Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 8 OCTOBER 1885

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LEGISLATIVE ASSEMBLY.

Thursday, 8 *October*, 1885.

Question.— Federal Council (Adopting) Bill.— Federal Council (Adopting) Bill—first reading.— Licensing Bill — committee.— Message from the Legislative Council.—Adjournment.

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

QUESTION.

Mr. HORWITZ asked the Minister for Works—

When will the plans and sections of the first section of the direct line from Ipswich to Warwick be ready, so that the assent of Parliament may be obtained this session?

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

The great pressure of work in the department precludes the possibility of the plans and sections of this line being ready to be placed before Parliament this session.

FEDERAL COUNCIL (ADOPTING) BILL.

The PREMIER (Hon. S. W. Griffith) said: Mr. Speaker,—I beg to move that you now leave the chair, and the House resolve itself into a Committee of the Whole to consider the desirableness of introducing a Bill to bring into operation in respect of the colony of Queensland an Act of the Imperial Parliament, entitled "An Act to constitute a Federal Council of Australasia," and to refer certain matters to the Federal Council thereby constituted. I have it in command from His Excellency the Governor to communicate to the House, that His Excellency, having been informed that it is proposed to introduce this Bill, recommends the necessary appropriation to give effect to its provisions.

Question put and passed, and the House went into Committee.

The PREMIER moved—

That it is desirable that a Bill be introduced to bring into operation, in respect of the colony of Queensland, an Act of the Imperial Parliament, entitled "An Act to constitute a Federal Council of Australasia," and to refer certain matters to the Federal Council thereby constituted.

The HON. SIR T. MCILWRAITH said he did not catch the remark made by the Premier just now with reference to the message from His Excellency the Governor.

The PREMIER said the Bill made provision for the payment of the travelling expenses of members of the Council, so that the recommendation of the Governor was necessary, and he had informed the House that His Excellency recommended it to their consideration.

The HON. SIR T. MCILWRAITH: Travelling expenses?

The PREMIER: Yes.

The HON. SIR T. MCILWRAITH asked whether that had ever been done before—that a verbal message of that kind was given to the House without being sent in due form from the Governor?

The PREMIER said it was done on two previous occasions—in reference to the Marsupial Bill and the Crown Lands Bill—when the procedure was fully explained.

The HON. SIR T. MCILWRAITH: Yes; but on those occasions you read the message.

The PREMIER said he read the messages from his own manuscript; they were given verbally to him.

The HON. SIR T. MCILWRAITH said he should like a statement to be made by the Premier now on the position of the business of the House at the present time. Two or three times lately they had heard of Bills being introduced towards the close of the session, and hon. members were urged to expedite the passage of Bills through the House. Of course, members who did not know what the Government were going to do during the session could not have any notion whatever as to what they should do towards helping the progress of business. Therefore the Premier should take them into his confidence and let them know what he actually intended to do. As things were being managed up to the present time, the Premier brought down Bill after Bill of which they knew nothing. What they wanted to know was what work the Government actually proposed to do before the lose of the session?

The PREMIER said he should have no difficulty in answering the hon. member's question. All the business to which hon. members would be asked to give their consideration was now before one House or the other. Unless something at present unforeseen arose, the Government did not propose to introduce any Bills not now before the Parliament, including, of course, the Bill he now proposed to introduce.

The HON. SIR T. MCILWRAITH said they were entitled to a more explicit statement as to what the Government really intended them to pass. For instance, among the Bills before the other House was the Justices Bill. Did the hon. gentleman mean to say it was his intention to bring a Bill of that kind before them this year? Surely he had not the slightest notion of asking them during the present session to pass a Bill of that sort, containing as it did some 200 or 300 clauses, and being a consolidation of a number of Acts—a Bill which would require an immense amount of labour to pass. He understood the Government did not intend to place any new Bills before either House this session?

The PREMIER: Yes.

The HON. SIR T. MCILWRAITH said he wished to understand with respect to the Bill before the other House, to which he had referred, if the Government had really any serious intention of passing that Bill through the Assembly?

The PREMIER said he certainly hoped to be able to do so, because the Bill in question would be of enormous advantage to the whole community. He thought that every hon. member who looked at and read that Bill would see not only that it would be of immense advantage to the community, but that there was no reason why there should be any very great labour in passing it. Bills of that kind passed the Imperial Parliament without much difficulty. If hon. members were not satisfied when the Bill came before them, with the scrutiny that the Government would be able to show it had undergone, of course they could not get through with it. If, on the other hand, hon. members were satisfied with the scrutiny the Bill would be shown to have undergone—more, by two or three times, than any other Bill ever introduced into that Parliament—then it was very likely that it would be passed. That, however, was a question they could not decide until they had the Bill before them.

Question put and passed.

On the motion of the PREMIER, the House resumed, and the CHAIRMAN reported the resolution to the House.

The PREMIER moved that the resolution be now adopted.

Question put.

The HON. SIR T. MCILWRAITH said: Mr. Speaker, — On an important question of this sort the Premier is not right in allowing these proceedings in committee to pass formally and without any explanation as to the history of this Bill and its progress in the other colonies. I think the hon. member should have been prepared with information upon those subjects before we come to the second reading of the Bill.

The PREMIER: I have no objection to make a statement if it is desired, and I should have done so in committee had I known it was desired. It is not the usual practice to do so unless it is specially desired. I propose to make a short speech on the subject in moving the first reading of the Bill.

Question put and passed.

FEDERAL COUNCIL (ADOPTING) BILL—FIRST READING.

The PREMIER said: Mr. Speaker,—I beg to present a Bill founded on the resolution, and, in moving that it be read a first time, I will take the opportunity to comply with the desire expressed by the hon. gentleman opposite.

The HON. SIR T. McILWRAITH: Is there a Bill in the House? I have not seen a copy.

The PREMIER: I have only one spare copy, which the hon. gentleman can have. Hon. members are aware of the history of the Act to constitute a Federal Council of Australasia, which was framed by the Convention that sat in Sydney in November and December, 1883, and submitted to the Imperial Parliament in a very slightly altered form, and was finally passed by the Imperial Parliament and assented to on the 14th August last. Correspondence has taken place upon the subject between the Australian Governments, and between the Agents-General and the Colonial Office, on the subject and has been laid upon the table of the House. Since it became practically certain that the Bill would pass in the Imperial Parliament, some communications have taken place between myself and the Premier of the colony of Victoria, through whom for the most part communications on the subject have been carried on with the other colonies. Those communications are to a great extent of a confidential character. At the request of the other colonies, I undertook to have drafted a Bill for adopting the Imperial Act. The Bill was framed and sent to the other colonies with a memorandum explaining the nature of some of the provisions, which explanation I shall give on moving the second reading of the Bill. At the present time I will point out the provisions of the Act it is proposed to adopt, and I will very briefly indicate the reasons for adopting those provisions. The first thing to be done, of course, is to provide for the adoption of the Act. It is provided by it that the Act shall not come into operation in respect of any colony until the Legislature of that colony has passed an Act declaring it in force therein; and that it shall not take effect until four colonies at least have passed such an Act. In introducing this Bill the Government assumes that this House is in favour of the adoption of the Imperial Act. The first thing then is to provide for the Act being brought into operation in this colony, and that is proposed to be done in this way: The Act is to come into operation on the 1st December, 1885, if at that time it is in force in at least three other of the Australian colonies. That is necessary, because its provisions cannot come into operation in any colony until at least four of the colonies have adopted it. So that it cannot come into operation in Queensland until three of the other colonies have adopted it. We therefore propose to fix the date I have mentioned if three other colonies have by that time adopted it; if not, that then it shall come into operation as soon afterwards as it is in force in three other colonies. The date 1st of December is fixed at the suggestion of Mr. Service. The date I suggested was the 1st of January, 1886; but Mr. Service pointed out that their Parliament will be dissolved in February, and that it was desirable that there should be a session of the Federal Council in the month of January, and that if the Act should not come into operation till the 1st of January it would be too late to summon the first session before February. Perhaps it would be convenient now to say a few words with respect to the position of the other colonies. Western Australia, as we know, has already passed an ordinance adopting the Act. A Bill not differing in any material points from the one of which I am now moving the first reading has been introduced into the Parliaments of Victoria Tasmania, and South Australia, but has not passe its second reading yet. I believe it will be passed by all those Legislatures. There is some difference in the provisions proposed in those colonies as to the mode of appointing representatives, but that is a matter of detail which is left by the Act to be decided by each colony. Two questions arose in considering this question. The first was as to the qualification of the representatives, and the second as to the mode of appointment. The Federal Council being a small one, consisting of only two representatives from each colony, it appeared to be very important that the representatives should be in accord with the Government for the time being, because the Council will have no control over finances. They will depend upon getting the support of the several Legislatures, and it is very important therefore that the colonies should be represented by persons whose proposals would be carried out by the Governments of the colonies which they represent. With respect to the qualification, we propose that representatives must be either members of Parliament or members of the Executive Council. Here a member of the Executive Council has always been a member of Parliament, but there might be rare cases where they would not be. Probably the representatives would ordinarily be members of the Government, but not necessarily. I can conceive of many cases when by common consent a gentleman would be chosen to represent the colony whether he was a member of the Government or Opposition. Such cases may easily arise, and many instances of the kind might be pointed to in the history of the colonies. The next question that arose was as to the mode of appointment, and we came to the conclusion that it should be by the Government. There is no scheme of election practicable at the present time. Of course this can always be altered. Then the next question to be considered was as to the tenure of office of the representatives. I submitted to the colonies two schemes—one that the representatives should hold office for a fixed term, subject to removal, and the other that they should hold office during pleasure. The other colonies have adopted the latter — that the representatives should hold office during pleasure. There is much to be said in favour of that scheme, but much can be said for the other also. The Government of South Australia, I understand—although I have not seen a copy of their Bill—propose that the office of representative shall be coincident with the term of office of the Government making the appointment, so that when the Government goes out of office the representatives will vacate their seats. Many disadvantages might be pointed out in connection with a scheme of that kind. It might happen that a Government would go out of office in the middle of a session of the Federal Council, and as the representatives would then cease to hold office that colony might be unrepresented while the Council passed important laws binding upon the colony. We propose that the representatives of this colony shall hold office for a term of three years, subject to removal. It is provided by the Imperial Act that the Federal Council may delegate some of their functions to committees. If there be committees it is clear that the persons appointed on those committees should be members of the Council when they do their work. If they ceased to be members of the Council and new representatives were appointed that might cause some difficulty Certain disqualifications are, of course, necessarily incident to anything like a fixed tenure. Although the term of office is to be three years, subject to removal, the way that would work in practice would be that as soon as a Government went out of office, if the representatives appointed

by their predecessors were requested to resign they would do so. That would be understood, and also that removal by a succeeding Government would not imply any slur on a representative. The travelling expenses of representatives will be paid, but the office will not be held to be one of profit so as to invalidate the member's seat in Parliament. Another matter I would refer to is the 10th section of this Bill, which has been introduced since the Bill was sent to the Governments of the other colonies for consideration. It proposes to refer to the Federal Council certain matters over which the Council has no jurisdiction as far as Queensland is concerned, unless they are referred to it by the Legislature of this colony. In the 15th section of the Imperial Act various matters are enumerated which may be referred to the Council by the Legislatures of two or more colonies. If any of those matters are referred to the Council they may be considered and dealt with, but not otherwise. At the present time there are one or two urgent matters in which this colony is interested which may be conveniently dealt with by the Federal Council. One of these is the status of corporations in the different colonies, and the other is the punishment of offenders who have gone from one colony into another. The border between South Australia and Queensland is to a great extent marked by posts, and persons who commit an offence in one colony cross the border into the other and practically evade justice, because the writs of one colony do not run into the other. We can, it is true, arrest a man in Queensland for committing an offence in South Australia, but, at present, he has to be taken to Port Darwin or Adelaide for trial, while we have two or three townships on the border where such a person could be dealt with if it were legal to do so. I have communicated with the other colonies informing them that we propose to introduce this clause in the Bill. If they do not pass a similar provision, of course it will be inoperative. I shall be prepared to give further information on the second reading of the measure. I hope the observations I have made will assist hon. members in following the provisions of the Bill.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—I do not know exactly when the Government intend to have this Bill before the House. From the account of the Bill given just now by the Premier, I do not see that it differs in any salient points from what I consider the colony has already committed itself to in the negotiations with the other colonies. I think it is necessary that hon. members who have not had time to follow the matter so closely as those who give a great deal of attention to politics should have an opportunity of seeing exactly what has been done. Of course, the Premier, and possibly a few others on that side and this side of the House, have followed up the history of this subject for the last two or three years; but I think the facts should be put in some convenient form for the information of all members of the House. It is not party information at all that I want; the Premier will understand what I mean if he looks at the *précis* put before the House in Victoria. That saved an immense amount of labour, not only to the leaders of the House but to all the members. The members were put in possession of all necessary information connected with legislation on the same subject in past times, and I think the Government could do the same here. The points I should like brought forward would be these: First, the *précis* would refer to the action taken by the Convention which sat in New South Wales, the Bill framed there, and the report made by the Convention; then it would refer to the action taken by the Imperial Government, and the date when that action was taken; then afterwards might be given the objections that stopped the Bill from going through that session, and the way it was dealt with in the next session; reporting the action taken in the meantime by the different colonies, and why some of them withdrew their countenance from the Bill as it passed. That would be information useful to all of us, and would enable us to come to a conclusion far sooner than would otherwise be the case. Of course all this information could be obtained with a little pains by the Government officers.

The PREMIER: I shall see that it is done.

Question put and passed, and Bill read a first time.

On the motion of the PREMIER, the second reading was made an Order of the Day for Tuesday next.

LICENSING BILL—COMMITTEE.

On the Order of the Day being read, the House resolved itself into Committee of the Whole, to further consider this Bill in detail.

On clause 113, as follows:—

"The provisions of this part of this Act may be applied in any municipality or division, or any subdivision of either, or in any other area which forms part of a municipality or division, and also forms part of one licensing district and the boundaries whereof can be clearly and conveniently defined. Any such municipality, division, subdivision, or area is hereinafter in this part of this Act referred to as an area."

The HON. SIR T. MCILWRAITH said that clause raised the whole question of local option, a principle to which the House had assented by resolution last session. There was then a difference of opinion amongst the speakers as to what they considered local option to be; and when hon. members had thoroughly discussed the system proposed in that section of the Bill they would be better able to come to a conclusion whether it was the local option they were prepared to adopt. It was proposed that the local option was to be applied to any municipality or division, or any part of a municipality or division, in the same licensing district. Then it provided that one-tenth of the electors might bring about an election to decide on one of these points: first, whether the sale of intoxicating liquors shall be prohibited; second, whether the number of licenses shall be reduced to a certain specified number; and third, whether no new licenses are to be granted at all. The one-tenth of the entire number of ratepayers was the machinery to bring about the elections, and the elections were to be conducted at the expense of the municipalities or divisions, except in certain cases, those exceptions being where all the resolutions had been rejected, or in the event of the first resolution being attempted to be carried a second time after a failure on the first occasion. In those cases the expenses were to fall upon the parties who worked the power to bring about the election; they had to give security to the returning officer that they would be responsible for the expenses. That was a part of the Bill to which he might refer afterwards. The election having been brought about, the ratepayers had to decide upon one of those three resolutions, the first requiring a majority of two-thirds, and the other two a bare majority. That seemed fair enough, so far as the local optionists were concerned—their ideas were not to be forced on a community without a large majority being in favour of them. But immediately after the resolution had been adopted the majority might turn into a minority, and still the local optionists would be in a position to enforce their ideas on the community. The sale of intoxicating liquors would be prohibited

for three years, and until a majority of two-thirds decided that it should no longer be the law.

The PREMIER : No; if more than one-third vote against the resolution it will be rescinded. That is provided for in clause 124.

The HON. SIR T. MCILWRAITH said that if the hon. gentleman's reading of clause 124 was correct it took away any objection he had to that part of the scheme. With regard to the one-tenth of the ratepayers who put the machinery into operation, if the result proved that they ought never to have made the attempt it was quite right that they should be saddled with the expenses of the election. He did not think, therefore, that the giving of a guarantee should be left to the discretion of the returning officer. The proper way to ensure the election being a fair indication of the wishes of a pretty fair minority of the people in the district was that not less than one-fourth of the people, at all events, should call for the election. If one-fourth of the people actually took the trouble to let it be known that they were in favour of local option, he did not think any guarantee with regard to the expenses should be asked from them; they would be fairly entitled to have the election gone on with. The chief objection he had to the scheme was that the only people who were to be allowed to express their opinions on the matter were the ratepayers of the municipality or division. Those were not the people who ought to have an exclusive right to settle a question of that kind. There was universal suffrage throughout the colony in all other matters; men who had no property had just as much right to vote as men who possessed the most valuable properties. Why should they not have the same right in a case, wherein their liberty was to be so greatly restricted? The decision of such a question ought certainly not to be left to a majority of the property holders in a district, but to the majority of the people in a district. If a two-thirds majority of the people came to the conclusion that no intoxicating liquors should be sold in the district, that there should be no more new licenses granted, or that the number of existing licenses should be reduced, they were perfectly entitled to do so; and that was what he called local option. To leave the decision to the property holders was merely sham local option. It was the people of a district who were most interested in the question, not a handful of property owners, some of whom might be living miles away. That was the chief objection he had to the scheme of the Government—they were asked to exclude from the franchise the men who were most interested in it, and who formed the bulk of the population. He failed to see how they could attain real local option by any amendment in the clauses, as far as he could suggest, and he should therefore vote against the clauses as they stood.

The PREMIER said that what the hon. member asked for was absolutely impracticable. Local option would be quite impossible under such conditions. He did not pretend that the present scheme was a perfect one, but it was the only practicable scheme. It was all very well for hon. members to say they were in favour of local option on some impossible basis. The scheme was simply an extension of local government, and in local government the voting power was given to the ratepayers; and for a very good reason. They were the residents in the locality, or owners; they were there, and there was a certain amount of fixity about them. Why should there be a difference between local government with respect to the sale of liquor and local government with respect to other matters dealt with by local authorities—the matter of health, for instance? The question of the sale of intoxicating liquor was in a sense one of the physical health—and some considered that it had a great deal to do with the moral health — of a locality; and he could see no reason why a different system of local government should be applied to it. In order to secure the practical working of a scheme of local option they must have an electoral roll showing those who were entitled to vote. That was essential, otherwise it could never be brought into operation. There must be some starting point, and their electoral rolls did not state within what particular area an elector lived. There was no system of recording that, nor would it be convenient that there should be. It would require a revision of the whole electoral system to do that, especially in cases of towns with a small area. Take, for instance, the large number of people on the parliamentary electoral rolls with a residence qualification in Fortitude Valley, or North Brisbane, or South Brisbane, which were, probably, the smallest constituencies in area there were in the colony. They knew pretty well where the people lived there; but local option might be wanted to be put into operation in a much smaller area than that. How could they, with their parliamentary electoral system, insist upon having stated the precise quarter of a town in which an elector lived? As soon as he moved, if only across the street, he would lose his right to vote. Of course a roll of that kind could not be kept. If they attempted to compile a special roll for this Bill, what lines would they go upon?—how could they tell who was entitled to vote? To compile a roll for the purpose would involve the whole of the elaborate machinery of the Elections Act they passed the other day. They would have to make elaborate provisions to prevent personation, or there might be a roll-up, upon the polling day, of persons who would vote in the names of absent or deceased men. As much interest would be taken in a poll on a matter of that kind as in a parliamentary election. In fact, the thing would not work; it would break down. When they adopted the system of local government they must adopt the principles that were applicable to it. In Great Britain the rolls were compiled upon a different principle. There was no such thing as a mere residence qualification. A man must be an occupier or tenant, and then he voted in respect of that tenancy. If the rolls were compiled on that principle, that a man should vote, not because he was a resident in a place for six months, but because he was an occupier of a particular tenement in the electorate, then they might take the electoral rolls as a basis and there would be no objection. So long as they had the system that residence for six months anywhere in an electorate was sufficient, it was clear that they could not compile an electoral roll that could be used for the purposes of local option. Unless the electoral rolls would do, they had no roll unless the ratepayers' roll was available. But if that would not suit they would have to invent a new kind of electoral roll for the purpose, and thus render the whole thing unworkable. He pointed out, on the second reading of the Bill, that to adopt the ratepayers' roll was the only practicable scheme. What was there unfair in it? If it were thought that it would be unfair to give property owners a vote, let it be limited to occupying ratepayers. That would be a limitation of the number; but he did not think it would be a good thing. He did not see why property holders should not have a vote; but that was entirely a matter of opinion. That the basis of the right to vote should be the ratepayers' roll, he thought must be apparent to hon. members. He had

no objection to permanent residents, but they could not otherwise find out who they were unless they prepared a new electoral system.

The HON. J. M. MACROSSAN said the hon. gentleman's argument went entirely against universal suffrage. He did not know whether the hon. gentleman was aware of it.

The PREMIER : No ; it does not.

The HON. J. M. MACROSSAN said he was rather inclined to think that the hon. gentleman did not believe in universal suffrage altogether, or he would not have used the argument he had about objecting to people voting in local option cases who were not residents in the districts, but who came and went. Why should people who came and went, and lived in a district for eighteen months or two years, not have a right to vote in a local option case as well as in a parliamentary election? Which was the more important? Was it more important to elect a man to that House to make laws for the whole colony, on every subject, or to elect whether a certain public-house should be opened or not? The hon. gentleman's argument was ridiculous. The hon. gentleman also said that the system was impracticable, and that hon. gentlemen who believed in local option but did not believe in the local option introduced in the Bill, did not really believe in the principle. He might say that he did not believe in local option at all; he thought it was a wrong thing ; but he would show that it was practicable. It had been adopted elsewhere ; so that its impracticability was a myth ; it was simply in the hon. gentleman's imagination. He was raising an objection which did not really exist. The system of voting which the hon. gentleman said was impracticable was the system carried out in Canada.

The PREMIER : Give us particulars !

The HON. J. M. MACROSSAN said that no matter what the particulars were they would show that it was not impracticable. The hon. gentleman said it was, and therefore it must be so. The hon. gentleman wanted to threaten a few hon. gentlemen in that Committee who would probably vote otherwise. The following was the Canadian law of 1883, the last law made upon the subject :—

"No license to be granted if two-thirds of the electors in the subdivision petition against it on grounds set forth."

The PREMIER : Exactly.

The HON. J. M. MACROSSAN :

"How population to be computed.

"The number of the population which is to determine the number of licenses issuable is to be according to the last preceding census : but where a large increase of population has taken place since such census, the Governor in Council may, upon a certificate from the board as to such increase, and a memorial from the municipal council that a larger number of hotels is needed, authorise a special census to be taken at the expense of the municipal body ; before such new census the limit for the number of licenses issuable shall be one for each full 250 of the population under 1,000, and one for each 500 over 1,000."

The PREMIER : What does "electors" mean?

The HON. J. M. MACROSSAN said it meant electors on the electoral roll.

"How such poll obtained.

"When a requisition is presented to any commissioner by one-fifth of the electors in any municipality (except counties and cities) asking for such vote to be taken, he, after taking precautions specified to prove the authenticity and sufficiency of the signatures, convenes a public meeting of the electors of such municipality, to put the matter to the vote. The chief inspector, or some other suitable person, is appointed by the commissioner to preside at such meeting and act as returning officer.

"Poll of Electors—how taken.

"The commissioner also fixes the place and day for the poll, and the returning officer publishes the same in the local (or nearest) newspaper, and posts up notices at the polling places appointed, and also at two of the most public places in the municipality. Those notices are continued for three (3) weeks. Such meeting is to be held in January or February next ensuing, not less than four or more than seven weeks from the first publication of the notice, and the poll is to be taken between 9 a.m. and 5 p.m. by ballot. At the close of the poll the returning officer counts the votes, and forwards a certificate of the result to the board within two days of the polling."

There was a poll of the whole of the electors.

The PREMIER : That is what you have not shown. It speaks of the electors of a municipality.

The HON. J. M. MACROSSAN said there was not a single word in the whole Bill about ratepayers or property holders. The word "electors" was used right through, as it was used in Queensland, in connection with the Elections Act. The rest of the Act applied to conditions, accommodation, and so forth ; but those were the matters pertaining to elections and the question of local option itself.

The PREMIER : Is that the Act?

The HON. J. M. MACROSSAN : It is attached to the Victorian Bill.

The PREMIER : It is a summary.

The HON. J. M. MACROSSAN : He knew it was a summary. It was not the Act, clause after clause, but was a summary attached to the Bill now before the Victorian Parliament for the purpose of giving members all the information the Government could furnish them with. He maintained that the people who were to be affected by the question of local option were the people who ought to be consulted. He contended that it was an act of tyranny for any man to be able to say to him that he should not obtain liquor in any locality in which he lived without his consent first being obtained. He was quite willing, although he did not believe in local option, to abide by the decision of a sufficient majority—living as they were in a democratic country and in democratic times —although on a question of that sort probably democracy should have nothing to do with it—still he was willing, for the sake of local government, to submit to the inconvenience ; but he must first have the option, the right of saying whether it should be so or not, and he held that every man in the country had the same right that he had. If he went to the poll with all the rest of the electors of the district and was defeated he should take the consequences. He should submit to it ; but he maintained that it was an act of tyranny of the worst description to impose a law of the kind without first consulting everybody who would be affected by it.

Mr. MACFARLANE said the hon. member for Townsville was correct in so far as he said that the Canadian Act applied to the whole of the electors. He held in his hand a letter which he cut out of a Canadian paper a few days ago, which said :—

"The Canadian Temperance Act, or Scott Act, as it is popularly called, is a permissive prohibitive liquor Bill applicable to counties or cities on a majority vote of the electors."

The PREMIER : It does not say who they are.

The HON. SIR T. MCILWRAITH : Yes, it does. It says, the electors entitled to vote for members of the House of Commons.

Mr. MACFARLANE said he would like to explain to the Committee that there was a

great difference indeed between the Canadian Act and what was here called local option. The Canadian Act applied to every public-house in proportion to population. There must be, he understood, 250 persons to every public-house; either that or entire prohibition, and it must apply to the whole county or city. It was a permissive Act for the whole county or city, and in that case they could take a larger view of the matter. But the local option proposed here was quite different. It was made to apply to any part of the municipality, and in that case he did not see any way of dealing with it except by the voice of the ratepayers. He would remark, at the same time, that the larger representation would suit his purpose far better than the small one. He would far sooner see every male and every female in the whole district or ward have a vote, but it was scarcely practicable; and that being the case he thought the way proposed in the local option clauses was preferable to taking the vote of the whole of the electors. If it was a permissive Act dealing only with things as they were—that or entire prohibition—it could be done in the colony; but seeing that it dealt with partial prohibition he thought the best tribunal was the ratepayers. It was very like the idea suggested in the English Parliament, which had been before the House twice, and which had once passed the second reading. The Bill was very much on the same lines as that measure.

Mr. BAILEY said that in England, not many years ago, there was a kind of local option which he was sure the hon. member who had just spoken would not approve of. It was a local option which prevented the erection of either a Wesleyan, dissenting, or Roman Catholic chapel of any kind in a great many districts in England. Now they had another kind of local option; and as mention had been made of the great Canadian Act, he believed he was in possession of information which, although he did not like to trespass on the time of the Committee, he thought was worth their consideration. It was the report of a correspondent specially deputed, he believed, for that purpose by a London newspaper, the *Echo*, who went to Canada to investigate the working of the Act there, and although he was disposed in every way to be favourable to it, this was his report:—

"The adoption of the Scott Act by a country has the effect of closing every public-house used for the sale of intoxicating drinks, and prohibiting all public and private traffic in such beverages. A limited number of druggists are licensed to sell alcoholic drinks"—

He would call the attention of the hon. member for Moreton to that—

"But only on the authority of a prescription signed by a duly qualified medical practitioner. Now, this will be admitted to be a measure of a very sweeping character, if anything can be. I do not mean to dwell upon the evils of the system of espionage on which the success of a measure of this kind must depend, with the seeds of bitterness which such a system cannot fail to sow amongst a small community. But certain conspicuous results attend the application of the Scott Act wherever it is proclaimed. It is strange and surprising to hear a prohibitory law charged openly and publicly with an increase of the vice of drunkenness; but this is the case. The suppression of the licensed trade in drink brings into existence that vilest of all traffics, the unlicensed shebeen. Moreover, the illicit traffic necessarily eschews beer as too bulky for secret handling, and confines itself to spirits of the most poisonous quality. In towns and villages under the Scott Act, credible witnesses declare, day after day, through the public Press, that whisky is sold in larger quantities than had ever been the case under the system of licenses, and that the victims of the dreadful stuff may be seen rolling about the streets. Anyone can obtain whisky when he wants it and has money to pay for it. We do hear a great deal in support of these statements, without any authoritative contradiction of them. But it will be at once asked, would any community which had for its own good imposed upon itself a prohibitory law of this kind suffer it to be set at nought with impunity? The answer to this question is given day after day. It is asserted, and I have not seen the assertion controverted, that hardly ever is the Scott Act accepted by the majority of the votes of a constituency."

That was the bother they were in here just now—the trouble that would be brought about.

"Many of those who vote for it do so from the solicitation of the female and clerical canvassers, rather than from any active sympathy with the movement, and many more abstain from voting altogether. In such cases the operation of the Act does not carry the public sympathy with it; and a law which is placed in this predicament is sure to be violated with impunity, and with the connivance of hundreds.

"Now let us see what the result of the Act is like inside of its own provisions. It would hardly be supposed that the chemist, rigidly bound to dispense liquors only for medicinal purposes, and on the authority of a doctor's prescription, could take to any extent the place of a licensed retailer of drink. It turned out otherwise, however, and that there might be no doubt on the point an official blue-book was printed by order of Parliament last year containing a return of the liquor sold to persons in the county of Salton, under the authority of the Canada Temperance Act. These returns showed the name of the druggist selling under the Act, date, name of purchaser, quantity and kind of drink sold, purpose for which required, and the name of the medical practitioner signing the prescription. I was about to make a summary of the quantities mentioned in these returns as duly sold for 'medicinal purposes' but when I had counted in the issues of one druggist alone, in a country town named Oakvale, for the month of May, no less than 522 bottles of whisky, exclusive of an enormous quantity of brandy, gin, and other medicinal fluids, I desisted from the task. I daresay the fact will be almost incredible to your readers, but the fact is, that these returns contain within the limits of a single month issues of whisky, brandy, gin, etc., on medical prescriptions 'for medical purpose' in quantities of never less than one pint and reaching in many cases to one gallon. In several cases the prescription states that the 'patient' is to receive 'a pint of whisky or more,' 'a quart of brandy or more,' 'as much rum as he requires,' etc. In the returns of 'George E. Morrow, Georgetown,' appears the name, at very frequent intervals, of an invalid called 'J. Cain,' whose ailments appeared to require, in the opinion of the different medical men who gave him the prescriptions, an enormous amount of treatment. For example, they prescribed for him on the 12th May one quart of whisky; on the 19th one quart of whisky; on the 24th three quarts; on the 28th one quart, 'or more'; on the 29th one pint; on the 30th one quart; on the 31st one quart; on the 1st, 2nd, 4th, 5th, 7th, 8th, and 9th of the next month—and so on almost daily, to the end of the return—the same quantity of whisky. No one, I think, glancing over these appalling returns, would believe that so much spirituous liquor could obtain sale in the country in question under the system of licensed trade abolished by the Scott Act as under the Act itself."

He now came to another point made by the writer, and a very good one it was too—

"Within the last month the Senate of Canada passed an amendment to this Act authorising the sale of beer and light wines only in counties under the operation of the law. The prohibitionists rose in alarm and succeeded in defeating the amendment in the House of Commons. 'When the bells rang for the division,' says a Press account, 'at least half-a-dozen men got up from the tables in the bar-room of the House, where they were drinking the condemned liquor, went upstairs, and coolly voted against the beer and light wine clause.' At least twenty others voted the same way against their convictions and practices. A cause supported by such pillars must eventually fall. The prohibition movement in Canada has, in the opinion of moderate and thoughtful men, ruined itself by its own intemperance of act and language."

The writer ended up with the following rather sensible remark:—

"It is to be regretted that in the prohibition movement, as in many others like it, originally prompted by the best motives, so much valuable energy should be misdirected and lost through the degeneration of social charity into public fanaticism and intolerance."

A better comment on the question of local option than what was contained in the article he had quoted from had never been given. If local option were introduced here the effect would be

that throughout the colony there would constantly be scenes of wrangling over elections and the declarations of polls, and of neighbours quarrelling with neighbours; and a great deal of ill-feeling and bad blood would be promoted.

Mr. MACFARLANE said he must meet the figures and quotations of the hon. member for Wide Bay. The hon. member had read from an article which was simply a yarn got up by some commissioner in favour of the liquor traffic. He (Mr. Macfarlane), however, would read some facts and statements which could not be gainsaid, for they were given by the Finance Minister of Canada, on March 3rd of the present year. The hon. member who had just sat down had attempted to show that where the Scott Act was in operation drink was sold in such a way that the Act, instead of limiting, increased the quantity consumed. In reply, he would read the following:—

"Sir Leonard Tilley, Finance Minister, made a statement to the Canada Parliament on March 3, giving amended estimates of the income and expenditure for the current fiscal year, and showing a reduction of Customs revenue of 500,000 dollars, the result of reduced values of goods imported, and of 100,000 dollars reduction on spirits, caused by the adoption of the Permissive or Scott Act. In order to make up in part the loss in excise on spirits and malt duty, the Government propose an increase on cigars of 3 dollars per thousand, and to increase the Customs specific duty from 60 cents to 1 dollar 20 cents per pound."

He would give the Committee one or two more facts from the *Alliance News*, a paper that had the welfare of the human race at heart:—

"Since the 15th of January the Canada Temperance Act has been submitted to twelve counties, and carried in eleven out of the twelve. The county which failed to adopt the Act failed by only twenty-five votes. Three of the counties adopting the Act gave as an aggregate majority 6,950. The total majority for the Act in the eleven counties voting this year is 11,260. Lambton, which gave 85 majority against local prohibition in 1881, has just now given a majority of 2,369 in favour. You will see by this the wonderful growth of public sentiment against the liquor traffic. Of the 120,000 votes cast in favour of this local prohibitory law, every voter cast his vote, not merely to stop the retail sale of alcoholic beverage in his county, but with the ultimate aim of stopping the manufacture and importation as well."

He did not want to take up the time of the Committee by reading any more lengthy statement as to the beneficial effects of the Scott Act in Canada, as he was anxious to see the Bill go through. If, however, hon. members wanted statistics in favour of temperance in Canada, England, Scotland, or Ireland, he had got them by him in bundles, ready to be produced when they were disputed.

The PREMIER said the hon. member for Townsville was quite right in stating that, in Canada, all electors entitled to vote for members of the House of Commons were entitled to vote under the Scott Act. That did not prove anything, however, in the way of showing that a like scheme was practicable in this colony. It all depended on what the election law of a country was. In Victoria every electoral district was divided into sub-districts, and there no difficulty would be experienced at all. But his argument was, that owing to the election system here, and the enormous extent of the colony, it was not practicable in Queensland. He did not say it could not be done—that they could not devise an elaborate scheme for the subdivision of every district so as to be able to identify every elector; but it would be so inconvenient to make the fresh machinery necessary that it would be impracticable. The Canadian Act provided for licensing districts, which were to be as nearly as possible conterminous with counties and cities; and he had a strong impression that the electoral rolls of counties and cities were made up separately. In the province of Ontario all the electorates were counties, ridings of counties, or cities. So that there there was an electoral roll already provided. He found also that nearly all through Canada there was no residence qualification, except that of "resident householders," which was the same thing as "ratepayers." Every resident householder here was a ratepayer. It was, he said, impossible to say how the Canadian scheme could be applicable to this colony until they knew what that scheme was. It was there provided that if a poll was to be taken the clerk of a municipality was to furnish the returning officer with a correct list of all the electors in the municipality in which the poll was to be taken. That was what had to be done under the Canadian Act. It might be that in Canada the clerk of a municipality could make out a list of all the electors in a municipality, but he did not think that could be done in this colony. Of course, a man might say he had done it, but it could not be done approximately correctly. It might be done in Brisbane or in some of the wards in Brisbane, by a man going all round the place, but it could not be done in a large district. But on the merits, there was no reason why the ratepayers, who were the permanent residents in a district, should not have the power proposed. He confessed that the larger the constituency the better, because a larger proportion of the people would be entitled to vote; but those entitled to vote should be as far as possible persons who had some settled and permanent interest in the district. Any resident of the colony was entitled to vote, whether he remained in one constituency or another, for the return of a member of the Legislature; but in a matter which affected only a particular locality, only those interested in that locality should be entitled to vote. The mere fact that a man happened to reside in a district for a few months, though he might shortly intend to go away from it, should not make him entitled to vote upon a subject which affected only that particular locality for three years. That would be very unfair, though there was no reason why such a man should not be entitled to vote for a member of the Parliament of the whole colony. His argument was that a matter affecting a particular locality should be determined by the persons living permanently in that locality, and not by people who might happen to be there when the poll was taken.

The HON. J. M. MACROSSAN said the hon. gentleman still stuck to his objection, though he did not now say it was impracticable, but only that it would be "very inconvenient." He would point out to the hon. gentleman that in all the electoral districts in the colony, according to the Elections Act, with the exception of mining districts, they had polling districts and subdivisions of electorates. If the hon. gentleman thought the electorates themselves too large and unwieldy for working that portion of the Bill, why not have a scheme applicable to the polling districts? Why, they had a scheme proposed by the hon. gentleman himself in that Bill which actually met the objections the hon. gentleman made The clause under discussion said:—

"The provisions of this part of this Act may be applied in any municipality or division, or any subdivision of either."

Where, then, was the difficulty in the clerk of any municipality obtaining an electoral list of all electors in a municipality or part of a municipality? It could be easily done in Brisbane. Then there were the divisions. What was to prevent the clerk of a division from obtaining a list of all the electors in any division

or subdivision who were entitled to vote for members of Parliament? The scheme was both easy and practicable if the hon. gentlemen would only adopt it. The hon. gentleman said he preferred the larger number of votes; so did he (Hon. Mr. Macrossan), and the scheme he suggested was the only right way to secure that. If they adopted a scheme of the kind proposed, by which they would give one-fifth or one-sixth—or it might be even one-tenth—of the people in any district the power to foist their opinions and practices upon the whole of the people living in that district, they might be sure that the result would be the same as had been read to them by the hon. member for Wide Bay. He might say something to the hon. member for Ipswich, who, as a teetotaller, quietly assumed that he and other teetotallers were the only people in the whole world who cared anything at all for the advancement of the interests of humanity. Had they ever heard anything more simply absurd spoken in that Committee or anywhere else? Did he really think that other members of the Committee, who did not think as he did upon that question, had not as great an interest in the progress and welfare of humanity as he had?

Mr. MACFARLANE: I never said they had not.

The HON. J. M. MACROSSAN: The hon. member assumed as much, and he was always assuming as much, which was the worst part of it. And not only the hon. member for Ipswich, but the people whom he represented assumed as much; the whole body of them assumed it. Had they not seen statements made by gentlemen professing teetotal principles, to the effect that they did not even admit a man to be a sincere Christian unless he was a teetotaller? He hoped the hon. gentleman in charge of the Bill would make that portion of it workable. He knew that the hon. member, with the majority at his back, could, if he chose, adopt that part of the Bill. But if he did so it would be unworkable in so far that when the local option part of it was adopted in a certain locality it would not be carried out by the people in that locality, because they would break a law made without their consent; and he held they would be perfectly justified in breaking a law made not only without their consent but against their desire.

Mr. BROOKES said he had hardly expected the whole question of local option to be dealt with on the first of those clauses; but he must confess that unless better arguments could be used against them than had been adduced so far there was a very strong probability that the local option clauses would be carried, or, at all events, the more valuable of them. With a good deal that had been said by the hon. member for Townsville, in the three speeches he had made, he agreed. He agreed with that hon. gentleman when he said that the majority ought to rule. He meant that; but then even that democratic axiom was subject inevitably to change. The majority likely to be affected by any change was the only majority he would be inclined to accept in determining whether that change should take place. The hon. member for Wide Bay, too—he really wondered whether the hon. member thought he could do any good in that Committee by reading such rubbish as he had read to them from a paper that afternoon. He dared say that there were some hon. members on the other side who thought it was the essence of all wisdom; but those who were acquainted with the tactics and style of literature which were indulged in by such people as wrote those letters knew better. He regarded several statements in that letter as open to question. He had in his lifetime read some thousands of letters in reference to the Maine law in the United States, stating that a man could get drunk anywhere in the State of Maine. Now, what was the history of those letters? He just wanted to deal with that particular matter now, because in the course of the debate he would have many opportunities of saying anything he might wish to say further on the question. The history of those letters was something like this:—A man went into Canada very likely accustomed to get "tight" frequently, and the prohibitory law was the very greatest nuisance that could occur to him. He went there with a set purpose—he (Mr. Brookes) spoke advisedly—of finding out every flaw in the law. The main flaw in the letter which had been read by the hon. member for Wide Bay was that it stated persons were authorised to drink a pint of whisky daily by medical men. He (Mr. Brookes) did not believe it. On the face of it it was improbable. He had a better opinion of the medical faculty than to think that with all their faults they were so faulty as that. With reference to the working of prohibition in Canada, it had so far been a great success. If it was a new thing there, it was not a new thing in the United States. They had all heard of the place where Pullman's cars were made, and of other towns in the States where the prohibition law was not only in force but was working successfully. It was true that even in the State of Maine a man could get drunk; but when a man wanted to get drunk they could not prevent him, do what they would. He was quite prepared to take the opinion of the hon. member for Balonne on that question.

Mr. MOREHEAD: I am sorry I cannot hear the hon. member; because I would like to hear the honeyed words that fall from his lips.

Mr. BROOKES said he stated that, do what they would, they could not stop a man from getting drunk who wanted to get drunk. Persons could get drunk in a chemist's shop. He believed it was a difficult matter for chemists to prevent their assistants drinking the contents of bottles in which there was anything mixed with spirits of wine. He was only dealing now with the preposterous letter read by the hon. member for Wide Bay, and he would remind the hon. member, with all kindness and respect, that if he thought to choke discussion by any such argument as he advanced he was very much mistaken. Local option was a great social question, and not only a social question but a money question, one affecting the values of properties. He (Mr. Brookes) had known, and he was sure many hon. members had also known, cases in which the value of property was seriously diminished by the facilities offered for erecting and establishing public-houses anywhere a wholesale wine and spirit merchant might wish to have a public-house. He thought the arguments advanced by the Premier were unassailable, but he must admit that the argument of the leader of the Opposition that the question ought not to be confined to property owners rather caught him (Mr. Brookes), because he had at first thought, like the hon. member for Townsville, that the question should be settled by the majority. But the question was one which he hesitated to submit to a majority, if that majority included all the loafers and waifs and strays of the streets, who happened to be for a short time in a place where a vote was being taken. That was his objection to the majority proposal. He thought the other plan suggested by the Premier was the better one. As the hon. gentleman had said — very properly and irrefutably said — it was a question for those who had a vested interest in the place, and for those only. Therefore, he (Mr. Brookes) thought that the ratepayers were

the only persons, from a moral point of view and from a financial point of view, who should be called upon to vote on such a question as that, or else they might have "carpet-baggers" and all sorts of nondescript persons collected together on the day of election to give their valueless votes—valueless, from a moral and social point of view—to assist in hindering a cause which would vitally affect every valuable interest in the place in which that vote was being taken.

Mr. ANNEAR said he was a believer in local option, but he believed in the deciding of that question by the votes of the people. The Premier had stated that it would be impossible to conduct a poll on that question from the electoral rolls. Whenever a new municipality was formed, or a lapsed one was reconstituted, the election was conducted from the electoral rolls. That was the case in the municipality of Maryborough, after it lapsed, when twenty-one candidates came forward to fill nine vacancies. The electoral roll was used. The hon. gentleman seemed to think that every householder was a ratepayer, but that was a mistake. There were hundreds of householders who were not ratepayers, because the owners of the properties preferred to pay the rates and secure the votes for themselves, as the municipal law allowed a man so many votes according to the amount of rates he paid. He (Mr. Annear) knew many instances in which that was done by the landlord. In many cases where there were five or six cottages, the rates of which would amount to £5, the owner paid the rates in order that he might be armed with the votes. He knew one municipality where there were 2,200 names on the electoral roll and only about 700 on the ratepayers' roll. Would any man of ordinary common sense say that a question decided by the ratepayers was decided by the votes of the people? As for the objection that it would be impossible to find out where people lived, every person whose name was on the electoral roll had to give the street in which he lived. Many hon. members had told their constituents at the general elections that they believed in local option by the people; and the people of the colony were those whose names were on the electoral roll. Take Brisbane, for example: many men lived at temperance hotels from year's end to year's end, and their names were on the electoral roll; they had the status to vote for a member of Parliament, and surely they should be allowed a voice as to whether a public-house was to be erected in the locality they lived in or not!

An HONOURABLE MEMBER: Not if they are mere lodgers.

Mr. ANNEAR said many men preferred to be bachelors, and they remained lodgers from year's end to year's end, and it was a great absurdity that they should not have a voice on the question. The hon. member for North Brisbane said that the letter quoted by the hon. member for Wide Bay was mere rubbish; but if it had cut the other way it would not have been rubbish—it would have been quoted very freely. He believed that he himself, and many others like him, had done as much for the human race as the hon. member for Ipswich.

The PREMIER said the hon. member was quite mistaken in supposing that under the Local Government Act the occupiers were not rated. The owner was only rated when there was no occupier. The 190th section of the Local Government Act provided that all rates should be levied on the occupier, or, if there were no occupier, on the owner; and the 64th section of the Divisional Boards Act made the same provision. It was the occupier who was entitled to vote. If the landlord chose to pay the rates, that was his business. Every occupier in the district would be entitled to vote.

Mr. MOREHEAD said he certainly was astonished—no, he was not astonished—at some of the remarks that fell from the hon. member for North Brisbane, Mr. Brookes, when he said that many whose names were on the electoral roll were loafers, waifs, and strays. He could quite understand the truth of it when he saw the hon. member sitting in the House as a representative of the people; because he could only understand the hon. member's election on the ground that he was put in by loafers, waifs, and strays. At the same time, he denied the charge the hon. member had made against the people of the colony. What he wanted particularly to point out was, that while the Premier proposed in that clause to give the ratepayers of the colony a power as against the electors, at the same time he was taking away from the ratepayers a right they at present possessed—the right of cumulative voting. The ratepayer was only to have one vote, so that the property holder was deprived of his right, while the right was not given to the elector. He would like to hear from the Premier the reason for making that alteration. It seemed an underhand way of dealing with the matter; it was making a very hollow affair of it; the rights of the ratepayers under the existing Acts were to be taken away, and there was to be no general distribution amongst the electors of the colony. They should have one thing or the other—either the electoral system or the municipal system. There might be something to be said in favour of the municipal system; but he agreed with the hon. member for Townsville that the right should be given to every elector of the colony, whether a ratepayer or not, to express an opinion on a matter of such material importance to the good conduct of the colony. If there was to be local option, every man who had a vote in the colony should have a right to express his opinion; it should not be confined to those who were better off than their fellow-men.

Mr. FOOTE said clauses of that kind should be very carefully considered, lest some people should be deprived of their rights and others be given powers which they should not possess. There seemed to be many difficulties in the way of giving every elector a voice; and it seemed to him that the better system would be to confine it to those parties who were personally interested in the locality. He did not see why property owners should not have the power of voting as well as the householders, as his experience had been that householders would not pay the rates if they could possibly avoid it. If they did not pay their rates they were not the actual ratepayers and were not entitled to have a vote. Such people preferred to dispense with the franchise rather than pay the rates. He could understand that in a city like Brisbane property owners were able to enforce their rates, but that did not apply to every township or municipality in the colony. There were places where rates could not be enforced, where owners were only too glad to get respectable tenants and were prepared to make terms with them. His contention was that every person who paid rates, and also every property holder in a district, should have a right to a vote. In that respect the ratepayer's right to vote should not depend upon the fact as to whether he had paid all his rates or not. If his name was to be found on the rate-books, and he had not parted with his qualification, he should be entitled to a vote. He did not believe that mere lodgers should be entitled to a vote in consequence of their residing in the locality. Such a system might be carried to a great extent. It would be placing a tremendous power in the hands of the temperance societies. Those bodies might determine at some of their meetings that in a certain locality

or district they would oppose certain applications for licenses to certain persons, so that they might establish a temperance hotel in the place. Teetotallers have a specific object in view, and if lodgers were allowed to vote at elections of that kind they might carry everything before them. Therefore the question should be dealt with very carefully. Whilst willing to extend the right of voting on that question to almost everybody it was quite possible to be overdone by too great a stretch of liberality in that direction. No person should have a right to vote on that question who was not a ratepayer or who was not an owner of property in the locality where it was to be decided. It was to their interest to preserve the respectability of the locality. But it must not be forgotten that the introduction of local option would create a monopoly in trade—a monopoly to the publicans who remained in possession. It might be decided that there should be only a certain number of public-houses in a district, perhaps one or perhaps two. The object of temperance societies was to put down the drink traffic altogether; but that they were not likely to do for many generations yet to come. The result, therefore, would be to create a monopoly in trade. Whilst some parties might be removed from the trade—were the clause in operation to reduce the number of licenses in any locality—the scheme, instead of depreciating the value of hotels, would tend to considerably increase it. It would, of course, depreciate the value of those hotels whose licenses had been taken away, but it would not diminish the desire of parties to invest in hotels where they were thus protected by an Act of Parliament. It struck him that if the Bill became law there would be a great springing-up of clubs. There was nothing in the measure to prevent it, neither was there anything to prevent temperance societies from establishing temperance hotels. It was quite possible, therefore, that they might have over-legislation in that direction. For his own part he believed in local option to a limited degree. If a certain number of ratepayers and property owners in a locality were to say, "We have a sufficient number of public-houses here, and we do not want any more," they should be heard. Also, where there was a disorderly house, the parties interested in that particular locality had a right to say to the proper authority, "This house must be done away with." To that extent he was prepared to support the system of local option; but he certainly thought that the right to vote on the question should be strictly limited to ratepayers and owners of property of the district.

Mr. ISAMBERT said he was also in favour of local option, on principle, and he was as anxious as anyone to promote the cause of sobriety; but he could not see his way clear to vote for the clauses as they stood, on account of the injustice that would be done by the proposed system of voting. Women were prohibited from voting at general elections, but were permitted to vote at municipal and divisional board elections. What was the principle which admitted ladies on the one hand, and prohibited them on the other? It was the principle of responsibility. A political vote might involve a country in war, and the responsibility in the last resort rested upon the men. If a country engaged in war it had to stand the consequences; and that was the principle which had hitherto guided nations in prohibiting women from exercising a political vote. In the cases of municipal elections or divisional board elections, the ratepayers were responsible for the consequences, and women who owned property were quite as responsible. Hence he thought it was a very sound principle to admit women to the franchise in such matters, where they were also responsible. If the aldermen or councillors liked to squander the money of a district the ratepayers were responsible; but in the present case they gave the ratepayers a certain amount of power without any responsibility attached to it. If the ratepayers simply said there should be no more licenses granted, he did not see that there was any principle of injustice or wrong involved. They had a perfect right to say so, and no wrong could be done; and therefore the responsibility did not come into question. But take the other view of the case, where hotels had been built specially for the purpose, and then the license was refused. The proprietor might be ruined. Who was to indemnify him for the loss? Who was to compensate him?—was the Government? He did not see any provision made for that. It was useless to spend another minute discussing the subject of local option when it was based upon such a manifest injustice, and throwing to the winds of all the responsibility that underlaid the principles of voting. He admitted that it was possible to admit local option under the first two sections of the clause. Let the ratepayers who wished that there should be no more intoxicating liquors sold in the locality, or the number of hotels should be reduced, vote openly, and let there be a certain responsibility attached to voting. They should pay a certain amount towards indemnification. Let them pay one-fifth, and the Government be responsible for the other four-fifths. Then there would be some justice. If the clause were carried as it was, what were the vignerons in the country to do? They might spend all they had in planting vines, and then find that they could not sell the wine. Perhaps they would be allowed to drink it themselves.

The PREMIER: They may sell it in quantities of not less than two gallons.

Mr. ISAMBERT said the vignerons calculated upon the sale of the wine upon their own terms for all the little receipts of money that they received during the year. As the clause stood it embodied such an amount of injustice that he did not see how he could vote for it, or how any other member of the Committee could, without making himself utterly responsible for the loss he caused in the value of property. He had always found that people were very anxious and ready to reform humanity and improve it if there was no responsibility attached to so doing. If any responsibility were attached to it they shrunk from touching it. He was prepared to vote for local option in its entirety if the clause were improved by prohibiting compensation. Men voting by ballot had responsibility attached to them.

The HON. J. M. MACROSSAN said the hon. gentleman who had just sat down had said that he was not in favour of the 3rd subsection of clause 114. It did not require a Bill of that kind to limit the number of public-houses. The licensing board could refuse to grant licenses.

The PREMIER: Sometimes they do.

The HON. J. M. MACROSSAN said that local option practically existed in the 1st section, partly in the 2nd, and not at all in the 3rd.

Mr. NORTON said he had observed on more than one occasion that, where a license was applied for, people living in the neighbourhood often objected to and brought sufficient influence to bear to prevent its being granted. That was a thing that the Bill avoided to a certain extent. He did not suppose such people objected to it because they objected to people being supplied with liquor, but because it was being opened in their locality. He felt induced to support the measure because he thought that as some men could bring sufficient influence to

bear to prevent the opening of a public-house those who had not that influence should have just the same amount of consideration. There was one place not very far away, the license for which had been applied for some years ago, and every time the application was put in a few gentlemen residing in the neighbourhood brought influence to bear upon the licensing authorities to prevent that application from being granted, until some two or three years ago. The same thing occurred with regard to another place where the same influence was brought to bear to prevent a license from being granted. When they knew that that was done, in fairness to the people residing in the locality where it was proposed to open a public-house they should have just as much right as the others who had influence in the matter. So far, he thought there was reason in the proposal that the local option principle should be adopted. None of them liked to have hotels opened near their own houses. He also agreed with the measure to a certain extent in regard to the advisability of prohibiting the sale of liquors. All the people who resided in the locality in which it was proposed to apply the section of this clause of the Bill should have a voice in the matter. It had been contended by several hon. gentlemen who had spoken on the subject that lodgers ought not to have a vote. He knew gentlemen who had lived in the same house for years and never thought of going to another place, and who were just as much interested in the welfare of the district as those who had property; why should they not vote? He could count nearly a score of men who had resided in the same house for years, who had no intention of leaving it, unless some of them got married and started an establishment for themselves. Why should those men be left out? They must either start homes for themselves or stop at hotels or boarding-houses, and they preferred boarding-houses to hotels, because they would be clear of the drinking that went on there. They were certainly as much entitled to a vote as anyone else. If the vote was to be confined to ratepayers alone the less they had of local option the better. Let the whole of the residents of a district, whether they were ratepayers or mere boarders, or whatever they might be, have a voice in the matter as well as anyone else. He did not mean to say that owners of property should not be considered; because, of course, it was a matter of importance to them whether a scheme of the kind proposed was carried out in the district in which their property was situated or not. He thought, under all circumstances, they were entitled to a vote. If the principle was adopted in its entirety, and the whole of the people in the district were entitled to vote, the scheme would not be bad; but if the voting was to be confined to mere ratepayers, then the less they had of it the better.

Mr. McMASTER said he thought some hon. members were mistaken in thinking that by taking the municipal rolls they would reduce the power of voting. He was inclined to think, on the contrary, that it would increase it as compared with the parliamentary roll, inasmuch as a very large number of persons who were entitled to have their names on the parliamentary roll neglected to get their names registered. Not so with the municipal roll, because it was compiled by the rate collector, who went round to every householder and entered his name on the roll. Whether his rates were paid or not his name was entered on the roll at the time; and if his rates were paid by the 1st November his name was officially entered on the roll. The householder had a vote in the municipality as well as the property owner, who was registered as owner. The tenant was registered as occupier, and it was a matter of arrangement between him and the landlord whether he or the landlord paid the rates. The rates were collected, as a rule, from the tenant, and if he had failed to pay his rates on the 1st November he was disqualified and the municipal council fell back upon the owner. The same practice, he believed, took effect in divisional boards. Therefore he maintained that by taking the municipal roll they would probably have a larger number of voters than by taking the parliamentary roll. He thought it was desirable that the man who was living in the locality should be the man who should have the power to say whether a public-house should be established in his neighbourhood or not. It would not be right or fair to allow a person who was not living in the locality that power; and for the reasons he had pointed out he thought the municipal roll was very much preferable to the parliamentary roll.

Mr. ANNEAR said the hon. member for Fortitude Valley did not tell the Committee that if a ratepayer did not pay his rates by the 1st of November he was disqualified from voting. He (Mr. Annear) believed that almost every man of twenty-one years of age in the different districts throughout the colony had his name on the electoral roll, because if he did not put it on himself there were a good many people seeking to put it on for him.

Mr. McMASTER said he had stated that if a ratepayer did not pay his rates by the 1st November he was disqualified for that year. He could assure the hon. member for Maryborough that there were hundreds of men who had not their names on the electoral rolls. He had had some experience on that matter during the late election for Fortitude Valley, and he believed that over 1,000 persons living in that electorate had not the right to vote because they had neglected to put their names on the roll.

Mr. FERGUSON said he agreed with the hon. member for Fortitude Valley that the ratepayers' roll was the proper one to decide in this matter. He knew that in some towns—the one he represented, for instance—that at municipal elections the number of votes was larger than the number polled at parliamentary elections. Again, supposing a ward wished to have the votes taken on the question of local option, they should have the right to do so, and that could not very well be done under the parliamentary roll. In that case he did not suppose the whole municipality would take a vote at the same time. The residents in the ward were the people who should have the power of deciding the question one way or the other, and they were the ratepayers. Property owners were ratepayers, as a rule. He would give an instance in his own case. In one ward he paid the whole of the rates for twelve householders, and each one of those persons claimed the right to vote at elections. Although he paid the whole of the rates, they were served with the notice-papers, their names were put on the roll, and they claimed the right to vote as if they themselves had paid the rates. That was a matter of arrangement between the proprietor and the tenant, and in some wards the property owner had no vote at all. Although the hon. member for Fortitude Valley had explained it in that way, it was not carried out in all municipalities. At all events, the people who resided in the houses in the ward were the people who should decide in a matter of that kind, and the ratepayers' roll was the only fair way he could see of deciding it.

Mr. GROOM said he believed that the ratepayers' roll was the proper one by which to take an expression of opinion with regard to the local option question. He knew himself of a

parliamentary electoral roll on which at least 300 names were inserted in the harum-scarum way in which names were placed on rolls four or five years ago, but those people were now scattered to the four quarters of the globe; and supposing an election took place on the local option question in that particular electorate, the whole of those men would be revived, and probably the votes of the *bonâ fide* residents would be entirely swamped, as they were swamped at a previous election of a parliamentary representative. He thought the scheme proposed by the local option clauses of the Bill was the very best method of taking a clear expression of opinion of the ratepayers on that question. He was somewhat amused at the speech of the hon. member for Wide Bay, who seemed to have laid himself out specially to do everything he possibly could to defeat the excellent measure now before the Committee. He (Mr. Groom) had no hesitation in characterising it as one of the most excellent licensing Bills that had ever been brought before any Assembly in any of the colonies. To his mind it was far superior to the Bill now going through the Victorian Legislature. It was not likely to produce the angry feelings which had characterised the one in Victoria. What were the facts as far as an expression of opinion on the subject in this colony was concerned? Petitions had been presented to the House in favour of the Bill, but not a solitary one against it. In Victoria the position was reversed. There the majority of the petitions presented were against the Bill, and only a minority in favour of the measure. He could indorse much that had fallen from the hon. member for Ipswich with regard to the Canadian Act, and if the hon. member had only gone a little farther into the facts he would have shown that in the debate which followed Sir Leonard Tilley's financial statement the Government were complimented on the great success which had attended local option in Canada. In every district where it had been tried it had been attended with most beneficial results. He was inclined to think that the picture given by the hon. member for Wide Bay was decidedly an exaggerated one. It was utterly impossible to suppose that any medical man would be so insane as to advise a patient to drink a quart of whisky a day. Anyone who knew the power of alcohol would be satisfied that the thing was a burlesque. It was almost an insult to common intelligence to be asked to believe that a medical man would advise a patient to take, day after day, a quart of whisky as medicine. One of the usual claptrap cries raised against teetotalism was, that if local option was adopted there would be more shanties and grog-selling than at the present time. Those, however, who inquired into the matter impartially—who had gone with an unbiased mind to search out the truth—had come to the conclusion that in all places where local option had been applied it was attended with the most gratifying results. He confessed that he himself was a recent convert to the principle. There was a time when he was as strongly opposed to local option as some hon. members were now, but he was always open to conviction, and was not ashamed to confess that from what he had seen done in other countries, and from what he had read of the principle, he believed now that it was a sound one, and that its adoption in Queensland ought to be attended with very good results. In New South Wales local option had not been altogether successful. The elections took place in February last, and not long ago the *Sydney Morning Herald* prepared a tabulated statement showing the number of voters who recorded their votes, and how their votes were recorded. The result was not altogether favourable, but that was attributable to the clumsy way in which the poll was taken. A large number of the ratepayers were almost unable to understand the questions they were called upon to answer, and in consequence a large number of informal votes were recorded, all of which told against the principle. All that arose entirely from ignorance and the lax or clumsy method of taking the poll. The method proposed here by the Premier, however, was so clear that a child could understand it, and any ratepayer going to the poll would be able to record his vote in a straightforward and clear manner. As he said before, he felt that the principle was a sound one, and he should be very glad indeed if the Committee could see their way to adopt it. There was one thing he should like to say in reply to a remark of the hon. member for Rosewood with regard to wine-growers. He had in his constituency a number of Germans who devoted their attention to the cultivation of vines and the manufacture of wine. A few years ago, no doubt, the wine they manufactured was inferior, but they had profited by experience and had now learned to make wine which would command a ready sale. He could not see that the adoption of the local option principle was going to interfere with those men, for the simple reason that they were in a district by themselves, and would themselves be the ratepayers who would have to say whether local option should be applied to their district or not. He felt satisfied that in the district he referred to—the Middle Ridge—the majority of the votes would not be in favour of prohibition. They did not happen to have a public-house in the neighbourhood, and the wine they made was sold amongst themselves. The adoption of the local option principle there would not be asked for; consequently the people would not suffer from the passing of the clause. But even supposing they did suffer, hon. members had to consider the general good of the whole community. It stood to reason that some would suffer in a great social reform, whilst the general bulk of the community would benefit. But he did not believe anyone would suffer from the adoption of local option, whilst its introduction would be attended with the best results. In regard to the ratepayers being the persons who should be called upon to record their votes, he thought that the question would be best decided by them. As had been pointed out, ratepayers who failed to pay their rates before a certain date were debarred from voting for twelve months. He had always considered that an injustice. The same rule should apply to the compilation of the municipal rolls as applied to the compilation of the parliamentary rolls. A ratepayer might not have his rates paid by the 1st of November, but he might have them paid by the 1st of January; and, although he had them paid on the latter date he was deprived of his voting power for twelve months. There ought to be a court of registration for municipal rolls as there was for electoral rolls. But as far as obtaining the true opinion of the residents of a locality as to the adoption of local option was concerned, he considered the ratepayers' roll to be the very best roll possible to take, as it contained the names of the permanent resident population and not of the floating population which was here to-day and gone to-morrow. The local option clauses had been drafted with great care, and the whole system as proposed would commend itself to the good sense of the Committee generally.

Mr. BLACK said the debate which was being carried on was one which should have taken place on the second reading of the Bill. He thought the House, in allowing the Bill to pass its second reading without a division, had emphatically

affirmed the principle of local option. Good as the Bill undoubtedly was, without the principle of local option it would not necessarily have excited any particular attention in the House or country. There was nothing else new in the measure, and the easy way in which it had passed to its present stage clearly showed that no very great amount of interest was taken in its provisions, with the exception of the clauses at which they had now arrived. If hon. members intended to attempt to defeat the local option clauses he would say they should have done so on the second reading of the Bill, and so have saved the loss of time involved in dealing with the 112 clauses they had now passed in committee. The turn the debate had now taken was in giving expression to an opinion which he thought should properly have taken place on the second reading of the Bill. There was no doubt that if the majority of hon. members had been opposed to the principle of local option—which was the chief principle contained in the measure—and expressed that opinion, the Bill would have been thrown out. But the House allowed the Bill to pass the second reading, and he certainly thought that the principle of local option to which he then gave his adherence, if properly modified, was the principle which the House entertained; and he must say that none of the arguments that had been adduced, chiefly by hon. members on the other side of the Committee who appeared to be opposed to local option, had given him any reason to alter the opinion he had expressed in the debate on the second reading—namely, that the time had arrived, now that they were endeavouring as far as possible to extend the principle of local government, when the principle of local option, guarded by proper safeguards, should become the law of the country. He believed that in stating that opinion he was also expressing the opinion of a very large number of the thinking portion of the community who had seen the abuses and disadvantages under which the country had suffered by the provision in the old Licensing Act, which allowed public-houses to be established in districts, in many cases, against the wishes of the inhabitants. The debate at the present time appeared to him to be on the question as to what should constitute the right to vote; that was, whether the electors or the ratepayers should be those who should vote on the matter of local option. He must say that at first he was inclined to think that the electors of the colony should be those who should have the right to decide that matter, but after consideration, when he found that the principle of local option was allowed to be adopted in subdivisions of divisions, and in wards of municipalities, he could not see how it would be possible to allow that principle to come into force if the whole of the electors in a district were to be permitted to vote on the question as to whether local option should be adopted in any one particular part of that district. The electoral rolls as at present compiled contained the names of all the electors in the electoral districts, while in municipal and divisional rolls they had the ratepayers already divided. In the divisions with which he was more especially familiar he knew that that was the case; he knew that where there were three subdivisions in a division anyone could at once ascertain at the divisional board office the number of voters entitled to vote in each subdivision; and he believed that in municipalities which were divided into wards the same system prevailed. Therefore, if the principle of local option became law, as he hoped it would, he could see no way except the one proposed of deciding what persons should be entitled to vote, either in a ward or subdivision. He thought the principle of local option was a sound principle. At the same time he regarded it as experimental. He believed that if it were found to work advantageously in the colony it would gradually be largely adopted. He was not under any apprehension that any large vested rights were likely to be interfered with. He did not think, for instance, that if they were to attempt to introduce a system of local option in a town like Brisbane, or Rockhampton, or Townsville, that a sufficient number of voters would be found who would agree to accept it. The vested interests were too strong; the licensed victuallers' interest was a very powerful one, as they all knew, and he was perfectly certain that if it was attempted to put the prohibition clause of the local option part of that Bill into force in the town of Brisbane they would never get the two-thirds vote which was absolutely necessary before the provision could be carried into effect. But he thought the Bill would have this effect: that in new districts, in new townships where there were no public-houses, and in any new settlement, which he hoped to see springing up in a few years, if the colony progressed as he hoped it would, the prohibition clause might be carried out with beneficial results. He did not see any reason why, if a portion of a community chose to go away from the present centres of population to try the experiment of working a community on strictly temperance principles, all parties in the colony should not assist them and allow them to give that experiment a trial, which, if successful, would undoubtedly result in the prosperity of that part of the community. He did not profess to be a temperance man, but if it could be clearly shown that any section of the community were anxious to try that principle without in any way interfering with the rights of others he would give them every assistance in his power to carry their very laudable desires into effect. As he had pointed out on the second reading of the Bill, he thought the House should clearly understand what was to be the majority who would be entitled, either in an old district of the colony or in a new district, to put that principle in force. According to the 1st subsection of that clause, the first question to be decided was "that the sale of intoxicating liquors shall be prohibited." That was the total prohibition clause, and in order to put it in force in any district it was necessary that there should be, according to the Bill, a two-thirds vote of the ratepayers. The second question was "that the number of licenses shall be reduced to a certain number, specified in the notice." That required a majority vote. Assuming that there were 600 voters in a place, 301 would be the majority to carry that principle. Then the third question was "that no new license shall be granted." It also required a bare majority to give effect to that. Now the question was, what was to constitute that majority? Was it to be the ratepayers or the persons whose names were on the electoral roll? He was inclined to say that as it required 10 per cent. of the total number of ratepayers to petition for one of those clauses to be put in force, therefore it should be a two-thirds vote of the total number of ratepayers for the 1st, or a majority of the total number of ratepayers for the 2nd and 3rd clauses. Assuming there were 600 ratepayers in any area where it was desired to put the principle in force, the Bill provided there should be a petition signed by 60 of them; and he maintained that in order to get the two-thirds majority they must have 401, and in order to get a bare majority, 301. They should hesitate before passing the provision without clearly understanding what they were doing. Taking the municipalities, for instance, he found that 13,508 ratepayers were entitled to vote out of

a population of 93,545. Two-thirds of 13,508 was 9,004; that was to say, supposing the municipalities to be thrown into one, the two-thirds vote would amount to 10 per cent. of the population. He was prepared to say that if that vote could be obtained for the total prohibition clause he was ready to accede to it. But they found that out of 13,508 who were entitled to vote, only 6,491 actually recorded their votes. Two-thirds of 6,491 was 4,328, or less than 5 per cent. of the entire population. He did not think it was fair that 5 per cent. of the population should be allowed to force their views on the remaining 95 per cent. There should undoubtedly be a two-thirds vote—not of the electors, he abandoned that—but of the total number of ratepayers. He thought that was perfectly fair; it meant that 10 per cent. of the population would be allowed to enforce their views against the 90 per cent. of outsiders. When they came to the half vote necessary for the 2nd and 3rd clauses, it meant that out of 13,508 voters 6,754 would be a majority, or $7\frac{1}{2}$ per cent. of the entire population. But as only 6,491 were known to have voted, one-half of that would be 3,250, which was only $3\frac{1}{2}$ per cent. of the population. If they passed legislation which might prove so manifestly unjust to the majority of the people of the colony, they would be passing a principle which would never be carried into effect. They would do better by adopting moderate views than by carrying out the somewhat rabid views advocated by the junior member for North Brisbane, or by paying too much attention to the amusing anecdotes of the hon. member for Wide Bay. He considered the junior member for North Brisbane was simply parodying the equally absurd anecdotes which the hon. member for Wide Bay read. They were very good as far as they went, but with sensible men of the world they would have no effect beyond raising a temporary laugh. He thought some consideration was due to the principle the hon. member for Rosewood had referred to: that compensation should be granted to anyone really injured by local option being carried into effect. He saw no reason why the Committee, which should certainly endeavour to do justice between all classes of the community, should not pass a clause giving compensation to anyone really entitled to it. There were very large vested interests connected with the sale of wines and spirits, and it was not only public-houses that were to be closed by the prohibitory clauses, but also all the wholesale wine and spirit warehouses. There was no doubt the wine-growers would also find their occupation gone, as far as concerned the sale of their liquor in the district. He was not himself so infatuated with colonial wine as to be prepared to say it would be a very serious loss to the colony if it were not consumed. He was not sure which was the greater evil—the consumption of some of the Queensland wine or some Mackay rum. Hon. members must not suppose he was trying to defend one of the products of his own district; he thought both were in their way equally injurious. It was the wish of the country that the local option principle should be tried, and they should do their best to give it effect. He hoped that, now they had, so to speak, got through the second reading of the local option part of the Bill, they would be able to frame the clauses in such a moderate way as to meet with the approval of both sides of the Committee. He did not believe it was going to be made a party question, and he thought it would be one of the best Bills passed by the present Government, if they would accept such reasonable amendments as might be pointed out by hon. members on both sides. He maintained that the two-thirds or one-half majority should be a majority of the ratepayers on the roll, and not merely of those who recorded their votes. That would not be likely to inflict injustice on any particular class of the community; and if the Government could see their way to introduce a clause giving compensation to anyone sustaining injury he would be happy to assist in passing it.

Mr. BAILEY said he had patiently allowed several hon. members to dispute the facts he had quoted from the London *Echo*. Those facts were quoted from official records obtained through a committee specially appointed by the Legislature of Canada to inquire into the working of the Local Option Act there, and they remained on record, however absurd they might appear to some hon. members.

The HON. SIR T. MCILWRAITH said it would be advisable to settle the principle on which local option should be based whilst discussing the clause now under consideration. Referring to what had been said by the hon. member for Mackay and by the Premier, he did not think it had been at all established, as the Premier claimed to have done by an exhaustive process of reasoning, that the only practical means of discovering the opinion of a district was by taking the votes of the ratepayers of that district. The Premier assumed that it was so by the simple statement that it was quite impossible to find out from the electoral rolls of the colony the residences of those who were electors for the members for the district. But that had not been shown, and it was certainly not the experience of other countries where local option was in existence. The case of Canada went entirely against the Premier's contention. There the districts were not made by law conterminous with any district returning a member of Parliament. There might be any subdivision of a district. But it was part of the law that there should be picked out from the roll the names of the residents of the district which claimed to have local option. By the Elections Bill just passed a voter for a member of Parliament had to describe his residence in such a way that it could be identified by any man who might be sent to find out that he was really a resident. The rolls, therefore, in the future would be far better than they had ever been before. He was now examining the argument as to whether they could actually or practically get from the electoral rolls, for members of Parliament, the names of electors who resided in any district that claimed to have local option; and it must be seen that that could be easily done in any part of a division or a municipality that asked for local option. The same work would require to be gone through in the electoral rolls for the divisions or for the municipalities, that would require to be done if they took the electoral rolls of the colony as the basis. They had to pick out the men from their residences, and the residences were not stated so clearly and distinctly on the municipal roll as they would be under the new Electoral Act. That was the system actually employed in Canada, and the same system was adopted in all the States of America where local option was in force. The same amount of work would require to be done when a municipality or a division claimed to have local option as would have to be done for the electoral roll. The work could be done with exactly the same certainty, and it could be shown exactly who was entitled to vote on that question. But why should they discard all men as being unworthy to vote on the question who did not happen to be ratepayers? They were entitled to vote for members of Parliament: why should they be treated as loafers or carpet-baggers when a question of that kind came up for decision? The hon. member for Maryborough had pointed out that in his electorate the electors were as six to one

compared with the ratepayers. Was it right that five-sixths of the men entitled to vote for a member of Parliament should be debarred from voting for or against local option? It was a question in which men who had no property of a certain kind were as much entitled to vote as men who had. It was not entirely a question of property owners. It was a question in which the entire community was interested. It would not directly affect members of Parliament. It would not affect him, nor the Premier, nor any other member of the Committee. They would still enjoy the privilege they had always possessed of keeping wine and spirits in their own houses; and they would still have the same privilege of going down to the bar while performing their Parliamentary duties. But it would infringe on the liberties of a large number of men who were voters for members of Parliament, and who did not happen to be holders of property. Why should those men be discarded? It had been admitted by a large number of members that they ought to be included if it was practicable. He had shown that it was quite practicable to include them. If so, on what grounds could they possibly prevent them from having a voice in a matter which so vitally affected their own interests? The hon. member for Mackay, so far from proving his case, had proved the case of those who insisted on local option being based on a much wider franchise. The hon. member showed that, according to the Bill as it stood, in order to bring the 2nd and 3rd subsections of clause 114 into operation, it would virtually be done by 3½ per cent. of the population, and said that he (Mr. Black) considered it very unjust that that small percentage should be allowed to make laws for the balance of the population. The hon. member also showed that 5 per cent. of the actual population of the colony would suffice to put into operation the 1st subsection creating total prohibition of the traffic. But how much better would the case be if the suggestion of the hon. member was adopted, and the figures were doubled, and made respectively 7 per cent. and 10 per cent.? It was merely a question of degree, and the hon. member had in fact shown the absurdity of the smallness of the franchise proposed. The Premier himself admitted that if the districts had been conterminous with the electoral districts there might have been no difficulty in allowing the people to vote. He had shown that there would not be the slightest difficulty in taking the list of voters who were entitled to vote, especially under the Elections Act they had passed, from the rolls as they actually had been prepared.

Mr. PALMER said he did not think anyone was objecting so much to the principle of local option as the application of it. It was too narrow in its application and too restrictive. It allowed the door to remain open for a section of the community, by a surprise vote, to carry those prohibitive resolutions. If, as the hon. member for Mackay said, the majority required was two-thirds of the number on the roll of ratepayers, instead of two-thirds of the number who actually voted, there would be more justice in it. There was another injustice. The Bill provided that publicans should go to great expense in enlarging their premises, and then, if the clause were carried, they might suffer a great injustice. The Bill did not provide for compensation being given to men who might be deprived of their means of gaining a living. In common fairness, if the 1st section were carried, those whom it affected should receive compensation. The district that would be benefited by those resolutions should be liable to provide that compensation. He saw no reason why the people should not carry out the principle; and if they really desired that there should be no public-house in the district they had a perfect right to say so. Instead of two-thirds of the number who voted being a sufficient majority, the proportion should be two-thirds of the total number on the roll. Of course the principle was not a new one; but it existed in the other colonies on a much more moderate scale. In Victoria they recognised the principle that a certain number of public-houses were necessary—one for every 250 inhabitants up to 1,000, and one for every 500 afterwards. The people might decrease the number down to that, but no further. In New South Wales the principle only applied to municipalities or wards in municipalities, and was much less restrictive. The question resolved by the electors or ratepayers there was simply that no increase should be made in the number of publicans' licenses for three years. That was local option in New South Wales. It was placing too great a power in the hands of what might be called a "fanatical minority" to dictate to a majority what they should drink.

Mr. DONALDSON said he did not take the opportunity of speaking upon the second reading of the Bill, and as the matter had been very well debated it was his intention to be as brief as possible in the remarks he was about to make. He recognised the good results that were likely to follow local option, and for that reason he should give it his hearty support. The point had been argued by hon. gentlemen, holding different shades of opinion, as to whether it was desirable that the ratepayers or the whole of the electors upon the roll should be allowed to vote for local option. He had no hesitation in saying that the ratepayers of a district were the persons to whom the vote should be confined, because they were residents there and knew whether a public-house was necessary or not. They were competent to decide whether it would be an improvement to restrict the number of hotels or not, and were best able to judge as to the desirability of the measure. It had been contended that every man should have a right to vote in those matters who had a right to vote at parliamentary elections, as no matter where he resided he had the same interest as a landed proprietor or a wealthy person. That rule did not apply to municipal districts, because whilst their laws governed the whole colony, and any man might be subject to those laws, it would not apply to a district or subdivision of a district where local government was desired. A man might be residing here to-day and next week he might be at the other end of the colony. Hence it would be very unfair to allow such a man to record his vote, and say whether a public-house should be established in the locality or not, when he would not reside in it for many months. That was his objection to giving indiscriminate power to persons who only resided temporarily in a district. He should certainly support the Bill and give to ratepayers the right of exercising the vote. The 2nd subsection of the clause said that the number of the licenses should be reduced to a certain number specified in the notice. He saw a very great difficulty about that clause. If the electors of a district arrived at the conclusion that the licenses should be reduced one-third, who was to carry out the effect of that vote?

The PREMIER: The licensing authority.

Mr. DONALDSON said they might act fairly, but they might do an injustice to very deserving persons. He had no objection to the other two subsections of the clause. He considered that the people of a district were quite competent to give an opinion as to whether they should have an increased number of public-houses or none

at all. He would prefer to have the question decided by a majority of the names on the roll, because, in the case of an election, a majority of two-thirds might be obtained, and yet that would not be the true opinion of the residents of the district. A few zealous teetotallers on the day of an election might take greater interest in putting down public-houses than others would show in retaining them. They would do all in their power to try and restrict or prohibit the sale of liquor in that district. Other residents in the district might be very lukewarm in the matter and consequently would not go to the poll. In fact, they knew that even in parliamentary elections, frequently, a large number of people in electorates did not take the trouble to go only a few miles to record their votes, and he was sure that on a question of the kind under discussion it was more than likely that many of them would be very lukewarm, while a few interested persons might roll up that day, and although they might be only one-tenth of the number on the roll they might obtain the two-thirds majority necessary to restrict the sale of liquors altogether. He thought it would be a very great power to place in the hands of people who might in the exercise of their opinions carry them a little too far; and when the general body of the people came to know the true state of the case they would seriously object to such a thing being carried out. If a majority of the people of a district were in favour of the prohibition of the sale of liquor altogether they had a perfect right to have that opinion carried out. Another provision in the Bill was that in the event of a ballot being taken there was no power of testing the opinion of the people again for three years; that was that if the vote was carried——

The PREMIER: Move an amendment in it when we come to that clause.

Mr. DONALDSON said his reason for going into those matters was that he did not take an opportunity of speaking to the Bill on the second reading, and he was taking that opportunity now; but as the matter had been debated at very great length, and in a very able manner, he should not detain the Committee longer, as he desired that they should get on with business.

Mr. ARCHER said he thought it was almost too late in the day for hon. gentlemen to inquire whether people who had property, or had some stake in the country, had the same right to vote as those who had none. They had decided years ago, and it had been carried out ever since, that every man in the colony who was twenty-one years of age should have as much voice in the government of the country as the wealthiest man in it; and in the face of that—to say that a man who had that voice was not fit to deal with a small matter like local option was going very far indeed. In fact, he could not understand such an argument at all. So far as the debate had gone he must say that he had not heard a single answer to what had fallen from his hon. friend the member for Mulgrave. It was perfectly clear that if they were going to carry out local option so that it would be of any value it must be done with the consent of the inhabitants of the country. Let those who were opposed to people getting drunk carry out their ideas so far as to enable a small portion of the inhabitants of the country to put such a law into effect, and they were taking the most certain step to make the law ineffectual, because people would not abide by a law that was forced upon them by a very small fraction of the community. Such a course would only lead probably to very serious opposition, and perhaps to the repeal of the very local option clause now proposed. If the ratepayers, who perhaps did not number more than one-fourth of those who were on the electoral rolls, were given power to decide the question in the way proposed, those who had their names on the electoral rolls would most likely make persons coming forward for election pledge themselves to have those very provisions annulled before they would give them their votes. One thing was certain, and that was, as had been said before, that if they legislated ahead of the country they would only defeat their own objects. He believed that by confining the voting power to ratepayers, instead of it being a certain means of getting the Act put into operation it would be the most certain means of making it so unpopular that it would probably be repealed before very long. Although he did not intend to become a teetotaller, and should be sorry to be obliged to become one, still he was anxious to see the local option clauses carried out in a modified form, and he was quite prepared to assist in doing so; but he would again warn hon. members that if they framed those clauses in such a way as to make a small portion of the community legislate for the whole body they would make a mistake which would result in the failure of the very thing they wished to carry out.

Mr. SHERIDAN said when the second reading of the Bill was under discussion he stated that he should give it his cordial support, and that he considered the best way of introducing, establishing, and managing the local option clauses, when the measure was carried into effect would be by the votes of two-thirds of the ratepayers who actually resided in the district. He held those opinions still. No argument that had been brought forward had induced him to alter them. He must say that he had noticed a strange inconsistency between the conduct of the Committee that evening and their conduct last evening. Last night a battle in defence of women's rights was fought and won; and now it was proposed to do away with the only real political privilege the females of the colony had. In the Municipalities and Divisional Boards Acts women who were ratepayers had votes as well as men. No allusion had been made to that that evening, but the tendency of the various speeches had been to deprive females of what was, as he had said before, the only real privilege which they enjoyed under the State. He hoped hon. members, and particularly those who did what was correct and proper last night, would continue in the same honourable path that evening and secure to women the rights and privileges which they at present enjoyed.

The HON. SIR T. MCILWRAITH said the hon. member might have gone further and said that under the Bill they should secure the other invaluable privilege of giving Chinamen a vote, because under the Acts he had referred to they were on the ratepayers' roll the same as women were. He did not think that would be a very valuable improvement in any case. Of course, the real amendment would be moved when the next clause came on for discussion. The debate so far had been confined to the general principle of local option, but he could not allow the clause then under discussion to go before referring to an argument that was used by the hon. member for Mackay, who said that the members who allowed the Bill had to pass its second reading ought to vote for the local option clauses. Now, in face of the fact that nine-tenths of the Bill had passed the House before, under the auspices of the last Government; that the local option clauses were specially framed, so that if they were excised it would make no difference to the rest of the Bill—except, of course, that they would not be

carried—and that an intimation to that effect was given by the Government, and most speakers who were opposed to the local option clauses intimated that they would oppose them when the Bill came on for discussion—he did not see how such an argument could be used in any way. On the second reading of the Bill he had spoken all the objections that had been brought forward to-night against the local option clauses—by himself at all events.

Mr. SHERIDAN said he really thought the hon. member for Mulgrave was the very last person in that Chamber who would try to abrogate the rights and privileges of women, and place them in the same category as Chinamen. He hoped that was not the hon. gentleman's real feeling in the matter.

The HON. J. M. MACROSSAN said that in adopting that part of the Bill they would be introducing a complete novelty into the political and social system existing in Queensland. He had heard hon. members, on the second reading of the Bill, say that they had placed the matter before their constituents, and were therefore pledged to support local option; but there were many constituencies in which the matter was not brought forward, and why should they not be willing to leave the matter to the decision of all the constituencies? Simply because they knew that if it were left to the voice of the people in any considerable portion of the colony local option would have no chance of being carried into effect. Having that knowledge, if that portion of the Bill were forced on an unwilling people it would not have the result expected by those who were in favour of local option. They professed to be democratic; they prided themselves on the fact that every man residing in the colony for six months had a right to vote. The statistics of one advocate of local option—and they were the most favourable—showed that the proposed clauses would give power to one-tenth of the people to force on nine-tenths what they would be unwilling to receive. If that was democracy he had yet to learn what was tyranny. It was also said by some hon. members that they would be allowing the thinking portion of the people to decide the matter, but that was one of the old stock arguments used in Great Britain against the extension of the franchise. He had heard the same arguments used before—especially by the hon. member for North Brisbane, who claimed to be a thorough democrat; but if that hon. member went to the library and read the speeches on the extension of the franchise in Great Britain he would find that the same arguments were used by the most ultra Tories. They were making a mistake in not remitting the matter to the decision of those who would be affected, and their action in supporting the system now would be the means of overthrowing local option in the colony of Queensland.

The PREMIER said the system proposed by the Government was considered by them to be the best and the most convenient—but that was a matter of opinion, and the hon. gentleman differed from that opinion.

The HON. J. M. MACROSSAN said it was a matter of opinion between him and the Premier; but, as a matter of fact, it was not considered either the best or the most convenient system in Canada and the States which had adopted local option, for there the question was decided by two-thirds of the electors who had a right to elect members of the legislature.

Mr. GRIMES said he had a few words to say in reference to the large array of figures quoted by the hon. member for Mackay, to show that if the principle of voting laid down in the clause were adopted 10 per cent. of the population would force their views on the remaining 90 per cent. The hon. gentleman jumped to the conclusion that the remaining 90 per cent. would be in favour of public-houses being kept open, but if they had not sufficient interest to come to the poll they might very well be set down as neutrals. The hon. member, in referring to compensation, went so far as to expect compensation for the wholesale wine and spirit merchants. If a man spent 50 per cent. of his earnings in a public-house, the butcher, baker, draper, shoemaker, and the grocer, must suffer; and why should they not claim compensation when public-houses were opened? He thought the question of compensation had better be left in abeyance.

Mr. BLACK said the hon. gentleman was so obtuse that nothing could be knocked into his head. One would think from the hon. member's remarks that he (Mr. Black) had been trying to mislead the Committee, but such was not the case. He had shown that there were 13,000 ratepayers in the municipalities, and anyone with a grain of sense would know that they represented the population. The balance was made up of women, children, Polynesians, Chinamen, and others who were not entitled to be taken into account in such a calculation. If 50 per cent. of the manhood of a district took the trouble to record their votes they were entitled to be considered, and if they did not, so much the worse for them. He had placed figures which were thoroughly reliable before the Committee, and if the hon. member for Oxley could not understand them it was not his fault.

Mr. GRIMES said he objected to the conclusions drawn by the hon. gentleman, not to the figures.

The HON. SIR T. MCILWRAITH said the last speaker had brought the argument down to a very nice point, when he said that there were 13,000 ratepayers in the municipalities, and that the balance of the population was made up of women, children, Chinamen, Polynesians, and a lot of other people who were not entitled to consideration. Why were not the rest of the people entitled to consideration? Were none of the voters who sent members to Parliament, except those who were ratepayers of municipalities and divisional boards, entitled to consideration? Hon. members generally appeared to think that they were, for they were very careful what they said about them, and he thought the constituents of the hon. member for Mackay who were not on the municipal roll at Mackay would remember that remark. There was a great deal to be said as to why the ratepayers of any municipality or divisional board district should be the electors for members of the municipal councils and divisional boards, but the time might come when they would see a more extended franchise even for them. At present, however, that franchise was right to a certain extent, for nine-tenths of the work municipal councils and divisional boards had to do was connected with money, and it was but natural that the men who had the money and houses in the districts should have the franchise. It was different in parliamentary elections, because members of Parliament were engaged in legislation which affected the rights and liberties of the whole people of the colony. But now, in reference to local option, they had a proposal that would affect the rights and liberties of only a section of the community, and for it they were providing a higher franchise than they did for the election of a member of Parliament.

Question—That the clause stand part of the Bill—put and passed.

On clause 114, as follows :—

"Any number of ratepayers in any area, being not less than one-tenth of the whole number of ratepayers in such area, may, by notice in writing, given not later than the first day of November in any year, require the chairman of the local authority to take a poll of the ratepayers of such area, for or against the adoption of all or any of the following resolutions to have effect within the area, that is to say—

(1) First—That the sale of intoxicating liquors shall be prohibited;
(2) Second—That the number of licenses shall be reduced to a certain number, specified in the notice;
(3) Third—That no new licenses shall be granted.

"The chairman of the local authority shall be the returning officer for the purposes of this part of this Act."

The HON. SIR. T. McILWRAITH said that in order to test the opinion of the Committee on the question as to whether the voters for local option should be the ratepayers, or the men who were resident on the areas, and who were on the electoral rolls of the colony, he would move that the word "ratepayers" in the 1st line be struck out with the view of inserting the word "residents." Afterwards he would move that after the word "area" in the 1st line the words "being on the roll for the electoral district in which the area is situated" be inserted.

Question — That the word proposed to be omitted stand part of the clause—put; and the Committee divided :—

AYES, 28.

Messrs. Rutledge, Miles, Griffith, Dickson, Dutton, Moreton, Groom, Brookes, Aland, Smyth, Black, Mellor, Jordan, Campbell, White, Buckland, McMaster, Kates, Wakefield, Grimes, Foote, Donaldson, Sheridan, Salkeld, Macfarlane, Palmer, Ferguson, and Horwitz.

NOES, 9.

Sir T. McIlwraith, Messrs. Archer, Norton, Chubb, Macrossan, Annear, Govett, Bailey, and Lissner.

Question resolved in the affirmative.

The HON. SIR T. McILWRAITH said the effect of the last decision was that ratepayers and not the electors should be the constituents who should vote on the local option question. The next amendment that he would move would be as to the number required to put in a demand for a poll to be taken. One-tenth was the number put down in the Bill, but when so vital a change was being effected he thought that one-tenth was too small a number. The Local Option Act in Canada, passed in 1883, provided for one-fifth of the constituents demanding a poll, and in the Canadian Temperance Act of 1878 one-fourth of the electors must petition. He believed the same provision was in force in America. He would therefore move that in the 11th line the words "one-tenth" be omitted with a view of inserting "one-fifth."

The PREMIER said one-tenth was of course an arbitrary number, the object being that the neighbourhood should not be put to the expense, and trouble, and excitement of a poll unless there was a reasonable chance of the proposition being carried—in order that an insignificant minority might not be able to put the machinery of the Act into operation. He observed that the hon. member for Ipswich thought it should be one-twentieth of the whole number, but he certainly could not accept that. He was disposed to think that one-tenth was a fair compromise between conflicting opinions.

Mr. MACFARLANE said he presumed the amendment proposed by the hon. member for Mulgrave was in consequence of the amendment given notice of by himself (Mr. Macfarlane) to decrease the number to one-twentieth. He was under the impression that one-tenth was too great a number, but the hon. member thought it too small, and wanted to increase it. He did not want to detain the Committee, and should therefore not press his amendment. He hoped the hon. member would withdraw his also, so that they might get on with the business.

Question — That the words proposed to be omitted stand part of the clause—put, and the Committee divided :—

AYES, 21.

Messrs. Rutledge, Miles, Griffith, Dickson, Dutton, Moreton, Groom, Brookes, Aland, Mellor, Jordan, White, Campbell, Buckland, McMaster, Macfarlane, Wakefield, Kates, Grimes, Salkeld, and Sheridan.

NOES, 14.

Sir T. McIlwraith, Messrs. Archer, Norton, Chubb, Macrossan, Black, Foote, Annear, Bailey, Ferguson, Govett, Lissner, Palmer, and Smyth.

Question resolved in the affirmative, and clause, as read, put and passed.

On clause 115, as follows :—

"Not later than seven days after receiving such notice, together with an undertaking to the satisfaction of the returning officer, if he so requires, to pay the expenses of the proceedings in case none of the resolutions are adopted, the returning officer shall cause a notice to be affixed on or near the principal door of the chief places of worship, and the door of every public school, post-office, and railway station in the area, and shall cause such notice to be inserted in one or more newspapers (if any) published within the area, or, if there are none, then in some other newspaper or newspapers circulating therein, setting forth the purposes of the poll and the terms of this Act authorising the poll to be taken, and specifying a day not sooner than fourteen days nor later than twenty-eight days after the publication of such notice on which the poll will be taken."

The HON. SIR T. McILWRAITH said the clause provided against an insignificant minority having the power to cause the expense of taking a vote, and stated that the petitioners should give "an undertaking to the satisfaction of the returning officer, if he so requires, to pay the expense of the proceedings in case none of the resolutions are adopted." He thought it was unnecessary to insert the words "if he so requires." The returning officer was an officer of the Government.

The PREMIER : No; he is chairman of the municipality or division.

The HON. SIR T. McILWRAITH said he was chairman of the local authority, but he would be appointed under that Bill outside his position as chairman of the municipality or division.

The PREMIER : No; but I quite agree that those words should go out all the same.

The HON. SIR T. McILWRAITH said he thought it should be compulsory that the petitioners should give an undertaking.

The PREMIER said he did not move any amendment in the clause, because the hon. member for Ipswich had given notice of an amendment which he thought was better, requiring a sum of money to be paid down.

Mr. MACFARLANE moved that all the words after the word "notice" in the 1st line to the word "proceedings" inclusive be omitted, with the view of inserting the words "which must be accompanied by the sum of ten pounds which shall be forfeited"; and said the object of the amendment was to make the petitioner responsible for £10.

The HON. SIR T. McILWRAITH said he believed it was better that there should be a deposit of a sum of money, but surely £10 was inadequate. It would cost more than £10 to make out a fresh roll.

The PREMIER : No fresh roll will be required.

The HON. SIR T. McILWRAITH said there would be a fresh roll required if the boundaries

of the ward or municipality did not correspond with the boundaries of the particular area in which the vote was taken. Of course, there would be no difficulty where a poll was taken for a whole ward or subdivision.

Mr. BLACK asked what would be the position of the returning officer if the £10 was insufficient to pay expenses?

The HON. SIR T. McILWRAITH: The municipality will pay the deficiency.

The PREMIER: That is provided for in clause 125.

Mr. BLACK said he did not see why the municipality should be called upon to pay expenses. There they had a principle which a certain section of the community wished to introduce, and he thought it was only fair that if they got the opportunity of testing public opinion on the matter they should pay the expenses in case of failure to get the resolution carried. In his opinion £10 would be insufficient in the majority of cases to pay all the expenses of sending out notices, advertising, and taking a poll; and it would be far better to leave the clause as it stood than to fix the deposit at £10. If the petitioners were required to give an undertaking to the presiding officer he might insist on a cash deposit; at any rate he would see that the undertaking was sufficient to meet the expenses that would be incurred. If, however, a money deposit was to be required, let it be increased to £50, and such portion as was not expended could be returned to the petitioners. He did not see why the whole municipality should be saddled with the expense.

Mr. GROOM said he thought £10 would be quite sufficient. He had had experience as returning officer of of contested elections in three wards in Toowoomba, and the whole expenses did not exceed £10; so that that sum ought to be ample for taking a poll. It was no use making the petitioners deposit more than was actually required.

Amendment, by leave, withdrawn.

The PREMIER moved the omission of all the words from "together" to "adopted," with a view to inserting the words "which must be accompanied by a deposit of £10."

The HON. SIR T. McILWRAITH said he did not think the hon. member for Toowoomba had considered the cost of advertising when he made his remarks. The advertisements would have to be put in every paper in the district two or three times. He had no doubt the hon. member for Toowoomba himself would send in a bill for £10 for advertising if he got a chance.

The PREMIER said only £5 was required to be deposited by a candidate for a municipal council or a divisional board, and £20 by a candidate for Parliament. It was deposited more as a guarantee of *bona fides* than in payment of expenses.

Mr. GROOM said the hon. member for Mulgrave misunderstood altogether the cost of advertising. The whole cost of advertising over contested municipal elections at Toowoomba would not exceed £3 3s., at the outside, paid to both papers. The hon. member was perfectly wrong in supposing the advertisements would come to £10; people were not in the habit of advertising so liberally as that. He could assure the hon. member that £10 would cover the whole expense of taking the poll.

Amendment put and passed.

The PREMIER moved the addition of the following words at the end of the clause:—"If any of the three resolutions be adopted the amount shall be returned to the person by whom the notice shall have been given, but if none of such resolutions be adopted such amount shall be paid into the municipal or divisional board funds."

Mr. PALMER said that before the amendment was put he would suggest that, in order to make the notice thoroughly public, it should be placed not only on the door of every place of worship, public school, and post-office, but also on the door of every public-house.

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

Clause 116—"Who may vote"—passed as printed.

On clause 117—"Poll to be taken"—

Mr. BLACK asked whether postal voting would be allowed?

The PREMIER replied that it would be permitted where postal voting was allowed under the existing law. The poll would be conducted in exactly the same way as at present in municipalities and divisions. It was not likely that the local option part of the measure would be put into operation at any place where there was voting by post.

Clause passed as printed.

On clause 118, as follows:—

"On any such poll all ratepayers rated in respect of property within the area shall be entitled to vote, and every ratepayer entitled to vote shall have one vote for, or against, each resolution upon which a poll is taken.

"If a majority of two-thirds of the votes recorded in respect of the first resolution, or a majority of the votes recorded in respect of the second or third resolution, is in favour of its adoption, such resolution shall be deemed to be carried and shall be adopted:

"Provided that if a poll is taken upon more than one resolution—

(*a*) Only one resolution shall be adopted;

(*b*) If the first resolution is carried it shall be adopted, whether either, or both, of the other two resolutions is or are carried or not;

(*c*) If the second resolution is carried, and the first is not carried, the second resolution shall be adopted, whether the third resolution is carried or not;

(*d*) If the third resolution is carried, and the first and second are not carried, the third resolution shall be adopted."

Mr. PALMER asked whether a ratepayer who was entitled to two or three votes, according to the value of the property held by him, would be entitled to use them under the Bill?

The PREMIER replied that it was not proposed to give any man more than one vote.

Mr. BLACK said that as it had been decided to accept the divisional board rolls and the municipal rolls as the basis of the scheme, he hoped the principle would be accepted in its entirety. Under those rolls, in proportion to the rates paid by the ratepayers, they were entitled to one, two, or three votes, and no more; and as they were going to leave the matter in the hands of those in the community who were entitled to form a sound opinion upon it, and who would act for the welfare of their districts, they ought certainly to allow them to exercise that right to the fullest extent. If a ratepayer was entitled to one, two, or three votes in a municipal or divisional election, let him be entitled to the same number in voting for local option. He would move, as an amendment, to omit the words "one vote" in the 1st paragraph of the clause.

The PREMIER said that for the purposes of local government, as the larger a man's property the more it contributed to the rates, it was only right that his voting power should be increased in proportion, up to a certain limit. But local option was a matter affecting social welfare in which one man, no matter how large

his property, was no more interested or affected than another. He could not accept the amendment.

The HON. SIR T. McILWRAITH said that was carrying out the principle of manhood suffrage amongst the ratepayers, and it showed the absurdity of the system on which they had gone.

Amendment—That the words proposed to be omitted stand part of the clause—put.

The Committee divided :—

AYES, 22.

Sir T. McIlwraith, Messrs. Rutledge, Miles, Griffith, Dickson, Dutton, Moreton, Sheridan, Groom, Brookes, Mellor, Aland, Jordan, White, Buckland, McMaster, Wakefield, Campbell, Grimes, Salkeld, Norton, and Macfarlane.

NOES, 11.

Messrs. Archer, Black, Annear, Foote, Lissner, Bailey, Donaldson, Smyth, Horwitz, Palmer, and Ferguson.

Question resolved in the affirmative.

Mr. BLACK moved that the words "votes recorded in respect of" be omitted, with a view of inserting the words "whole number of ratepayers within the area record their votes in favour of."

The PREMIER said that if the amendment was carried there would never be a majority at all. Two-thirds of the whole number on the roll never voted on any occasion. There never was an election in the colony where two-thirds of the electors voted. If the amendment was carried the scheme would be useless. He hoped the hon. gentleman would not receive much support.

Amendment put and negatived; and clause, as printed, put and passed.

Clause 119 passed as printed.

On clause 120, as follows :—

"When the first resolution is adopted, it shall come into operation on the thirtieth day of June next ensuing."

Mr. MACFARLANE said that at that stage of the proceedings he would ask a question. There was a certain division that had no public-house upon it, and he would ask whether that division would require to take a vote to prevent such a house being licensed?

The PREMIER said of course it would. If no vote were taken the licensing authority would grant a license if they thought fit. There were more divisions than that in the colony where there were no public-houses.

Mr. MACFARLANE : I mean a whole divisional board.

Mr. PALMER said he thought subsection 5 of clause 41 would meet the objection. It said that the reasonable requirements of the neighbourhood did not justify the granting of the license applied for. If the district had gone on so far without a license being applied for, that subsection could be applied to its case.

Question put and passed.

On clause 121, as follows :—

"If the first resolution is adopted, then from and after the date when it comes into operation in the area the following consequences shall ensue—

(1) It shall not be lawful to sell, barter, or otherwise dispose of any liquor in the area;

(2) Any person who, whilst the resolution is in force, sells, barters, or otherwise disposes of liquor in the area shall be liable to the same penalties as are imposed by this Act for selling spirits without a license;

(3) All such liquor, whatever the quantity may be, and all measures, jars, or other utensils used in holding, or measuring, or conveying it, found in the possession or custody of any such person, shall be forfeited and shall be destroyed or sold subject to the provisions of this Act;

(4) Nothing herein contained shall be held to prohibit the sale of methylated spirits for use in the arts and manufactures, or to prohibit the sale of liquor for medicinal use under the conditions following, that is to say—

(*a*) It shall not be lawful for any person to sell in the area any liquor for medicinal use except on the prescription of a legally qualified medical practitioner, nor unless he is a pharmaceutical chemist registered under the Pharmacy Act of 1884, or any Act amending or in substitution for the same;

(*b*) It shall not be lawful to sell any such liquor for medicinal use unless the bottle or other vessel in which such liquor is contained is distinctly labelled with the words "Intoxicating Liquors," and the name and address of the seller.

(5) If any person sells liquor for medicinal use otherwise than is herein provided he shall be liable, for the first offence, to a penalty not exceeding five pounds, and for the second or any subsequent offence to a penalty not exceeding ten pounds."

Mr. CHUBB said it seemed to him that one effect of the clause as it stood would be to shut up clubs.

The PREMIER : Yes; it will.

Mr. CHUBB : Was the hon. gentleman prepared to accept an amendment of it?

The PREMIER : No. If other drinking places were shut up, he thought clubs ought not to sell liquor either.

The HON. SIR T. McILWRAITH said it would also shut up the bar of the Parliamentary Refreshment Room.

The PREMIER : It will.

The HON. SIR T. McILWRAITH : That would no doubt be very satisfactory to the hon. member for Ipswich. It seemed to him that it would also stop drinking in private houses, because how was a man to "dispose of" a glass of grog except by swallowing it?

The PREMIER : He must not buy any.

The HON. SIR T. McILWRAITH : If he has got it and drinks it I think he "disposes of" it.

Mr. BLACK said he thought it was only right to point out to those who really wished to see local option have a fair trial, that by passing clauses like the one before the Committee they were actually preventing any chance of prohibition being carried into effect. Let them pass a moderate measure—something that sensible people would endorse—and it would have some chance of success. As the hon. member for Bowen had pointed out, the first portion of the clause would have the effect of shutting up the refreshment bar of that House and all the clubs. Why not go a step farther, and make it still more absurd by making it illegal for anyone to drink liquor? Why not go "the whole hog" as the saying was? The hon. member for Ipswich must see that he was defeating his own object by endeavouring to pass clauses which would render the whole object he was struggling for inoperative and absurd. They would never get two-thirds majority to consent to an unjust system like that. If they wished to make the Bill as absurd as possible let them alter the 1st subsection so that it should read "it shall not be lawful to sell, barter, otherwise dispose of, or drink any liquor in the area"

Mr. MACFARLANE : You propose it.

Mr. BLACK : He was not going to propose anything that was absurd. The proposals he had made had been of a moderate nature. He had not tried to carry any amendments which were unreasonable; and he repeated that if the Committee calmly allowed the clause to pass

as it stood it would defeat the very object which he believed the hon. member for Ipswich was struggling for.

The PREMIER said the clause was introduced in order to give effect exactly to what the resolution said. If the first resolution, providing that no more liquor should be sold within the area, was adopted, it meant that no more should be sold. What the hon. member wanted was a prohibition that would allow the thing to be done. What sort of a prohibition was that? If people were not ripe for prohibition they would not vote for it; if they did he supposed they meant it. There were places—he knew plenty about Brisbane—where such a vote would be carried unanimously—where the people did not intend to allow any liquor to be sold.

The HON. SIR T. McILWRAITH said the hon. gentleman had carried the exemption of clubs from paying a license, on the ground that a club occupied exactly the same position as a man in his own house, and they could not interfere with the liberty of the subject to that extent; but now that was lost sight of altogether. The hon. member would not go to the extent of interfering with private houses, but he would go to that extent in connection with places which he himself admitted stood in exactly the same position as a private house, by preventing the sale of drink in clubs. He thought such a thing was utterly absurd. The hon. gentleman was taking the very best means to prevent local option from ever coming actually into force.

The PREMIER said that when speaking on a previous part of the Bill he mentioned that clubs were analogous to a man's own house, and so they were for the purposes of the question then being discussed; but that analogy did not extend to this question. It was a very clumsy kind of argument to say that because two things were alike in one point therefore they were alike in all points.

The HON. SIR T. McILWRAITH said it would appear as if the Premier intended to insist upon making pharmaceutical chemists a very close corporation. According to subsection (*a*) it was not lawful for any person to sell liquor for medical use, except on the prescription of a legally qualified practitioner, nor unless he was a pharmaceutical chemist registered under the Pharmacy Act of 1884. They had admitted on a previous occasion that there were other chemists in the colony quite as good as pharmaceutical chemists, and he did not see why they should not be allowed to sell liquor in the same way.

The PREMIER said he did not care much whether the clause was amended or not, but there was this to be said in favour of it as it stood: that it provided means of preventing the law being evaded. There was no law to prevent any man calling himself a chemist; but he must not say that he was legally qualified. Any man might, if the clause were altered as suggested, call himself a chemist simply for the purpose of selling grog. He had noticed the apparent inconsistency between the clause and clause 60; but upon further consideration it appeared to him that if liquor was allowed to be sold at all, where prohibition existed, it must be by someone upon whom they had some hold, and not merely any person calling himself a druggist or apothecary, who would thereupon be entitled to sell liquor. They knew that that was the way in which the prohibition law in the United States was mostly evaded. Although the words were not inserted for the purpose of enabling a chemist registered under the Act passed during last session to sell liquor, still he thought they should be retained for the reasons he had given.

Mr. ARCHER said he would point out that the clause would prevent a homeopathic chemist from selling liquor.

The PREMIER: No.

Mr. ARCHER: Perhaps a lawyer could see that such was not the case in the same way that it had been pointed out, on a previous occasion, that a Standing Order of the House did not mean what it said. Under subsection (*a*), spirits might be sold by pharmaceutical chemists for the purposes of medicine, and he presumed that homeopathic doctors might likewise order spirits for their patients, and why should homeopathic chemists be precluded from selling them? He did not see why they should be prevented any more than other chemists. By-and-by, he supposed, they would be prevented from taking any medicine at all.

The PREMIER said that unless the clause were passed as it stood anybody calling himself a homeopathic chemist might, as stated by the hon. member for Wide Bay, sell liquor by the bottle on receiving the prescription of a disreputable doctor. If a chemist registered under the Pharmacy Act of 1884 did such a thing he could be removed for misconduct.

Mr. NORTON asked, with reference to the 1st subsection, providing that it should not be lawful "to sell, barter, or otherwise dispose of any liquor in the area," whether a man selling liquor outside the area would be allowed to deliver it inside?

The PREMIER: I should think not.

The HON. SIR T. McILWRAITH said that to confine the selling of liquor to pharmaceutical chemists violated the principles of the Pharmacy Act, which simply provided that the chemists might form themselves into a fraternity, but gave them no privileges. The clause gave the pharmaceutical chemists the privilege of selling liquor on the prescription of a duly qualified medical practitioner; but in many of the country districts there were no pharmaceutical chemists, and drugs were sold in stores. Suppose a doctor at Cunnamulla prescribed liquor for a patient, and that town happened to be in the area, it would be impossible to get the prescription made up, because there was no pharmaceutical chemist there.

Mr. MACFARLANE said there was one danger connected with the 1st subsection—namely, that the same prescription might be used, and liquor supplied every day, unless the prescription were held by the pharmaceutical chemist. He thought something should be done to prevent that.

Mr. NORTON said it would be rather awkward if a man selling liquor outside the area was not allowed to deliver it inside.

The PREMIER said the buyer would have to take delivery outside the area.

Mr. PALMER said that it sometimes happened that a road formed the division between divisional boards, and in the present case a road might divide a district which had taken advantage of the resolutions from one which had not. A public-house might be on the one side of the road and the prohibitive division on the other. A person who wanted liquor in that case would simply have to cross the road to get his liquor.

The HON. SIR. T. McILWRAITH said there was nothing to prevent the seller delivering goods at any time. All he had to do would be to leave them outside his premises, and the carrier would deliver them to the buyer.

Clause put and passed.

Clause 122 passed as printed.

Clause 123—"Consequences of adoption of third resolution"—passed with verbal amendments.

Clause 124 passed as printed.

On clause 125, as follows :—

"If, upon a poll being taken, any resolution is adopted, or if the first resolution is rescinded, the expenses of the proceedings shall be defrayed out of the municipal or divisional fund."

The PREMIER said that the clause required amendment after the amendment made in the 115th section which provided for the forfeiting of deposits. All the expenses of any proceedings would in any case have to be paid out of the municipal or divisional funds. He would move that all the words up to and including "rescinded" be omitted, and that after the words "the expenses of" the words "taking a poll under this part of the Act" be inserted instead of "the proceedings."

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

On clause 126, as follows :—

"The delivery of any liquor, either by the owner or occupier of any house or place, or by his or her servant, or other person therein, shall, in any proceeding under this Act, be *primâ facie* evidence of such liquor having been sold, and of the sale having been made by such owner or occupier."

The HON. SIR T. McILWRAITH said surely it was not intended to carry that section as it stood. According to its provisions a man who, living in any local option area, served a guest, workman, or servant in his house with a glass of wine or beer would be liable to be convicted for illegally selling grog.

The PREMIER said the law was just the same now. The delivery of a glass of liquor at the table was *primâ facie* evidence that a sale of liquor had taken place. Of course, there was no intention to give full swing to the clause, but it was necessary owing to the difficulty there was of proving sly grog-selling.

The HON. SIR T. McILWRAITH said that, from what the Premier had stated, if he gave a workman at his house a glass of beer it would be *primâ facie* evidence that he had sold the liquor, or, at all events, would throw upon him the onus of proving that he did not not sell it.

The PREMIER said it was well to make a provision of that kind as a check on dishonest persons. A man might go into a shop or house suspected of being a sly grog-shop, and what was seen was simply the liquor served. No money passed, and the person served would probably hint that he would call back and pay next day.

Clause put and passed.

Clauses 127 to 132, inclusive, passed as printed.

On clause 133, as follows :—

"Notwithstanding anything hereinbefore contained, on the application of the lessee or occupier of any refreshment-room or stand at a railway station (which application shall be made in writing, in the first form of the ninth schedule hereto), and upon payment of a fee of not less than five pounds nor more than thirty pounds, the Commissioner for Railways may grant to such applicant a license in the second form of the said schedule, for the sale of liquor at such railway refreshment-room or stand, for the period of one year from the date of the license.

"The person so licensed may sell liquor at such railway refreshment-room or stand, and shall for that purpose have and be entitled to the same rights and privileges as a licensed victualler has under this Act: Provided always that such liquor be sold only within a reasonable time before and after the arrival or departure of any passenger train at or from such station.

"The Commissioner may from time to time make such regulations for the proper ordering and maintenance of any railway refreshment rooms or stands as he may deem necessary, and may at any time cancel any license issued under the provisions of this section."

Mr. PALMER asked if the Commissioner for Railways could grant an application for a license in a district tabooed by the first resolution?

The PREMIER said the clause said "notwithstanding anything hereinbefore contained."

Mr. PALMER said then the Commissioner was *bonâ fide* a licensing court.

The HON. SIR T. McILWRAITH said that according to the clause a railway station was the only place at which a man could get a glass of grog within the licensing area, and it depended upon the Commissioner whether the license was granted, notwithstanding that resolutions might have been carried against additional licenses.

The PREMIER said that was how the clause stood, but he did not think in an area of that kind the Commissioner for Railways would grant a license unless the refreshment-room was confined exclusively to the accommodation of passengers. It was scarcely worth while amending the clause.

Mr. MACFARLANE said the clause was a rather dangerous one, because the Commissioner for Railways appeared to have power to grant a license in a prohibited area. He did not see the justice of that at all.

The HON. SIR T. McILWRAITH: Hear, hear! Make him stick to his principles.

Mr. MACFARLANE said the Commissioner for Railways should have no such power, and he would therefore move that after the word "station," in the 3rd line of the 1st paragraph of the clause, the following words be added: "not being within an area in respect to which the first of the resolutions referred to in the 6th part of this Act is in force."

Mr. BAILEY asked if the clause was for the benefit of travellers or for the benefit of the residents of a district? He understood it was for the benefit of travellers.

The PREMIER said he hoped the hon. member would not think it worth while to press his amendment. The matter was entirely in the hands of the Government, the Commissioner for Railways being a Government officer: and it was not likely the Government would grant a license where it was undesirable to do so.

Mr. BLACK said he hoped the hon. member would insist upon the amendment, and that before they finished with the Bill that evening he would make it penal for any person within a prohibited area to drink any spirituous liquor in that area. They would then have a proper prohibitory Bill. He hoped the hon. member would not be intimidated by the Premier and withdraw that very good amendment.

The MINISTER FOR WORKS said he hoped the hon. member would withdraw his amendment, as refreshment-rooms were really required for the convenience of travellers.

Amendment put; and the Committee divided.

Mr. GRIMES asked for the ruling of the Chairman as to whether the hon. member for Mackay, having called for a division after it was declared that the "Noes" had it, should not vote with the "Ayes"?

The CHAIRMAN said that, as the question had been raised by the hon. member for Oxley, he must ask the hon. member for Mackay which way he gave his voice?

Mr. BLACK: I gave my vote——

The CHAIRMAN: But that was not the question. He was bound to ask the hon. member which way he gave his voice?

Mr. BLACK said he called for a division for the purpose of testing the feeling of the Committee.

Mr. GRIMES said he thought that if the Chairman pressed the hon. member he would answer that he gave his voice with the "Ayes."

The CHAIRMAN said he declared that the "Noes" had it, and the hon. member for Mackay having called for a division, it was to be inferred that he was dissatisfied, and gave his voice with the "Ayes." That being the case there was no question at all on which side the hon. member's vote must be counted in the division. "May" said—

"It must be well understood by members that their opinion is to be collected from their voices in the House, and not merely by a division; and that if their voices and their votes should be at variance the former will be held more binding than the latter."

He therefore declared that the vote of the hon. member for Mackay must be with the "Ayes."

Mr. BLACK said he thought, under the circumstances, the Chairman was wrong in allowing the division to take place.

The CHAIRMAN said he had no option; the hon. member called for a division.

Mr. BLACK said that if it would in any way benefit hon. gentlemen on the other side to have his vote recorded on that side he had no objection.

AYES, 7.

Messrs. Campbell, White, Grimes, Salkeld, Aland, Macfarlane, and Black.

NOES, 20.

Messrs. Archer, Norton, Dickson, Rutledge, Miles, Dutton, Griffith, Sheridan, Ferguson, Mellor, Wakefield, Scott, Smyth, Bailey, Foote, McMaster, Buckland, Groom, Brookes, and Hamilton.

Question resolved in the negative.

Clause, as amended, put and passed.

Clauses 134, 135, and 136 passed as printed.

On the first schedule the PREMIER moved several verbal amendments, and the addition to the list of repealed Acts of "19 Vic No. 19—an Act to prevent the adulteration of spirituous and fermented liquors so far as it relates to licensed victuallers and wine-sellers."

Amendments agreed to; and schedule, as amended, put and passed.

Schedule 2, on the motion of the PREMIER, was verbally amended.

Mr. CHUBB moved that the words "and the other justices adjudicating shall not comment upon the decision pronounced or the remarks made by the chairman" be omitted.

The PREMIER said the regulation was a very necessary one. Cases had come under his notice where the most unseemly scenes had occurred on the licensing bench, in consequence of the chairman's decision being objected to by some of the other justices present.

Amendment put and negatived; and schedule, as amended, passed.

Schedules 3 and 4 passed with verbal and consequential amendments.

Mr. PALMER said that a man might build a place exclusively for the purpose of carrying on a licensed victualler's occupation, and after he had described the house and its situation, and the number of sitting-rooms and bed-rooms, he might have his license refused. Was he not guaranteed a conditional license, by which, after having spent so much money, he should not lose? In New South Wales, a man sent the plans of his proposed house down to the licensing board and obtained a guarantee in the shape of a conditional license.

The PREMIER said that if the hon. gentleman would look at clause 33 he would find that provision had been made for such cases as he referred to.

The remaining schedules of the Bill were passed with consequential and verbal amendments.

The PREMIER moved that the following be the preamble of the Bill:—

Whereas it is expedient to consolidate and amend the laws relating to the sale of intoxicating liquors by retail, the licensing of billiard tables and bagatelle tables, the rights, duties, and liabilities of innkeepers, and other matters connected therewith.

Question put and passed.

The PREMIER, in moving that the Chairman leave the chair and report the Bill to the House with amendments, said it would be necessary to recommit it for the purpose of making some alterations entirely of a verbal character—about twelve altogether—and he thought they might as well go through them that evening.

Question put and passed.

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

The PREMIER moved that the Bill be recommitted for the consideration of clauses 3, 4, 11, 15, 31, 32, 33, 38, 51, 79, 90, and 111, and the 7th schedule.

Question put and passed, and the House went into Committee.

Consequential verbal amendments were made in the several clauses and the schedule above mentioned.

The House resumed, and the CHAIRMAN reported the Bill with further amendments.

On the motion of the PREMIER, the Speaker left the chair, and the Bill was recommitted for the consideration of clause 46.

A verbal amendment having been made in the clause,

The House resumed, and the CHAIRMAN reported the Bill with further amendments. The report was adopted, and the third reading of the Bill made an Order of the Day for Tuesday next.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced the receipt of a message from the Legislative Council, forwarding the Victoria Bridge Closure Bill, with amendments.

On the motion of the PREMIER, the message was ordered to be taken into consideration on Tuesday next.

ADJOURNMENT.

The PREMIER, in moving that the House do now adjourn, said it had been requested that there should be a House to-morrow; but he understood that the sitting was not likely to last very long.

The House adjourned at eleven minutes past 11 o'clock.