipswich said, that the effect of it would simply be that working men's clubs for drinking will be established all over the country, and especially in the large towns. When that remark was made someone cheered, as though he thought it would be a very good thing. My opinion is that it would be a very bad thing. Although we cannot put a stop to drinking, we can regulate it ; we can reduce the number of public-houses to its proper proportion to the population. A man who has a weakness in this direction may withstand the temptation of the fumes that issue from the door of one public-house, but when he is assailed at every few steps, he falls before he gets to the end of the street. The effect of this Bill will be that working men's clubs will be established everywhere, and that men will go there to drink ; in which case the object of this Bill will be to a great extent frustrated, especially in towns. That would be a most undesirable thing. It is said that if they do not drink in public-houses they will drink at home. But at home there is the wife, and there are very few men so sottish that they will sit down and get drunk in the presence of their wives. It is a fallacy to say that this is an attempt to legislate against the wishes of the poor man—that it is to restrain the poor man. There are no poor men in Australia—except the poor drunkards. Working men are in a more independent position than almost any other men in the colony, unless they have an independent fortune. If the working man has health—which he generally has in this climate—and is temperate, he is not a poor man. There is no poverty —no necessary poverty, thank God!—in these Australian colonies. Where is the man so poor that he cannot afford to buy a bottle of beer on the Saturday night to drink at home on the Sunday? There is another question intimately connected with this subject—that of barmaids. Hon. members may laugh, but I do not consider it a laughing matter. Would any gentleman in this House like his daughter to be employed in a public-house—in the most respectable hotel to be found in the colony? I think not. Let them place themselves in the position of the poor man. Would any man, if he could help it, not prevent his daughter from taking the position of a barmaid, especially if she was a well-favoured and pretty girl? Would any of those ladies—Mrs. Meredith and others—who have taken such an interest in sending out respectable girls as servants to this colony, advise them to take employment at the bar of an hotel? Let me ask this, sir—Would any Roman Catholic clergymen—because they take a very prominent part in the teetotal movement all over the world—would they like to see their young women coming out from Ireland employed in a public-house bar? I think not, sir. There is no part of the world that I know where young women are so virtuous as they are in Ireland, or where what the hon. member for Mulgrave calls "free" is so uncommon as it is in Ireland. The hon. member told us yesterday that in Italy, the further you go south the less women drink and the more free they are in their manners. I understood him to mean that they are more loose ; and I suppose the converse of that

proposition is true—that the more a man drinks the more virtuous he becomes and the less liable to temptation of other kinds. I do not say that the hon. member meant that, but he just threw in the remark to enliven the debate, which would be very dull without the ready wit and repartee and cleverness of the hon. gentleman. In fact, I think it a great privilege, sir, to be amongst the mute members on this side—the "dumb dogs," as they have been called—and listen to the speeches of the hon. the Premier and the hon. the leader of the Opposition. We sit here and enjoy their wit and humour and that of the hon. member for Balonne, and they do not charge us anything extra for doing so. There is another fallacy—at least I think so—that was given utterance to by the hon. member for Townsville. He said—as a proof that the bulk of the people of the United States were not in favour of local option—that, at the last election for President, one of the candidates who had announced himself to be in favour of local option with prohibition was not elected—that he got only 90,000 votes out of 10,000,000. That is jumping at conclusions with a vengeance. I suppose that if his ability had been as great, or if his character stood equally high with the other candidates—if he were such a man as Abraham Lincoln or that grand man Garfield—he would have gone in though he had been a teetotaller or an advocate for local option. I believe, sir, that both Lincoln and Garfield were teetotallers. Does the hon. gentleman, with all his cleverness, give as the reason why this man was not elected that he was in favour of local option? The fact is undisputed that he got only that number of votes and someone else was elected, but I do not think it was because he was a local optionist. Another hon. member said something last night with reference to publicans which I do not think should be allowed to pass. He said that they were looked down upon—that they were called the pariahs of society, and other hard things; but I am sure he did not mean it. I have heard nothing hard said about the publicans. Notably the hon. member for Ipswich said he had nothing to say against publicans—against their general character; and the hon. the Premier very carefully guarded himself against saying anything against them in his opening address. He said—

> "It is to the interest of everyone that the houses in which intoxicating liquors are sold should be respectable, and 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."

What is there in that reflecting upon the character of the publicans of the colony? The same hon. member amused himself very much by telling a tale which I think a good many people had read before—about Mike or Ike, the small boy who was sent by his father to visit his uncle Jacob and his family, who were all good Presbyterians and teetotallers, and how the boy got drunk while he was there, simply because they were all good Presbyterians and teetotallers. The hon. gentleman used the word "Presbyterian" in a general sense, as applicable to all persons who are sometimes called "psalm-singers" and who are considered by some people as hypocrites; but he did not mean it at all in an offensive way. I have no doubt he has a great respect for Presbyterians, if they are only consistent; but he has a great horror—a superlative horror—perhaps a morbid horror—of all impostors, and I may say the same for myself. He does not believe in shams of any kind, but he respects a man if he is consistent in what he professes. I shall support the Bill, sir, and I am quite confident that the Premier intends to carry through the principle of local option; otherwise we might save ourselves all this time.

Mr. SHERIDAN said: Mr. Speaker,—Although this motion has been discussed intelligibly, comprehensively, and with good temper, and in such a manner as to recommend itself to the good taste and good feeling of every person in this honourable House, I still feel it my duty to add a few words; not with the hope or the view that my words will add much to what has been already so ably discussed, but because I feel very strongly upon the subject. I may be excused if I say a few egotistical words. I shall not be alone in doing so, because my hon. friend the member for Oxley, and my old friend the member for South Brisbane, have indulged in that kind of language. I may say, sir, that I never was a teetotaller. I am not a teetotaller, and, without I am strongly recommended to be so by my medical man, I never shall be a teetotaller. I say this because I do not wish to sail under false colours. I wish, when I speak on this subject, that everybody who hears me may perfectly understand what are my views on this very important subject. It is not the first time that I have said so. I have presided at temperance meetings and have made use of the same words and for the same reasons that I have already stated. I feel a good deal on the subject, and I am sincerely anxious that this Bill may be the means of doing a great deal of good throughout the length and breadth of Queensland. I will not discuss the various clauses of this most excellent Bill, because they will be dealt with in committee. I will merely allude to a few subjects arising out of them, so that my speech may not be wearisome or long, and that I may not occupy much of the attention of this House. I may tell you, sir, with regard to publicans—as reference was made to them last night by the hon. member for Wide Bay—that there are good and bad publicans. I have had great experience of publicans and public-houses myself, because, for many years, in my position as a justice of the peace, I sat upon licensing benches and did my duty as a magistrate in the granting of licenses and sometimes in the cancelling of licenses; and of this I am certain: that if a bad man becomes a publican he becomes no better—he goes on from bad to worse; while, on the other hand, there are publicans who are just as good members of society as any others with whom we may come in contact. They are benevolent, kind, well-intentioned, and respectable men, and keep their houses in the same manner. At the same time, I repeat that becoming a publican does not improve a man. Although no provision is made in the Bill for it, I am extremely anxious that upon election days all public-houses in the immediate neighbourhood should be closed from the beginning to the end of the poll—that is to say, from 9 o'clock in the morning till 4 o'clock in the afternoon. Men naturally get excited at elections. They have strong political opinions, and they are not improved by the quantity of strong drink which is frequently given to them at the expense of the candidate, perhaps, or that of his friends. With respect to the licensing benches, of which I have had some experience, I repeat that the Bill should provide very carefully for those who are to preside; and I may say that the agents for insurance companies, secretaries for building societies, or mortgagees of any public-house should not be competent to sit upon the bench. I now come to the barmaids, about whom a great deal has been said, but who are not mentioned in the Bill. It would be a great hardship to pass a measure that would turn 400 or 500, or, perhaps, 1,000 young females out of employment. If by

any possibility such a measure should pass, I sincerely hope that they will be amply compensated. I believe that barmaids will bear a very favourable comparison with an equal number in their station of life. I do not know any reason at all why barmaids should not be as respectable as drapers' shop girls, and why they should be deprived of a means of earning a living—I hope respectable, and which I believe to be respectable. I do not know why men are permitted in the various drapers' establishments in town to perform duties which fairly and justly belong to women. In France, there is not, perhaps, in the whole of Paris, a draper's establishment or anything of that description, where any man is employed. The employés are all women, even the book-keepers. The French understand very well how to employ women, and make men do men's work. The idea of a stout fellow attending at a table when he ought to be in the field, when he ought to be a stockman or a farm labourer, instead of doing work that women could do so much better. There is not one of us who would not rather be waited upon by a pleasant, agreeable girl, than by a man with his coat off, a napkin over his shoulder, with perhaps a pimple on his nose or something disagreeable about him. It is no laughing matter. I have no doubt that those hon. gentlemen who so agreeably laugh upon this occasion are quite with me and endorse every word I say, and would be much rather waited upon by a pleasant, handsome-faced Phyllis or Hebe, than by the sort of men I have endeavoured to describe. Allusions have been made to the British Isles, to England, Scotland and Ireland. I believe in the olden times an Irishman could hold his own with anybody in the matter of drink. The story goes that the cask of claret was put upon the table, the door locked, and the key thrown out of the window. There are also stories told of the great quantity a Scotchman could drink—in fact, Robbie Burns described Scotchmen as the greatest drinkers in the world except Danes and Norwegians. The hon. member for Mulgrave knows perfectly well of Tam o' Shanter's capabilities, with his friend Souttar Johnnie—

> "Tam lo'ed him like a vera brither;
> They had been fou for weeks thegither."

Those days are gone by, and in the British Islands temperance, thank goodness, is spreading far and wide and the country is becoming what it ought to be. Owing to the influence of such men as Sir Wilfrid Lawson, I have no doubt that the day will soon arrive when drunkenness will be a matter of history—a thing of the past. I was present when the celebrated apostle of temperance, Father Mathew, administered the pledge, it is said, to 20,000 persons. Previous to this I remember very well, in the country I came from, that on St. Patrick's Day three out of four of the ordinary persons you met were under the influence of liquor. One year after Father Mathew administered the pledge, I saw St. Patrick's Day pass by without a solitary drunken individual. Such was the influence he had over the population; and there is no doubt that at this moment the beneficial influence which he exercised is still felt. Ireland is not the country it used to be so far as drinking habits are concerned. The hon. member for Townsville alluded to a strict examination of the drink that is supplied to the people, and said he thought it should be examined in bond. There is no doubt that he is perfectly right there. Tea is now examined, and any tea that is not fit for use is either destroyed or sent out of the colony. There is no reason why spirits and wine and beer should not undergo the same ordeal and be examined as tea is, so that it may conduce to the health and not to the injury of the individuals who take it. Drink of every description should be carefully analysed in the various public-houses. With regard to local option, I am entirely in favour of it, but it should only be carried out upon two-thirds of ratepayers actually residing in the district voting for it. Under those circumstances I think local option would be exceedingly beneficial to the country. So great was the abhorrence of drunkenness in the old Roman Empire that we read that the Roman fathers and mothers used to make their slaves drunk in order that their children might be horrified at the idea of seeing a drunken person; and on the Continent, to this day, drunkenness is not nearly so prevalent as it is in the British Islands and in our colonies. There they have wine-shops all over the country, and the consequence is that there is very little real drunkenness. I have never seen a Frenchman drunk, nor have I ever seen a French teetotaller. They all drink wine, and do not abuse it. I therefore see no reason why wine-shops should not be established throughout the length and breadth of this country, and by degrees persons will be accustomed to drink wholesome wine and water, and their thirst will be appeased, and they will have sufficient stimulants without having recourse to drunkenness. I will not delay the House any longer. The subject has been exhausted, and the various matters dealt with in the Bill have been explained infinitely better than I have endeavoured to explain them. But this I will say—and it comes home to everybody—that drunkenness is the parent of all crimes. It destroys more than cholera or typhoid fever, or all the other ills of life put together, and to the ruin of health is added the ruin of character. I therefore hope this Bill will pass, and that it will be a means of inducing in this colony a better state of things than exists now—namely, that this will be a colony that will have a reputation for temperance.

Mr. FERGUSON said: Mr. Speaker,—I do not like to allow such an important measure as this to pass without saying a few words upon it. I consider that this Bill is one of the most important measures we have had before us this session or that we are likely to have submitted for our consideration. It is a measure which will affect every home in the colony, not only of the present generation but of future generations. I cannot say that I accept the Bill in its entirety, but I believe that the general principle of it is good, and that the time has arrived when certain restrictions should be put on the liquor traffic. No one can be insensible to the evils of this traffic or to the enormous amount of poverty that it causes, not only in this colony but in other countries as well. I will, in the few remarks I have to offer, deal specially with the local option part of the Bill. I believe the people should have the right to say whether there should be any increase in the number of public-houses in the district in which they reside or not. We know very well that in the establishment of new settlements no sooner are there a dozen or two dozen houses erected than a public-house is established and temptation brought right to the doors of the people, who would be far better and more prosperous without a public-house. I believe also that the people should have the right to say whether the number of licenses already existing should be reduced. We know that the number of public-houses at the present time is altogether beyond requirements—altogether beyond what they should be according to the population. We know that there are many public-houses in outside streets where there is no traffic but that of the local inhabitants, and, in fact, that there are a number of such places which ought to be done away with as soon as possible. I believe, further, that the people in a

certain locality, or division, or municipality, should have the right to say whether they will have any public-houses at all, though I do not say that the time has arrived for this change. I think that when the time arrives and the people are educated up to the matter the ratepayers residing in any particular locality should have the right to decide that question. I cannot see that any other plan would work more fairly than this: that only the ratepayers who reside in a ward where a vote is taken should be allowed to vote. If we adopt any other principle, and permit people in other parts of the municipality to vote, they might cause the actual residents in the ward to be outvoted. It has been said that ratepayers are property owners, and the question has been asked why should this matter be left to property owners? But that is not correct. I know property owners who have, say, a dozen tenants, and each of these tenants has a vote, although they do not own a rood of property in the locality, and the property owner has only one vote, so that in some cases there are eleven votes of non-property owners to one of property owners. As I have said, I think that only residents of a locality where a poll is taken should be allowed a voice in the matter. If any other persons are permitted to vote they might swamp them and upset what the persons most concerned wish to obtain. At the same time, whilst approving of local option, I think there should be provision made for compensation in certain cases, though not in all. I do not think there should be any compensation allowed to publicans whose places of business are situated in places where they can be readily adapted to any other purpose in a week or a fortnight, without any loss whatever to the proprietor of the house. If there is any loss at all in such a case it will fall on the licensee, and, as has been pointed out, he has only a license from year to year. If the property is owned by the licensee he can turn it to some other use; but where a man builds a house away from any business locality and the house is not fit for anything but an hotel, and could not be used for any other purpose—if his license is taken away he should, I think, receive compensation. But there are still harder cases than this, of which I can speak from my own knowledge. Take, for instance, the case of a licensee who leases a piece of ground for perhaps fifteen years, one of the conditions of the lease being that he erects a house on the land of a certain value, and that the house at the expiration of the term of the lease becomes the property of the landlord. If within a couple of years after the licensee has built the house, it is decided that the change made by the provision of this measure shall come into operation in that district, and he does not receive a renewal of his license, it is only fair in his case that he should be allowed compensation. The owner claims the property and the licensee cannot remove a stick from it, so that the house is an absolute loss to him. In instances such as the two I have mentioned, compensation ought, in my opinion, to be allowed, and I do not think that hon. members would decline to give compensation under such circumstances. There would be very few cases like this, but that there are some I am certain. Therefore, although I believe in the principle of local option, I think we ought to be just and provide that compensation should be given in cases such as I have described. There is no doubt that the liquor traffic should be restricted in every possible way. I believe that if a good system of inspection were adopted and carried out properly so as to prevent any bad liquor being sold, that would do as much good as any other plan contemplated by the Bill. I am glad to see that provision is made here for inspectors to be appointed for the examination of liquors. I believe also in the clause which reduces the hours of sale. I think 11 o'clock at night is quite late enough for any hotel to be open. I notice, at the same time, that billiard and bagatelle rooms are to be permitted to remain open until 12 o'clock. That should not be. They should be closed at the same hours as the public-houses. We know very well that most of the public-houses now have billiard-tables, and when the bars are closed—if there are any people in them—they will all flock to the billiard-rooms and drink there until 12 o'clock. The same hour of closing should apply to both bar and billiard or bagatelle room. I agree with the clause providing that hotels should be closed entirely on Sundays, and I think it a very good clause indeed. We know very well that a great deal of drunkenness takes place on Sundays, and a great deal of drinking will be prevented if the public-houses are closed entirely on Sundays. I approve of the Bill as a whole, and with a few matters that may be easily amended in committee I think it a very good one. The subject has now been threshed out, and I will only further take up the time of the House by saying that I shall support the second reading of the Bill.

Question—That the Bill be now read a second time—put and passed.

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

MESSAGES FROM THE LEGISLATIVE COUNCIL.—ADDITIONAL MEMBERS BILL.

The SPEAKER announced the receipt of a message from the Legislative Council, intimating that the Council had agreed to this Bill, with certain amendments, with which they requested the concurrence of the Legislative Assembly.

On the motion of the PREMIER, the message was ordered to be taken into consideration in committee to-morrow.

PACIFIC ISLANDERS EMPLOYERS COMPENSATION BILL.

The SPEAKER announced the receipt of a message from the Legislative Council, intimating that the Council had agreed to this Bill, with certain amendments, with which they requested the concurrence of the Legislative Assembly.

On the motion of the PREMIER, the message was ordered to be taken into consideration in committee to-morrow.

ELECTIONS BILL—COMMITTEE.

On the Order of the Day being read, the House went into committee to further consider this Bill.

On clause 39, as follows:—

"If in any case it appears to a registration court that any person has made or attempted to sustain any groundless or frivolous and vexatious claim or objection, the court may order the payment by such person of the costs or of any part of the costs incurred by any person in resisting such claim or objection. And in every such case the court shall make an order in writing specifying the sum to be paid, and by and to whom and when and where the same shall be paid, and in any such case the sum of five shillings deposited with any objection may be ordered to be applied in payment of such costs; but if any objection made is sustained, or no order for costs is made, the sum of five shillings so deposited shall be returned to the objector."

Mr. CHUBB said there was one word in the clause which should be altered, and that was the word "resisting," in the 5th line. It hardly

met the case. The clause did not appear to provide for a person who had maintained his objection getting costs. He would suggest that the word "resisting" be omitted, and the word "maintaining" inserted.

The PREMIER said that if a person brought any frivolous or vexatious claim or objection, the clause provided that he might be called upon to pay the costs of the person "resisting" that claim.

Mr. CHUBB said the clause said, "The court may order the payment by such person"—that was the person bringing the claim or objection—"of the costs or of any part of the costs incurred by any person in resisting such claim or objection." What he wished to point out was that the person who succeeded in maintaining his claim or objection should get his costs, as well as the person who might be successful in resisting a claim or objection. The clause only met one case.

The PREMIER said he thought the clause was right as it stood. Two classes were to be dealt with—the person who made a groundless claim and the person who made a groundless objection. The person who resisted the groundless claim or groundless objection might get his costs. There had been an attempt to put the idea into a few words, and he thought the attempt had been successful.

Clause put and passed.

Clause 40—"Costs may be recovered"—passed as printed.

On clause 41—"Duration of rolls and what roll to be used if new one incomplete; residence qualification must continue to within nine months of election"—

The HON. SIR T. MCILWRAITH said, with regard to subsection 2, what machinery would be put in operation to decide whether a voter who claimed to vote should have his vote registered at all? According to practice, up to the present time the fact of a man being on the roll was the only proof required for his right to vote, but in the clause under consideration a new qualification was introduced. In addition to a man being on the roll he must have lived one month as a *bonâ fide* resident in the district.

The PREMIER said the hon. gentleman was not present in the House during the session in which the Bill was passed of which the clause was a re-enactment. The Bill passed in the first session of last year. The machinery adopted was contained in the 68th and 73rd sections of the Bill, which were also re-enactments of the Act of 1884. The fourth question provided by the 68th section was—

"Have you been within the last nine months *bonâ fide* resident for a period of one month within this electoral district?"

And the fifth—

"Where was your residence?"

The 73rd section provided—

"No person required to answer the questions hereinbefore prescribed, or any of them, shall be permitted to vote until he has answered the same in writing, signed by him, to the satisfaction of the presiding officer, and in such a manner as to show that he is entitled to vote, and at that polling place, nor unless he answers the first and fourth of such questions in the affirmative.

"Any person required to answer the fifth of such questions shall do so with particularity, and in such a manner as to clearly indicate the locality of his residence."

Those were the provisions that were adopted in the session of last year, after very full discussion.

Clause put and passed.

Clauses 42, 43, and 44 passed as printed.

Clause 45—"Returning officers for electoral districts"—passed with a verbal amendment.

Clauses 46 to 48 passed as printed.

On clause 49, as follows:—

"The returning officer shall endorse upon the writ so directed to him the day on which he receives it, and shall forthwith give public notice of the day and place of nomination, and of the day of polling mentioned in the writ, and of the several polling places, and of a convenient house or place to be named by the returning officer, at the place of nomination at which he will be present between the hours of four and six o'clock after noon on the day preceding the day of nomination for the purpose of receiving the nomination papers of candidates, and shall also as soon as possible give public notice of any polling place appointed after the issue of the writ.

"Provided that a nomination paper may be received by the returning officer at any time or place before the said hour of four o'clock."

The PREMIER moved as an amendment to insert the words "within the electoral district" after the words "house or place." He said those words had formerly been in the clause, and he thought after all it was desirable to retain them. On one occasion a difficulty had arisen in the electorate of Gregory with regard to the nomination being held in the electoral district; but that difficulty had now been removed, and he thought it would be better to provide that the nomination should take place within the district.

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

Clauses 50 and 51 passed as printed.

Clause 52 passed with a verbal amendment.

Clauses 53 and 54 passed as printed.

On clause 55, as follows:—

"If any candidate is desirous of retiring from his candidature he may, not later than two clear days after the day of nomination, sign and deliver to the returning officer a notice in the following form or to the like effect:—

"To the Returning Officer of the Electoral District of .

"I, A.B., do hereby retire from being a candidate for the electoral district of at the ensuing election.

"Dated this day of 18 .

"(Signed) A.B.

"Witness:

"C.D.

"The returning officer, on the receipt of such notice, shall omit the name of the person so retiring from the ballot papers to be used at the election, or, if any of such papers have been printed, shall erase his name therefrom.

"The person so retiring shall not be capable of being elected at the election, and if the number of candidates is by his retirement reduced to the number of persons to be elected at the election, then the returning officer shall forthwith declare the remaining candidates or candidate to be duly elected as though the number of candidates had not exceeded the number of members to be elected, and the returning officer shall make known as publicly as possible, by advertisement or otherwise, the fact of the retirement of such candidate."

Mr. MIDGLEY said he considered the clause was a highly objectionable one. Corrupt practices were just as easy for candidates as for electors, and were just as likely to be resorted to by them. It seemed to him an exceedingly wrong thing that a man who had consented to stand for a constituency should, after it was too late to nominate anybody else, be allowed for any reason to retire. In a matter of that kind there were more than the candidate to consider; there were the electors to consider. It was quite possible that the electors, being in favour of some particular policy or party, might be very much in earnest about the return of a candidate who would represent their views, while the candidate might not be nearly so genuine and earnest about it; and it would be an injustice to the electors if, from any cause whatever, the candidate were allowed to retire after being nominated, with the result of a candidate being

returned who was not perhaps the man of their choice. The clause required careful consideration, because as it stood it gave a candidate the option, at a time when no other candidate could be nominated, of withdrawing from the contest.

The PREMIER said that the power of withdrawing might be abused, there was no doubt—the way to meet that was to make any corrupt withdrawal punishable—but the hon. member must not forget the other side of the question. A man might be nominated without his consent, and if he was not allowed to withdraw any six electors could compel a contest. The candidate might be quite unwilling to stand, and yet the country might be put to the expense of a contested election, entirely in vain. That would be very undesirable. Under the Bill, as under the previous Election Acts of the colony, a candidate was not bound to assent to his nomination. If he did, there would be reason for saying that he should not afterwards withdraw. His consent was not required, nor was it desirable that it should be, because it might often happen that the gentleman nominated was out of the colony at the time, or in some place where he could not signify his consent in time for the nomination. All those things considered, the provision was a very reasonable one, and he did not remember any instance in the colony where it had been abused. His only doubt about the clause was as to the time—two clear days. The reason for that was that in populous constituencies not more than four days usually elapsed—perhaps not so much—between the nomination and the election; and it had occurred to him that the difficulty might be got over by making it half the time between the nomination and the date of the poll. But that in some cases might not be sufficient time for the returning officer to make the altered arrangements. On the whole he thought it better to leave the clause as it stood, especially as it had worked well for some years past.

The HON. SIR T. MCILWRAITH said they ought to make up their minds as to what they wanted to attain by the clause before they proceeded to consider its merits. Did they want to save the country the cost of contested elections, or to give a candidate the privilege of retiring and getting his £20 back? In his opinion, a candidate should have the right to retire up to any time; but if he did so it should be reckoned equivalent to his having failed to poll the requisite number of votes, and he should forfeit his £20. If a candidate led the country to expect that he was going to contest an election he would put the country to expense, and on retiring after his nomination he should pay the forfeit. There was no reason why a candidate should not have the privilege of retiring whenever he liked, but he should forfeit his £20 in any case.

Mr. MIDGLEY said he was thinking not nearly as much of the candidate as of the electors. When a constituency had made choice of a certain man as a candidate, that man ought to be the property of the constituency. A man ought to know his own mind before seeking the position of a representative of the people. If he did not, he had the right to withdraw up to the eve of the nomination, but when once he had been nominated he belonged to the constituency, and should go to the poll to be elected or otherwise. If not, he might let another man in who was not perhaps the man of the people's choice. Supposing two members were wanted and three candidates were nominated two of whom retired, that would create a difficulty almost impossible to get over. The whole clause had better be left out.

Mr. CHUBB said the difficulty could be easily settled. If three candidates were nominated for two seats and two retired, the one left would be declared elected, and there would have to be another election for the other member. He knew of a case where after a gentleman was nominated his son was killed by a carriage accident and his wife became dangerously ill with brain fever, and the gentleman retired. Under such circumstances, if the hon. member for Fassifern's idea were carried out, the candidate would have to go to the poll; but it would not be fair to compel a man to do so in a case of that kind.

Mr. MIDGLEY said the case mentioned by the hon. member for Bowen was a case in point, and he believed that, notwithstanding the exceptional circumstances of the case, several individuals in that constituency felt aggrieved and annoyed that the election was not contested; because, if it had been, the result would have been different.

Mr. MACFARLANE said it seemed hard that a candidate should be allowed to retire on the eve of an election, but he did not see how it was to be prevented. The best plan would be to adopt the suggestion of the leader of the Opposition, and make a retiring candidate forfeit his deposit.

The PREMIER said that elections in some electorates cost the country a great deal—one during the last general election cost the country £1,200—and, in such a case, a candidate knowing he had no chance of being elected would be doing the country a service by retiring. The electorate to which he referred was the Burke. The hon. member for Fassifern asked what would be done if there were two seats and three candidates, two of whom retired. It would be the same as if there were two seats and only one candidate nominated, or only one seat and no candidate nominated—that was a case that might happen, but had never happened in Queensland. It was very desirable that there should be power to retire, and he did not see that the clause could be improved.

The HON. SIR T. MCILWRAITH said the instance given by the Premier—the Burke election—proved the propriety of his suggestion with regard to the £20 deposit. If the unsuccessful candidates for the Burke election had retired at the end of the second day, he had not the slightest doubt that half the expense would have been saved, for it was more than likely that an expenditure of £500 had been incurred during the first two days. The first thing the returning officer did was to send out presiding officers.

The PREMIER: I think he always waits two days.

The HON. SIR T. MCILWRAITH said a man ought to make up his mind what he would do before he was nominated; and those who nominated him should make up their minds whether they would lose their £20 or go on with the election. Without some such provision as clause 55, however, a man might be elected in spite of himself; but he could afterwards resign and give the constituency a chance of having a fresh election. It would be sufficient to give candidates the right of retiring up to the last moment, subject to the forfeiture of the money deposited.

Mr. MIDGLEY said he did not like to be too persistent, but it seemed to him a matter of very great importance. When a man became a candidate he entered into a compact with the electors to do a certain thing, and the Bill proposed to give him power to violate that agreement when it was too late for those electors to make any other arrangement. In all other walks of life if

a man violated an agreement he incurred liability and might be punished. He thought the forfeiture of the £20, would be a very trifling matter; it would be no solace to those who were betrayed, and would in no way compensate for the injury done to the electors. The clause made it quite possible for a candidate to betray a constituency, and take it out of their power for a considerable time to elect a man who would really represent them. If a number were bent on doing it, they would think little of losing £20. The clause should be struck out, because they should not allow a man to betray the people who confided in him when it was out of their power to make a second choice.

Mr. FOOTE said he did not think that what the hon. member proposed would meet the case he had brought forward. It had been pointed out by the Premier that an electorate might be put to a great deal of expense by a candidate retiring after nomination, but the case the hon. member wanted to meet was twofold. He wished to meet the case of disappointed electors who looked upon a man with favour and brought him forward for election; but the candidate so brought forward was not a genuine candidate; he did not wish to be returned, but for political reasons allowed himself to be nominated in the interests of the party he wished to serve; or it might be, as he had known it to happen, that a candidate got half-a-dozen electors to sign his nomination paper, and he came forward for the purpose of being bought off, and then he resigned within the time specified and got his money back. That had been done, and he thought the suggestion of the hon. member for Mulgrave would meet the case to a considerable extent—that was, that in no case should the candidate get his money back after it had been paid. He did not see how it could be met more fairly than in that way, because candidates sometimes did come forward thinking that they might have a chance of being returned, and then as things progressed they might see that they had not the same prospect of being elected as they thought at first, and consequently might not wish to continue their candidature until the end of the election and spend a lot of money uselessly.

Clause put and passed.

On clause 56, as follows:—

"When a poll takes place as hereinafter provided, the moneys paid to the returning officer as aforesaid at any election, by all such candidates as shall not afterwards receive at the poll a number of votes equal at least to one-fifth part of the votes received by the successful candidate if there is only one, or by such one of the successful candidates if there are more than one as received the smallest number of votes, shall be forfeited to Her Majesty and be paid over by the returning officer to the Colonial Treasurer and shall form part of the Consolidated Revenue Fund.

"And after every election the returning officer shall pay to each of the candidates who has retired from his candidature under the provisions herein before contained, or who has been returned without a poll, or who has received a number of votes equal at least to such fifth part, whether declared elected or not, all moneys so paid by or for him."

The PREMIER said there were one or two verbal corrections which it would be necessary to make in the clause, apart from one substantive amendment that he proposed to submit. He moved that the words "at any election" in the 2nd line, which were not necessary, be omitted.

Amendment agreed to.

The PREMIER said, in order to raise a discussion on the question whether the money paid upon nomination should be forfeited after a candidate retired, he proposed to add the following new paragraph to follow the 1st paragraph of the clause:—

"When any candidate retires from candidature, under the last preceding section, the money paid to the returning officer by or for him shall in like manner be forfeited and paid over as aforesaid."

The question was one which was open to discussion, because, if a man found that he would lose his £20 whether he contested the election or not, he might say "All right, I will run for it; I will make the other fellow pay." That man might lose his £20, but the other might lose £100, and it would be a sort of speculation on the part of the man who wanted to retire. He would lose £20, the other might lose hundreds; and the country would lose all the expenses in connection with the election, although the man was perhaps anxious to retire. He was disposed, on the whole, to think that the system they had had in force in the colony during several general elections and a great many intermediate elections had not proved a bad one. He remembered the case that the hon. member for Bowen referred to, which caused very much annoyance at the time, but that was the only case he remembered in which any injury had been done to a constituency by the retirement of a candidate. When a thing had worked well for a good many years it was always well to pause before altering it, unless it was plainly wrong on the face of it. He moved the amendment in order that the question might be discussed, but he himself was disposed to leave the clause as it stood.

Mr. ARCHER said that, as the hon. gentleman had stated that only one or two cases had occurred of the kind mentioned, the Bill would be quite as good without the addition.

The HON. SIR T. MCILWRAITH said he thought the value of the suggestion was gone when they limited the right of the candidate to retire to two days. The suggestion was made only on the contention that the candidate could retire at any time before the election came on, and, as the Premier said, it would do as much harm as good.

The PREMIER: I will withdraw the amendment.

Mr. MIDGLEY said he regretted that the Premier intended to withdraw the amendment. It was a very little matter to have conceded, and he was sure it would be in the interests of purity and straightforwardness in elections. How were they to know how often that kind of thing would occur? He supposed it had often happened that a candidate had withdrawn in that way.

The PREMIER: Not more than three times in twelve years.

Mr. MIDGLEY said it might occur oftener in future. When other means of carrying on corrupt practices and wrongdoing were made so difficult there was no telling to what schemes men might resort in order to defeat the true expression of the will of the people at an election. There was also another aspect of the subject. It would very likely save the candidate from a great deal of annoyance and prevent him from taking a course which he did not mean to complete. He did not like to ask the Premier to put the amendment after he had withdrawn it; but if he had put it he should have proposed as an addition that he should not only pay the £20, but an additional sum of £80 as a sort of fine. He had, however, done his duty and said his say in the matter.

Mr. ANNEAR said the argument of the hon. gentleman cut only one way. He spoke on behalf of the electors, but did not say anything whatever about the candidate. He knew a constituency in the colony where the electors, from the very first, intended to deceive the candidate, and they did

deceive him up to the last moment. He remembered in Ipswich, about twenty years ago, a very large crowd of electors assembled upon the top of Limestone Hill to welcome a gentleman whom they had strung on for two or three weeks, and allowed to believe that he would be returned. They had a band down the street, and played "See the conquering hero comes," and when the poll was declared the candidate was nearly 400 behind.

The PREMIER: He only got ten votes.

Mr. ANNEAR said he hoped the clause would remain as it was. He considered that the candidate was worthy of as much consideration as the electors, because he had seen many candidates come in with a flourish of trumpets and then be left far behind.

The PREMIER said that, with the permission of the Committee, he would withdraw the amendment.

Amendment withdrawn accordingly.

The PREMIER moved that the words "he is" be inserted after the word "whether" in the 40th line.

Amendment agreed to.

Clause, as amended, put and passed.

Clauses 57 and 58 passed as printed.

On clause 59—"Ballot-papers to be printed and furnished"—

The PREMIER moved that the word "and" be substituted for the word "or" in the 26th line.

Mr. DONALDSON said that before the clause was passed he wished to have an explanation from the Colonial Secretary as to what provision was made against personation in the Bill. If an improper person got a ballot-paper from a returning officer, and placed it in the box, no scrutiny afterwards could prove how that vote was recorded, unless all the persons in that place recorded their votes the same way. It would be a very good provision that all the ballot-papers should be numbered on the back with the number corresponding with that of the person's name upon the roll, and then, after the voting, a scrutiny would easily show who that person voted for. It was a very good provision indeed, and one which had been in force in Victoria for many years. Some people might run away with the impression that it was a means of preventing the secrecy of the ballot; but he contended it was nothing of the kind, for the reason that the ballot-papers, if numbered on the back, would all be turned with their faces downward at the time of the scrutiny and the corners turned up with the numbers exposed until they came to the one that was disputed, which would be drawn out. Consequently, none of the others would be exposed. It would only require a slight addition to the clause.

The PREMIER said the question raised by the hon. member was one which must have been frequently considered. He knew he had frequently considered it. In England the system of ballot was the same as that described by the hon. member. Every ballot-paper was numbered with the number of the voter on the electoral roll, so that when necessary it could be discovered how any particular elector voted. But where there was a polling place at which there was only a small number of voters, as was often the case in this colony, the scrutineers and returning officer would know how every man voted if that system were adopted here.

Mr. DONALDSON: They know that now.

The PREMIER said he believed they knew it now in a certain way, but they would certainly know it then, and he supposed that was the reason why, when they were adopting the ballot in this colony, they did not adopt the system referred to by the hon. member for Warrego, which was well known in many other parts of the world. That system would enable them to reject on scrutiny any vote given by a person who had no vote, but against that there was the objection that it would interfere with the secrecy of the ballot. He thought they had better keep to the system they had, which was adopted after mature consideration, and subject the person guilty of impersonation to penal consequences.

Mr. DONALDSON said he was not going to press the matter any further. But with regard to the secrecy of the ballot being disturbed, that he denied entirely, because if the scrutineers did their duty there would be no interference whatever with that secrecy. It was only in the event of a scrutiny of the votes being demanded that the numbers of the papers would be looked at, and then only the one in dispute would be examined.

The HON. SIR T. MCILWRAITH said he had intended to move an amendment in clause 62 which would raise the question brought forward by the hon. member for Warrego. To put that matter right, he (Sir T. McIlwraith) ought first to answer the assertion made by the Premier, that the present system was adopted by the Legislature after mature consideration. He believed they had got into their present position accidentally. In all countries in the world where the ballot was used there were some means of identifying on scrutiny the vote of any particular elector, and without that any scrutiny of the votes would be in vain. They should have a system here similar to the one in force in Victoria. There they had what was called an elector's right, which every voter had to obtain, no matter what was his qualification, and his number was printed on that right. It was also printed in blue on the back of the voting-paper. That secured what they actually desired. The secrecy of the ballot was undoubtedly preserved, because it was almost impossible to ascertain how any particular elector voted. Certainly some person at the table whilst the scrutiny was going on might find out how one man, about whose vote he was particularly anxious, had voted, but he could not carry in his memory the way in whish a dozen or more had voted. When the papers were subjected to scrutiny they were all put on the table with the back uppermost towards the scrutineers, who went through them until they came to the number of the person who had improperly voted. That paper was then drawn from the others, and it was ascertained for which candidate he had recorded his vote. At the present time it was almost impossible to find out how a man who had personated another voted in this colony. After his vote was given it was put in the parcel along with the others, and could not afterwards be identified, so that it was impossible to say for which candidate the personator voted. Then there was another case—namely, that of a man who might have voted half-a-dozen times, personating the same man in half-a-dozen different places, or voting rightly for himself, but five times oftener than he was entitled to vote. There were no means now of detecting those votes from any other placed in the ballot-box, and under the existing law a scrutiny was perfectly useless. What the Committee had to decide was this: Whether taking away to a certain extent the secrecy of the ballot was not counterbalanced by putting the voting-papers through a proper scrutiny. As a matter of fact, this colony was the only country in the world where a system of

ballot was adopted which provided no means for identifying votes improperly recorded. In the old country, in Victoria, and in South Australia, means were secured by which they could identify voting-papers, and see how a person who had personated another, or in other ways had improperly exercised the franchise, had voted. The electoral right was in existence in this colony at one time; but there was a payment of one shilling attached to it, and the House subsequently rebelled against the payment of a shilling, so that the right was abolished and the number too. It was quite accidentally that it went out. It was his intention to have proposed an amendment to meet the objection now raised, when they came to clause 62.

The PREMIER said the hon. member was not quite right in his account of the working of the Act in Victoria. The electors' rights had nothing whatever to do with the numbering of the ballot-paper. In England the number of the ballot-paper was known but there were no electors' rights. They were altogether different. The hon. member was wrong also in his account of the abolition of the electors' rights in this colony. Their abolition was caused by the fact that only a very small number of electors ever got them. He remembered one election of his own, where a candidate retired just after he was nominated, or just before his nomination, and at that election only one-third of the electors would have been able to vote; the rest had not got electors' rights. When that was in force for two or three years the House unanimously abolished it.

Mr. ARCHER said electors' rights were not an absolute necessity in that case. They had got the numbers on the roll, and they were of little importance except for the sake of checking personation. A man when going to vote was asked his number; it was then checked off. If a man voted three times under the same number, or if a man was personated, it would be seen, by the proposed amendment, on scrutinising the votes that there were three of the same number, and it would be seen that personation had taken place.

Mr. JORDAN said he could see that there might be some advantage in having the papers numbered; but on the other hand, he thought it more important that they should preserve the secrecy of the ballot. If there were only a few voters in a place it would be possible if such an amendment was carried to find out how any person had voted. He recollected that when the Burnett petition was before the Committee of Elections and Qualifications the question arose as to whether the returning officer was right in rejecting certain ballot-papers that happened to have the initials of the scrutineers as well as those of the presiding officer. It was remarkable that those papers were initialled in a peculiar way, and the attention of the committee was directed to the fact that on different pages the initials were in a different order. The committee came to the conclusion that the returning officer was right in rejecting those papers, inasmuch as they contained something more than they should by law have contained, and might have been used for a purpose. He hoped the Committee would do nothing to interfere in the slightest way with the absolute secrecy of the ballot.

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

Clauses 60 and 61 passed as printed.

On clause 62, as follows:—

"Each elector, having previously satisfied the presiding officer that he is entitled to vote at the election, shall receive from the presiding officer or poll clerk one of the ballot-papers initialled by the presiding officer. At the time of the delivery of a ballot-paper to the elector, the presiding officer or poll clerk shall, upon the certified copy of the electoral roll, make a mark against the name of such elector, which mark shall be *prima facie* evidence of the identity of such elector with the person whose name is so marked on the electoral roll, and of the fact of his having voted at such election."

The HON. SIR T. MCILWRAITH said this was where the amendment he referred to should come in; and he proposed to insert after the word "initialled" the words "and with the elector's number on the roll written thereon." The whole argument in favour of the amendment was very simple. Of course, the proposition he put before the Committee had met with opposition and objection, because there appeared to be a possibility of the secrecy of the ballot being violated; but, as had been pointed out by the hon. member for Warrego, that chance was very small indeed. The number would be written on the back of the voting-paper, and in the case of persons accused of personating, the number in which they voted would be known. The scrutineers would search through the papers with the backs turned towards them and would take up, say number 30. Very well; if there were three or four numbers 30, they would be put aside as questionable votes, and they would give evidence to the scrutineers in some way as to how the personation took place. Supposing there were four numbers 30, they would very likely have evidence given by the person who really was represented by number 30 as to how he had voted, and proof that he voted for a certain candidate. They would take one for that candidate and they would strike out the others. It was possible, however, that the whole of their votes would be for the one candidate, and in any case they would strike out all but the one. Again, in the case of personation, where one party personated another—say John Smith voted for Peter Jones—that vote would be struck out also. It would do nothing really to violate the secrecy of the ballot, because it would only be the votes that were questioned that would be turned up to see how the particular individual had voted. Only those votes would be exposed to the scrutineer. Now, there could not be any doubt but that that was a very great evil. He could not see how a scrutiny could take place so as to put in the proper candidate unless there were some means of ascertaining how a man voted or for whom the votes in question were cast. They might be satisfied that one man had voted a dozen times, but they were perfectly helpless to take those votes out of the number cast for the different candidates, because they did not know for whom persons voted. It ought not to be left to outside evidence to fix a thing of that sort, but the scrutineers should have it in their power to ascertain the actual facts. The plan suggested would, he felt convinced, recommend itself at once to the Committee. It had been tried in Victoria, and only the other day he was speaking to a member of the Victorian Legislature who was astonished to hear that voting-papers without numbers were used here. That gentleman asked how did things get on when a scrutiny took place, and he (Sir T. McIlwraith) could not tell him. He could not see how justice could be done unless they could ascertain for whom the votes had been cast. In Victoria it had always been the case that electoral papers were numbered. It had always been the case in England.

Mr. DONALDSON: And in America also.

The HON. SIR T. MCILWRAITH said that in America, in nine cases out of every ten, elections were carried on without any rolls at all. The objection that his proposition would violate the

secrecy of the ballot-box was purely a fanciful one, because in no case that he had ever heard of had one bit of harm been done by the system in vogue in other countries. The amendment he proposed was, after the word "office," in the 3rd line of the clause, to insert the words "and having the elector's number on the rolls written on the back thereof."

The PREMIER said he did not think that particular form of amendment would be a satisfactory one. The principle, if adopted at all, required very careful consideration indeed, and was open to a great deal of discussion. No doubt there could be no effectual scrutiny under the present system, and that was an evil. On the other hand, to number the ballot-papers would very materially affect the secrecy of the ballot. If there was only one roll it would not be quite so bad; but there might be, and very often were, four rolls in use, so that not only would the number have to be put on the papers but a reference to the particular roll made also. That would represent a considerable amount of writing. They would then have to distinguish between the annual roll and the first, second, and third quarterly rolls. It was quite clear that where there were only a few electors those numbers would be seen. They would be noticed as the papers were being opened up—that was, if the scrutineer or the candidates wanted to know them. It was only in cases where they did want to know that there was any danger of the secrecy of the ballot being violated. It was just in cases where there was danger of attempts being made to violate the secrecy of the ballot that the proposed system would assist in violating it. Then again, there was greater danger than even the actual discovery for whom the electors voted. Electors would be told that each ballot-paper would have a number on the back of it, and that it would be known for whom each particular man voted. There was no doubt that would have an enormous effect upon electors. That was the very thing that the ballot was intended to prevent, but that that would be the real effect, there was no doubt. He was quite aware of the inconvenience that was suffered through not being able to get a scrutiny, but that had to be weighed against the other inconveniences, and he thought the advantages to be obtained from the scrutiny were less than the advantages to be derived by preserving the secrecy of the ballot.

The HON. SIR T. MCILWRAITH said the objection of the hon. gentleman was altogether fanciful. Even if the electors were told that the numbers being on the back of the paper therefore those interested could easily ascertain for whom they voted, what did that matter? They had seen the system actually in force. It was quite a common thing to frighten electors by saying that the ballot-papers could be marked, and he had known plenty of electors who actually believed it. There might be some who were frightened at a threat of that kind, but that was only an argument in support of their being deprived of their rights altogether. He did not think that the objection that had been urged was at all a valid one. The hon. gentleman said people might talk as they liked, but it was quite well known how each individual voted, and if that was so it would not make matters one bit worse if there was a number on the back of the voting-papers. The hon. gentleman also said the scrutineers or the committee, or whoever had charge of examining the voting-papers, would have the opportunity afforded them of finding out how particular individuals voted. Perhaps so; but, on the other hand, they would have the opportunity of finding out how those who had personated had cast their votes. That must be found out in order to test whether certain votes were to be allowed to certain candidates or not, and the scrutineers were bound to find it out. To ascertain whether they were all informal votes or the votes of supposed personators, it was necessary that they should be examined. If there were 2,000 votes, and 20 of them were questioned, those would be the only ones turned up. No others would be affected in any way. It was very improbable that half-a-dozen gentlemen with 2,000 or 3,000 papers before them with only the backs exposed, would be able to tell who owned a particular number—that 1184 stood for John Smith, and 1190 for William White.

The PREMIER: It would not matter where there were many.

The HON. SIR T. MCILWRAITH: We should not have an election at all where there were less than 500 electors.

The PREMIER: There are different polling places.

The HON. SIR T. MCILWRAITH said he saw the hon. member was hinting at what might occur in the voting-booth while the scrutineers had the papers before them. That could be obviated by authorising the returning officer to turn each paper face upwards so that the scrutineers would see simply the votes for each candidate, and not see the numbers at all. Of course, in very extraordinary cases it would be possible to find out by chance how a man voted, but he did not think it would be possible to find it out by design.

The PREMIER said the provision in England for discovering how a man voted was very much more elaborate than that proposed in the amendment. The ballot-papers were in books, and numbered consecutively on the back. Every paper had to be accounted for. The number of the elector on the roll was not put on the ballot-paper but on the counterpart in the book. It would be thus impracticable for anyone in the room to identify the ballot-paper without a gross violation of duty by the returning officer. If it were thought desirable to identify the ballot-paper in any way, they should not adopt less precautions than were thought necessary in England; and in many electorates those precautions would be almost impracticable. The books would in most cases have to be prepared in Brisbane, and then when they were sent out perhaps too few would be sent and new papers would have to be written. There was a great difference between a place like England—where perhaps 5,000 people voted at the same booth, and where there was only one polling place, or if two, an equal number of people voting at each polling place—and a colony like this, where some electorates had perhaps thirty polling places, at some of which not more than perhaps ten people voted. It would be impracticable to carry out such a scheme without in reality disclosing to the presiding officer how each elector voted.

Mr. DONALDSON said that in Victoria the number was never exposed unless a scrutiny required it. The number was placed in the corner on the back of the paper, and that corner was turned down before it was handed to the elector. The elector scratched out the name of the candidate he did not intend to vote for, folded his paper and put it in the ballot-box. When it was taken out of the box the number was not exposed. He thought that in other colonies, where they were more particular about their elections than in this colony, that sort of thing would be done away with at once

if there were any danger. In Victoria they had always insisted on having the number on the ballot-paper; and on more than one occasion when a scrutiny was demanded it was found that some votes had been recorded improperly, and the candidate who had apparently polled least was successful. For instance, at the last general election, C. E. Jones, commonly known as "Rogue" Jones, polled sufficient votes to entitle him to take his seat, but it was found that some of them had been polled improperly, and he lost his election. If there were any danger of a number being exposed, the scrutineers would act as a check one against the other. Certainly in some cases only four or five polled at one booth, but that was almost always in districts where people were very well known to each other, and there was generally no secret about the voting; each man generally said how he intended to vote. Any man almost could win an election now with a good long purse and a bad conscience, because he could get people with courage to personate, who would give votes that could not be disallowed afterwards. He thought the precaution was a very wise one indeed.

Mr. ARCHER said at all events it would conduce to the purity of elections. They had all talked a great deal about that, but now that they saw one way of arriving at it they did not seem anxious to carry it. He thought the purity of elections was of more consequence than the discovery how one or two men voted, and that discovery would only be made in cases where there was a petition. During the last elections there were only three cases of petitions on the matter of voting; there was a fourth case, but it was because the presiding officer improperly struck the name of one of the candidates off the paper. It was thus extremely seldom it occurred, and if the discovery of the manner in which half-a-dozen electors voted in such a case did anything to put the proper man in the House, he thought they would all be glad to see it; but as long as they did not number the voting-papers there would be an encouragement to personators. He knew a gentleman who used to have a seat in the House, and who used to brag that he had a man voting in four different places in one day.

Mr. MACFARLANE said that no doubt purity of election was much to be desired, but he questioned much whether the proposed amendment would tend in that direction. At first he thought it would be a good thing, but on looking further into it he began to fancy that the remedy was almost worse than the disease. Suppose a large employer of labour was in league with the returning officer in a country district—and that was by no means impossible—he could find out how every one of his men had voted. Such a thing would place working men in a position of fear, because the number on their ballot-papers might by some means be divulged to their employer by the returning officer. The amendment seemed good as far as it went, but it was vitiated by the terrorism it would exercise over the actions of working men, and therefore he could not approve of it.

Mr. KELLETT said he thought that putting the number on the back of the paper would be a great improvement, and he failed to see how the returning officer could know more about it than anybody else. In fact, nobody could know anything about it except in the case of a disputed election, when it was quite right that it should be known. If one man's name was presented at every polling-place in an electorate it ought to be known, so that one vote might be recorded; and all the rest, being dummies, thrown out. Except in cases of that kind, the secrecy of the ballot could not be divulged; and no employer of labour, even though he were in league with the returning officer, could get any information on the subject.

Mr. HAMILTON said the committee would not do wrong in following the example of Victoria. There was no fear of the secrecy of the ballot being violated, as the scrutiny could not take place until after all the voting-papers were in, and a returning officer would require a forty-horse power memory to recollect the names of all the voters. As to the intimidation of employés, the example of democratic Victoria showed that it would not have that effect. Even now, in small places, returning officers could easily ascertain how any man had voted; and he had good authority for knowing that if a returning officer wished particularly to know how any two or three men were going to vote he simply made his signature on the paper in a particular way, and on looking over the papers afterwards recognised it, and got the desired information.

The HON. SIR T. McILWRAITH said his only object was to adopt some means of identifying questionable votes with the candidate for whom the votes were given, and to provide at the same time for the secrecy of the ballot. The Premier said the system in force in England provided far better for that than the amendment he had submitted to the Committee. It was certainly more elaborate, but it had suited him to raise the question on the amendment. It would be all the same to him if the Premier chose to adopt the English system, because it would equally serve to attain the object he had in view. The English system was exactly the same as that which prevailed in Victoria; in fact, now that he recollected, the English system was copied from it. Books were sent to every returning officer, who took out as many numbers as he considered requisite for each of the sub-voting places, which he sent with the corresponding butts. Then each elector received a voting-paper with a number on it. That number was put by the returning officer against the elector's name on the electoral roll. By that means the knowledge how any man voted, if any question arose, was confined to the returning officer alone. The scrutineers could not possibly know anything on the subject. Supposing No. 590 came out, they could not know the name connected with that particular number. In order to find out who No. 590 was they would have to refer to the roll kept by the returning-officer; but there would be no necessity for that, nor would there be any necessity for the roll being produced in evidence. Supposing certain numbers were excluded, then the names could be given by the returning officer, and that was what they wanted to find out. It was necessary to know by whom the wrongful votes had been cast, but as far as everybody else who voted at the election was concerned, the ballot would be as secret as the grave. There had not been the slightest complaint made against the system in Victoria, which was the same as that which prevailed in England. He thought the question was well worth the consideration of the Committee, because nothing would tend more to the great object they had in view—the secrecy of the ballot—and he believed they could make it perfectly secret by adopting the English or Victorian system, with any amendments that might be considered necessary. If they could secure the additional object of finding out how particular votes had been cast in a disputed election, so much the better, for nothing would tend more to secure the purity of elections. That would strike the best blow that had ever been struck at the election wrongs, and he recommended the

Premier to take the matter into his consideration. He had raised the question by the amendment before the Committee, though he knew that the English system would be a great deal better. He hoped the Premier would give his attention to the matter and bring it before the Committee the next time the Bill was under consideration, because he believed the hon. gentleman was just as anxious as he was to secure the object he wished to attain, and he was just as anxious as the Premier to prevent the secrecy of the ballot from being violated.

The PREMIER said the question was whether the English system would be practicable in a colony like Queensland. The amendment proposed by the hon. gentleman—simply putting the number of the elector on the back of the ballot-paper—might be dismissed without further consideration. He was not afraid of any discovery being made on a scrutiny, because the scrutiny was held for the purpose of discovering how challenged votes were given and that was no real violation of the principle of secrecy. Men committing frauds had no right to complain if they were found out. But suppose there were ten or fifteen votes given in one place and every ballot-paper had a number on the back, the scrutineers would have a very poor memory if they could not remember who gave those votes. The hon. member for Warrego said the number would be so carefully folded down that nobody would see it. It might become unfolded and anybody particularly anxious to see it might very easily do so. That would be too great a temptation to hold out to people who wished to detect the manner in which any particular elector voted. Turning to the system which was adopted in Victoria, the hon. member for Warrego said the numbers were marked on the back; but he must have been alluding, not to the number marked on the roll, but on the counterfoil. The English system might be carried out with perfect ease in Brisbane, or many large towns of the colony, but would the hon. member for Warrego show how it could be carried out in his own constituency? How could the ballot-books be printed in accordance with the requirements of that system within the time allowed for holding the election? There were some constituencies in the colony where it could not be done owing to the absence of appliances. In the Gregory electorate there was not a printing press, and in many other electorates where there were printing presses there were no presses capable of printing such ballot-books and counterfoils as would be required in that system. He was not in the House when the present system was adopted, but he thought it was taken from New South Wales, where, like every other part of the Constitution, the system was, no doubt, thoroughly discussed. There were good men in that colony in those days, and the circumstances of New South Wales, then, in respect to country constituencies, were very analogous to those of Queensland at the present time. It would be impracticable at present to carry out a system sufficiently elaborate to prevent the discovery of how electors voted—not in the scrutiny-room, but in the polling-booth—by unscrupulous people.

Mr. MIDGLEY said the hon. member for Mulgrave had suggested that the Premier should take time to consider the matter, and he would also suggest that the hon. gentleman should do so, because the point raised was very important. They wished to preserve the secrecy of the ballot in order to prevent evil-doing during elections in the shape of intimidation, and yet they wished to have some means of finding out impersonation and wrong-doing, but it seemed almost impossible to do the two things harmoniously. He thought there had been a mistaken allusion several times to the returning officer—he thought the presiding officers must have been meant. He regarded the returning officers of the colony as a class of men of high character, who discharged their duties admirably and who were not generally out-and-out political partisans; but while the presiding officers were generally men of high character they were very often earnest political partisans. He would like time to consider the matter. They had done a very fair stroke of work that night, and it was now bedtime for all respectable people. He should, however, like to ask the Premier whether the former part of the clause did not almost necessitate the numbering of the ballot-papers? If it did not it seemed to him to give the presiding officer power which he might use very wantonly and arbitrarily. The clause read, "Every elector, having previously satisfied the presiding officer that he is entitled to vote," and so on. Supposing he failed to satisfy him?

The PREMIER: Then he does not get a ballot-paper.

Mr. MIDGLEY said that the man might be entitled to have a ballot-paper and to vote, and the presiding officer might, wantonly and arbitrarily, refuse to let him vote. He might say, "I do not know this man"; he might not want to know him, and refuse to know him although he actually did know him. He (Mr. Midgley) thought that it would be better if the ballot-papers were numbered. Then the man claiming to vote could insist upon his right to vote, and afterwards the matter could be taken into consideration and decided upon by scrutiny. However, the chief point he wished to raise now was whether they should not, to use a common phrase, "knock off," and commence work again to-morrow?

Mr. DONALDSON said the hon. the Premier had misunderstood him just now in regard to the practice at elections in Victoria, so far as ballot-papers were concerned. The ballot-papers there were exactly the same as they were here, with the exception that a number was put in a corner on the back, corresponding with the elector's name on the roll. That number was carefully turned down, and if the scrutineers or the returning officer did their duty there could be no exposure of the figure; consequently it was not known for whom the elector voted, unless they all voted one way. That had been the practice in Victoria for years. He had presided at elections and had acted as scrutineer, and in all his experience he had never known a single case in which the number on the ballot-paper was exposed. He felt thoroughly satisfied that if they wished to maintain the purity of elections that was the only safe remedy; and in the interests of the purity of elections he would very much like to see the amendment of the leader of the Opposition, or one similar to it, adopted.

The HON. SIR T. MCILWRAITH said he found that he was wrong, and that the hon. member for Warrego was right, as to the practice in Victoria. He had misread the clause and thought that the number referred to in it was the number to be placed on the ballot-papers. On looking further into the Act in force in that colony he found that the practice as to the duty of a returning officer when an elector demanded to vote was this:—

"When any person shall have tendered his vote in manner hereinbefore mentioned, and the name in which he shall demand to vote shall appear as well in an ordinary roll in force for the division of the province or district as in the elector's right produced by him, or shall appear in the roll of ratepaying electors in force for the division of the district, the returning officer or deputy shall, unless such person be prohibited from voting for some of the causes hereinbefore mentioned, forthwith write upon the back of one of the ballot-papers so signed

or initialled as aforesaid and as near as practicable to the lower edge thereof the number corresponding to the number set opposite such person's name in such roll, together with the figures and initial letters of the title of such roll, and so that in folding up such ballot-paper as hereinafter mentioned the voter may easily conceal from view the said writing, and shall deliver to such person such ballot-paper, and shall forthwith mark upon a certified copy of such roll against the name of such person the fact of his having received such ballot-paper, and mark such elector's right with his initials and with the date expressed in the following figures"—

And so on. That system could be adopted if an additional precaution were wanted to the English system. There was no reason at all why the number on the ballot-paper should be the number of the elector on the roll; and if they allowed the returning officer to put the number on it himself, and then mark it opposite the person's name who voted, they would have another security that the secrecy of the ballot would not be violated, because the secrecy would be confined entirely to the returning officer. He would be the only person who could by any possibility find out how a person voted, and if they reduced it to that—to the absolute good faith of the returning officer, and were certain that he would not use any undue means, which, in fact, the scrutineers would have an opportunity of preventing, of finding out how people voted—they would go a long way to securing the secrecy of the ballot. He thought the matter was well worthy of consideration, and he wished to impress upon hon. members the immense gain which would result through it in connection with the purity of elections, and if they accomplished their object without violating the secrecy of the ballot, all the better. He thought it could be done.

The PREMIER said he was glad the discussion had taken place, because the question was one of the most important in connection with the Bill. He was sorry that it had not been mentioned on the second reading. He did not raise it himself, because it had never been raised in the House before; and although he had thought over it frequently he had never been able to see how the difficulty was to be solved. The discussion which had taken place had thrown some light upon the subject, and he would be very glad to have a further opportunity of considering it, as it was of very great importance. The certainty of the detection of fraud often prevented persons from attempting fraud.

The House resumed, the CHAIRMAN reported progress, and the report was adopted.

The PREMIER moved that the further consideration of the Bill in committee stand an Order of the Day for to-morrow.

The HON. SIR T. McILWRAITH said he had no intention of delaying the Bill; and if the Premier thought it would be the best way to go through with it, and then recommit it for the purpose of altering those clauses afterwards, he had no objection. In the absence of the Colonial Treasurer, he would ask the Premier when the schedule which accompanied the Estimates would be in the hands of hon. members?

The PREMIER said he had asked his hon. colleague about it last evening, and he had shown him the schedule, so he concluded it would have been laid upon the table that day. He presumed it would be distributed to-morrow. With respect to what the hon. gentleman said as to proceeding with the Bill, he should certainly like to have some more effectual system of scrutiny, but he should not like to do anything without some days' consideration. In the meantime, he thought it would be more convenient to go on with the Bill, and when they had discussed all the other matters they could give an evening to that.

Question—That the further consideration of the Bill stand an Order of the Day for to-morrow—put and passed.

ADJOURNMENT.

The PREMIER, in moving that the House do now adjourn, said that the schedule referred to by the hon. leader of the Opposition would be laid upon the table to-morrow. The only private business on the paper was a motion by the hon. member for Bowen about the Bowen railway, but he did not know whether the hon. gentleman was going on with it. After that they would be able to take some Government business. There were two Bills in which amendments had been made by the Council, which would be taken, and then they could proceed with the Rabbit Bill or the Elections Bill, whichever was considered most convenient.

Question put and passed.

The House adjourned at a quarter past 10 o'clock.