Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 15 SEPTEMBER 1886

LEGISLATIVE ASSEMBLY.

Wednesday, 15 *September*, 1886.

Question.—Motion for Adjournment—Extension of New South Wales Railways to the Queensland Border.—Gold Fields Act Amendment Bill—third reading.—Mineral Lands (Coal Mining) Bill—third reading.—Marsupials Destruction Act Continuation Bill—third reading.—Divisional Boards Bill No. 2—committee.—Messages from the Legislative Council—Customs Duties Bill—Justices Bill—Mineral Oils Bill.—Adjournment.

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

QUESTION.

Mr. MELLOR asked the Minister for Works—

1. What has been the amount of expenditure by the Government on main roads and bridges since they took office?
2. In what manner have the different amounts been given, and for which works?
3. Has the demand that two-thirds of the money required shall be subscribed by local bodies been adhered to, or has the demand only been made in exceptional cases?
4. What is the balance to the credit of the fund over and above the amount appropriated?

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

1. From Revenue, £53,795 12s. 4d. From Loan, £8,916 2s. 5d.
2. The different amounts given have been dealt with in accordance with the circumstances surrounding each case.
3. No. The Government have recently decided that not more than one-third or one-fourth will be contributed from the vote for bridges, main roads, in accordance with circumstances.
4. Balance Loan, £61,715 3s. 7d. Balance Revenue, £523 14s. 3d.

MOTION FOR ADJOURNMENT.

EXTENSION OF NEW SOUTH WALES RAILWAYS TO THE QUEENSLAND BORDER.

Mr. KATES said: Mr. Speaker,—I rise to call the attention of hon. members of this House to what appears to me a very important matter which transpired last night in the Assembly of New South Wales, and I intend to conclude with the usual motion for adjournment. The Minister for Works (Mr. Lyne) laid on the table of the New South Wales Assembly last night the plans and specifications in connection with the extension of the line from Narrabri to Moree. Moree is a place close to our southern border, and the hon. gentleman also explained the matter as follows :—

"The Narrabri to Moree line, which would cost £325,447, was expected to attract a large portion of the trade of Southern Queensland now carried on the Queensland lines."

That motion was passed, sir, with only four dissentients. We all know that for a considerable time a great deal of our trade has been taken by

New South Wales, and if this line from Narrabri to Moree is carried out a great deal more, if not all, will go to New South Wales. It is a very difficult thing when once trade is diverted—when once business men and squatters have formed connections with Sydney and are satisfied—to break off those connections. If the lines are extended to our border and the rates of carriage lowered, the whole of our trade will very likely be lost and carried to New South Wales. It appears to me that the people of New South Wales most unblushingly state that they are going to divert the trade of Queensland; that they are going to fleece and rob us of trade that rightly belongs to us, and take away that which belongs to the seaport of Brisbane and of Ipswich. I think the members for Brisbane and Ipswich are as much interested in this question as anybody else; and as an agitation is being kept up for separation on one side, and we are losing our trade in the South on the other, I am afraid there will soon be very little left to us but Brisbane and Ipswich. The people in the south-western portion of the colony will also be asking for separation, and then what shall we have left? Something should be done to try and recover the trade of the south-western portion of Queensland, and an effort should be made, as soon as possible, to prevent the New South Wales people from taking the whole of our trade away from us, and robbing the port of Brisbane of what belongs to it. I consider it my duty to call the attention of hon. members to this question, because really no time is to be lost. The New South Wales people are extending their railways right on to our borders with the sole intention, as has been explained by Mr. Lyne, to divert the trade from Queensland nto New South Wales. I move the adjournment of the House.

Mr. MACFARLANE said: Mr. Speaker,—I think this is a very important matter that the hon. member for Darling Downs has brought before us this afternoon. It seems that one of the strongest arguments that has been used in favour of making this line in New South Wales is that it will take away our southern trade.

An HONOURABLE MEMBER: They are taking it away now.

Mr. MACFARLANE: Yes, they are taking it away now; but when this line is constructed there will be greater facilities for taking it away, and the only thing we can do is to press upon the Minister for Works the necessity of pushing on, as fast as he can, our Southern line to the border so as to checkmate as soon as possible this attempt to carry away the trade of Queensland. The construction of this railway will affect not only the trade of the Downs but that of Brisbane and Ipswich, and the trade all along the line; therefore this is a matter that the hon. gentleman has done very well in drawing the attention of the House to.

Mr. DONALDSON said: Mr. Speaker,—I was in hopes that the Minister for Works would have had something to say upon this matter, which is a very important one indeed. Repeatedly I have called the attention of this House to the fact that the legitimate trade belonging to the port of Brisbane was being gradually taken away from us by New South Wales. Already the line to Bourke has cut off our south-western trade altogether, and now the people of New South Wales are anxious to have a line constructed which will take our southern trade entirely from us. Not only is it essential that we should extend our railways, but I must call attention to the necessity of making some better revision of the tariff than has been done. Last year that was promised, and the Premier said we should have to fight New South Wales for our southern trade, in the same way as New South Wales had to fight Victoria for the border trade. Now, what has been done? A reduction of about 30 per cent. has been made upon some articles. On some things no reduction at all has been made, and perhaps it would not be necessary. But I would impress this on the Minister for Works: that if we can secure the wool traffic to our railways, and the flour, which should properly be carried on our lines, the rest of the trade would follow, because these are the two articles upon which people cannot afford to pay a large amount of carriage, and they are the two articles which the other colony has provided specially low rates for. I take an interest in the trade of this colony and in the trade of Brisbane, and I would really like to see the Government take some steps to protect our trade. The whole of the trade from Thargomindah goes down to New South Wales, and likewise the trade from Cunnamulla, and it would be very interesting if we had a return laid upon the table of the House showing the amount of duty paid at the border, and also the value of the goods brought across the border from the neighbouring colonies. I do not know whether we can save the whole of that trade, but I know if we are to do anything to save it for this colony it will be necessary that the railway should be extended to the border as soon as possible, and it will also be necessary, from the long carriage of goods, more particularly such goods as flour and wool, that some effort should be made to keep the trade in the colony. I honestly hope that the Government will take some further steps than they have taken so far to do this; for so far only a milk-and-water arrangement has been made, and the reductions made will certainly not save very much to this colony. It is within my knowledge that at Charleville, which is within about eighty miles of the terminus of our line and about 400 miles from Bourke by land, the bulk of the flour consumed last season was got from Bourke in spite of the difficulty of travelling in the drought. That seems an alarming statement to make, but it is a fact. I know further that flour was got from Bourke at a place sixty miles north of Charleville, a distance of about 460 miles, as against about ninety miles from our terminus. In the land carriage there is little difference, but the rates upon our railways are so excessively high that not only the trade in those goods is taken from us, but the trade in other goods will follow. I hope yet before the session is over to have some returns on the subject and be able to give fuller information to the House. I really trust that some steps will be taken to try and save this trade which rightly belongs to Brisbane.

Mr. ISAMBERT said: Mr. Speaker,—I am puzzled. I can hardly trust my ears. Is this the same hon. gentleman who so earnestly advocated reciprocity and freetrade?

Mr. DONALDSON: Where is the connection? I do not want one-sided reciprocity.

Mr. ISAMBERT: Can you enlighten me on the subject, Mr. Speaker? If the freetraders are right and that people can get their goods into the colony as they like, I can scarcely understand the hon. member. Is there any difference in the goods coming first to Brisbane and then going out west, or in their coming from Sydney direct? Is there any difference whether the border is on the sea-coast, or merely a geographical line dividing the colony? I am really quite puzzled by the speech of the hon. member. It is most confusing.

The MINISTER FOR WORKS said: Mr. Speaker,—I beg to assure hon. members that the Government are doing all that lies in their power to push on their railways, but there is one

thing which must not be lost sight of, and that is the great number of lines at present under construction, being surveyed, or promised to be carried out. To show the inconsistency of the hon. member for Warrego, he has been asking me when the survey of the line beyond Charleville will be proceeded with. The fact of the matter is, that in order to push on this border line first I removed the survey party from the Charleville line to that line. It seems to be utterly impossible to please the hon. member. He was angry with me because the extension from Charleville was not being proceeded with, and now he gets up this afternoon and denounces the action of the Minister for Works, because he has not pushed on the border line with more speed.

Mr. DONALDSON : I might be permitted to explain——

The MINISTER FOR WORKS : Sit down, sir ; I am in possession of the chair. There is no pleasing the hon. member for Warrego. He has been complaining and complaining that there should be an alteration in the railway tariff. I can assure the House and the hon. member that the tariff on heavy goods—wool, flour, sugar, salt, and most of the articles used by the pastoral lessees—has been reduced by something like 25 per cent. I may tell the hon. member that that helped to make a falling-off last week of considerably over £2,000 in the railway receipts. Unless he wants the department to carry the whole of the goods up and down, backwards and forwards, free, I do not know what he wants. He talks about New South Wales and what they do there. Well, I hope it will be a long time before we are in such a wretched state as New South Wales is in. He said, see how their railways were worked. Well, their loss was about a million and a-half last year, and still the hon. member wants us to take example from New South Wales. I hope we will not be so foolish as to follow in their footsteps. I would like to inform hon. members that there are now something like eighteen different railways under construction in the colony. I do not think that in any other colony or any other part of the world railway construction is carried on with more vigour than here. When the Government went in for borrowing that large sum of money for railway construction I foresaw what would be the result—that all round hon. members would be anxious for their own railways. The Government must, at all events, use their own discretion and build those railways from time to time as they appear to be most likely to be of benefit. If the Government are not allowed to carry out their works policy as they think best, hon. members must get somebody else to do it. I have told hon. members that I have been extremely anxious to meet the views of those who represent districts where railway communication has been promised. I am endeavouring to do the best I can, but I say that the magnitude of the railways we have under construction, or are about to construct, is such that the Government may fairly claim to have some little consideration shown them. As to this line to the border, I sincerely hope and trust we will be able to shorten the distance. It will be much better than reducing the tariff on the railway.

Mr. DONALDSON : Would you not like to get it?

The MINISTER FOR WORKS : I know what the hon. member for Warrego thinks. He is under the impression that the whole of the produce and goods should be carried to and fro free, and I do not believe he would be satisfied even then. However, the Government are perfectly satisfied with their railway policy ; and the railways they have proposed to build, if not immediately reproductive, will be the best assets the colony could have. I hope hon. members will be satisfied that the Government are doing all they can to push on these railways.

Mr. HORWITZ said : Mr. Speaker,—I am glad to hear the Minister for Works say that it is the intention of the Government to proceed with their works policy. We should make some effort to stop New South Wales from attracting the trade she is aiming at. If the Government, however, do not push on their railway policy as soon as possible, there is not the slightest doubt but New South Wales will get the border trade ; and we all know well that when New South Wales once gets that trade from us we will have a deal of trouble to get it back. Some hon. members may say I am speaking on behalf of Warwick, but it is very little Warwick has to gain by the border trade ; it is Brisbane and the Treasury that will reap the benefit. Hon. members need not think I am speaking entirely on behalf of Warwick.

Mr. CAMPBELL said : Mr. Speaker,—I am very glad that the hon. member for Darling Downs has called the attention of the Government to the way in which New South Wales is extending her railways towards the border ; and I am also pleased to hear that our railways are to be pushed towards the border too. But I would like to point out to the House that if we construct the line proposed by the Government it will be many years before it is complete. Some forty miles of it is likely to cost the Government something like £20,000 a mile, and, furthermore, if they carry out the Warwick to St. George line, they will find that every time there is a flood they will have miles to repair. Now, if they wish to reach the border in a short time, their duty would be to have the line surveyed from Beauaraba or Dalby.

The MINISTER FOR WORKS: Hear, hear!

Mr. CAMPBELL : I do not think it is fair, Mr. Speaker, considering that I am naturally a nervous man, that the Minister for Works should interrupt me ; I think it is unbecoming in the Minister for Works towards a young member. I am sure if we want to preserve our border trade it will be necessary to run a line from either of those points, for certainly, if it is carried from Rosewood *viâ* Warwick, and thence to St. George, it will cost so much money that it will be impossible to compete with the New South Wales line.

The MINISTER FOR WORKS said: Mr. Speaker,—I rise to a point of order. The hon. member complains of my cheering. I think it is a usual thing to do ; I believe I have a perfect right to say " Hear, hear !"

Mr. McWHANNELL said : I am very glad that this matter has been brought before the House ; but no mention has been made of the South Australian lines which are fast extending to our borders. I believe in a few years' time the whole of the Western trade will be going to South Australia. I understand that last year above £4,000 Customs duty was collected at one township on the border between South Australia and Queensland. We do not find fault with the number of railways the Government are constructing, but with the rate of construction. Take for example the Central line. It is now over twenty years since it was started, and the rate of construction has only been about sixteen miles per annum. If the main trunk lines were pushed on much more quickly, I think we would secure a great deal of traffic that otherwise will go into other channels altogether. I think, too, that a railway should be started from the Gulf of Carpentaria, as it would retain to this colony a great deal of trade that is now going to South Australia.

Mr. KATES, in reply, said: Mr. Speaker,—When I rose I did not intend to say anything about the *via recta*, or the St. George line; I merely thought it my duty to warn the House of the danger that was threatening the southern part of the colony by the extension of the railway from Narrabri to Moree. With regard to the *via recta*, or St. George line, we shall have plenty of opportunities of discussing that matter when it comes before the House. I think I shall then be able to refute the argument about its great expense, and also about the floods in that part of the country.

Motion put and negatived.

GOLD FIELDS ACT AMENDMENT BILL.

THIRD READING.

On the motion of the MINISTER FOR WORKS, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

MINERAL LANDS (COAL MINING) BILL.

THIRD READING.

On the motion of the MINISTER FOR WORKS, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

MARSUPIALS DESTRUCTION ACT CONTINUATION BILL.

THIRD READING.

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

DIVISIONAL BOARDS BILL No. 2.

COMMITTEE.

On the motion of the PREMIER (Hon. Sir S. W. Griffith), the House went into Committee of the Whole to consider this Bill in detail.

Preamble postponed.

Clauses 1 to 4 passed as printed.

On clause 5—"Interpretation"—

The PREMIER said one or two verbal amendments appeared to be required. The first was in the definition of "district":—

"'District'—The district in which a local authority has jurisdiction, including any place outside the limits of the division or municipality."

He would move, by way of amendment, that after the word "place," the words "under the control of a local authority" be inserted. There might be a manure depôt or something of that kind outside the division or municipality, and they ought to have authority over it—and power to make by-laws for such a place, although actually outside the limits of their district.

Amendment agreed to.

The PREMIER said the last paragraph of the clause provided that—

"When a person entitled to the possession of land does not usually reside on it, and the land is in charge of an agent or servant of such person, who resides thereon, such agent or servant shall be deemed to be the occupier."

There was some doubt whether that provision included a corporation, and he proposed to remove the doubt by inserting the words "or land is in the possession of a corporation" after the word "it," in the 2nd line of the paragraph.

Mr. NORTON said before that amendment was put he would call attention to the definition of "occupier," who was stated to be "the inhabitant occupier of any land." Further on, in the 35th clause, the term "resident householder" was used.

The PREMIER: I think the term used here is the better one.

Amendment agreed to.

The PREMIER moved that the clause be further amended by the insertion of the words "or corporation" after the word "person," in the 3rd line.

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

Clauses 6 to 8 passed as printed.

On clause 9, as follows:—

"The Governor in Council may, by proclamation, dissolve a municipality, or sever from the district of a municipality any portion thereof, and include the district of such municipality, or such portion of its district, in a contiguous division.

"When the whole of the district of a municipality is so included in a division, the assets and liabilities of such municipality shall devolve upon the division in which it is so included."

Mr. NORTON said that clause provided that the Governor in Council might dissolve a municipality, or sever from it any portion and include it in a contiguous division, and that the assets and liabilities of such district should devolve upon the division in which it was included. The next section provided that—

"A municipality shall not be so dissolved, nor shall a portion of the district be so severed and included in a division, unless the municipality has become insolvent, or has failed to pay any sum due to the Colonial Treasurer within the time prescribed by law, or the council thereof has ceased for twelve months to exercise its functions."

When an insolvent municipality was dissolved and included in a contiguous division, would the division to which it was annexed be compelled to take over its liabilities? He was not quite clear upon the point.

The PREMIER said the division would have to take over the debt as it stood, and he did not see why it should not. The liability was the liability of the inhabitants, and they would still remain inhabitants in the district. He thought the division in which a dissolved municipality was included should take over its liabilities, otherwise any corporation could get rid of its liabilities by ceasing to exist, and that would not do.

Mr. NORTON said he did not think the division would care to take over the liabilities, and it would not be fair to any division to force it to take over the debts of a municipality which was insolvent. That was what he objected to.

The PREMIER said that was part of the system of local government. The liabilities were the liabilities of the inhabitants. Surely the hon. member did not mean to say that the council of a municipality might cease to work for twelve months, and thus get rid of their liabilities.

Mr. NORTON said a division might be willing to take over a municipality or district, provided its assets would clear the liabilities; but when a municipality was insolvent it was hardly fair that the division should be forced to take it over and pay its debts. He did not think any division should be compelled to take over another division under those conditions.

Mr. MELLOR said he did not know whether this was the right place; but he would ask if there was any provision in the Bill for joining a divisional board on to a municipality — for attaching a municipality to a divisional board.

The PREMIER: Yes. The Local Government Act provided for that. Clause 275 provided for what should happen afterwards—

"When the whole of a division is constituted a municipality, the assets and liabilities of such division shall devolve upon the municipality so constituted."

The point referred to by the hon. member for Port Curtis might be met, if it were considered desirable, by providing in the 11th clause that the Governor in Council might apportion the liabilities of the old municipality between the different parts of the division. A few words added to the clause would be sufficient to make it clear. He did not feel disposed to accept the suggestion that when a municipality ceased to carry on its functions it should be relieved of all its debts.

Mr. NORTON: Of course not. Its debts ought to be attached to it; but still it was hardly fair that the whole of a division should be responsible for the debts which were contracted by the insolvent part of it. If the debts could still be fixed on to the insolvent part—the dissolved municipality—there would then be a chance of working them off; but the debt should be attached to that particular portion. The present clause was right enough.

The PREMIER: We will amend clause 11.

Clause put and passed.

Clause 10 passed as printed.

On clause 11, as follows:—

"When a division is divided into two or more divisions or a portion is taken from one division and added to another, or a portion of a municipality is severed and included in a division, and in every other case in which it may, in consequence of the alteration of the boundaries of divisions, be necessary so to do, the Governor in Council shall by Order in Council declare and apportion the assets and liabilities of the respective local authorities between them.

"When in any of the cases aforesaid any of the local authorities affected is indebted to the Treasurer in respect of moneys advanced to it by the way of loan, the Governor in Council may by like Order in Council declare and apportion the liabilities of the respective local authorities in respect of such loan, and may declare upon what part or parts or upon what subdivision or subdivisions of the district of any of the local authorities any part of such loan shall, as between the several parts or subdivisions of such district, be chargeable, but so that the whole of the apportioned part of the loan shall, as between the local authority and the Crown, be chargeable to the whole of the district of the local authority.

"Every such Order in Council shall have the same effect as if it were a part of this Act, so that the rights and liabilities of the respective local authorities, or of the respective parts or subdivisions of the districts of the local authorities, shall be as declared by the Order in Council."

On the motion of the PREMIER, the clause was amended by the omission of the word "when" at the beginning of the 2nd paragraph, and the insertion after the word "aforesaid," on the same line, of the words, "and whenever a municipality is dissolved and included in a division, if."

Mr. NELSON said the clause only provided for liabilities in respect to loans, but there might be other liabilities of a serious nature. A municipality might be owing money to the men or to contractors at the time it was dissolved, which ought to be provided for as a remanet charge upon that division.

The PREMIER said he did not think it was necessary to provide for that. Certainly the new municipality should be bound to pay the money in the first instance. This Bill was not intended to facilitate the giving of certificates to insolvent municipalities. It was to provide for the payment of their debts, if they were too small to carry on by themselves, and for throwing them in with some other body. They would not be a majority in the new division, and the majority might be trusted to see that they were not called upon to pay large sums of money without making themselves secure. He did not think it was necessary to make special provision to say what should be charged. If they did the new division might be prevented from acting fairly even if they wished to do so.

Clause, as amended, put and passed.

Clauses 12 to 15, inclusive, passed as printed.

On clause 16, as follows:—

"Every male person who is a natural-born or naturalised subject of Her Majesty, and who is a ratepayer of a division, shall, subject to the provisions hereinafter contained, be qualified to be elected and to act as a member of the board of such division, but so long only as he continues to hold such qualification.

"Provided that no person shall be qualified to be elected who has not before noon on the day of nomination paid all sums then due in respect of any rates upon land within the division for the payment of which he is liable.

"And provided that any person who is liable to be rated under the provisions of this Act in respect of property within the division shall, subject to such provisions as aforesaid, be qualified to act as a member of the first board of the division."

Mr. DONALDSON said he wished to point out that any ratepayer might become a member of a board, but that any ratepayer might not have a vote. If he understood clause 29 rightly, a person who paid rates on less than £50 was not entitled to have a vote, but if he paid any rates he was entitled by clause 16 to be a member of the board. There was no limitation as to the amount of rates he might pay.

The PREMIER said that nobody was allowed to be rated at less than half-a-crown. That was the minimum.

Mr. DONALDSON said that any ratepayer might become a member.

The PREMIER said that every ratepayer must at least pay half-a-crown. The proviso at the end of the 29th section was really unnecessary. He was glad the hon. member had called attention to it.

Mr. BULCOCK said that if any person who was liable to be rated might become members, they would have lady members of the boards, because there were ladies who were ratepayers. They had already lady voters and lady ratepayers.

The PREMIER said there was a question which was raised on the second reading of the Bill and which had also been raised by deputations that had waited upon him. It was as to whether the rates should be paid before the day of nomination or before the 1st January preceding the day of nomination. There were advantages in either provision. If it were made the day of nomination, then it was sometimes the means of inducing people to pay up their rates. On the other hand, it was said that if they were obliged to pay by 31st December the accounts would be made up in a much more convenient manner for that year, and the proper amount of endowment on the rates for the year could be obtained from the Government. He really did not know if one way was not as good as the other. Hon. members who were more acquainted with the working of the Acts than he was should say which they preferred. He thought it right that their attention should be directed to the matter.

Mr. BUCKLAND said it would be better to make it that every person was eligible for a vote who had paid his rates up to 31st December, than on the day of election or nomination, because there was a difficulty under vote by ballot in making up the voters' roll.

Mr. MELLOR said he thought it should be on he day of election. He knew many instances where vacancies had occurred and elections had taken place, and a large amount of money had been paid in for the purpose of securing votes.

Mr. FOOTE said he agreed with the view of the hon. member who had just sat down. He thought it would greatly assist the boards or municipalities if the rates were allowed to be paid up to the day of nomination. It was not a question as to what would be the most correct way of making up the accounts. It would facilitate very considerably many matters in reference to boards if persons were allowed to pay up to the day of nomination. In many towns when there was no election coming on, parties did not care whether the rates were paid or not, but in cases of exciting elections it would be an incentive for them to do so. It would cause the money to flow in pretty freely, and help the boards much better than fixing the date for payment of the rates a month or two before the election took place.

Mr. HIGSON said he believed also in allowing parties to pay up to the date of election. He knew of several instances when the Rockhampton Municipality got in large sums of money on that day. He knew of candidates in plenty of cases who had lent the money to people to pay the rates for the purpose of getting the vote. He thought it would be a great saving of time, and would bring in a great deal of money on that day, which otherwise would take a great deal of time and trouble to collect.

Mr. PATTISON said he scarcely saw how it was possible to work the payment of rates up to the day of nomination, under the ballot system. Under the ballot they must have a ratepayers' roll, that had to be sent all over the division. A division might extend to 80 or 100 miles, and how was it possible they could say on the day of election that a man had a right to vote unless they had the ratepayers' roll before them? It would be better when the ballot was used that there should be a ratepayers' roll made up, say, at the end of December. In the case of municipal elections the member for Rockhampton was quite right in saying that the payment of rates up to the date of election did bring in a large sum of money occasionally. But he did not see how, with the ballot, in a scattered division, it would work.

Mr. ADAMS said he had noticed the difficulty pointed out by the hon. gentleman who had just sat down. But there was another difficulty. There were a number of individuals who lived in the country districts who might have five, six, or seven different properties, and who were naturally supposed to pay up the whole of the rates on these properties. They might have been furnished with notices, or a list by the town clerk, or the divisional board clerk, and have paid accordingly. But suppose they came in, sometimes twenty or thirty miles, to record their votes, and found that they had not got a vote at all, for the simple reason that one of the properties had been missed? Under the old Municipalities Act any man could vote if he came in and paid up his rates before voting, and that worked very well. Now they had a sort of a roll to make up, but they had also the rate-book to go to. He thought that if any man came in and paid his rates to the rate collector, the collector should give him a receipt, and that receipt might be handed to the poll-clerk, showing that he was entitled to vote. He thought the difficulty might be got over in that way, and allow any man who wished to vote to have a vote, if he had paid up on the day of election. It would be a great boon to boards in country districts, because they would get a larger sum in rates than they would get in any other way. At the present time, under the Local Government Act, a roll was made out. At any rate, he believed the rate collector should be in his office at any time he was wanted to take the rates. Sometimes it happened that a vote was of some consideration. For instance, a certain portion of the people wanted a certain person to represent a certain part of the district; there might be a resident of another part standing against him—a man whom those people did not want to get in—and he could assure hon. members that in such a case people would go long distances to pay up their rates for the express purpose of being able to vote for the person they thought it best to put in. He thought it would be far wiser to allow the people to pay up even on the very last day.

Mr. GRIMES said the fact would be known to the ratepayers that they would lose their votes if their rates were not paid up by the 31st December, and they would take care to send in their rates in time. No doubt, also, it would tend to increase the amount of money received towards the latter end of the year, and would in that way be of great help to the boards, by enabling them to get their books closed up towards the end of the year, and have the endowment paid on the rates received. At the present time, by allowing rates to be paid up to the day of nomination one year's accounts dovetailed with the next year's, and the boards did not get the endowment on the rates paid after the 31st December. It would be much more convenient to the boards, and save a great deal of confusion at the time of an election, to have rolls made out at the close of the year ready for the elections during February.

Mr. MELLOR said it would have a tendency to disqualify a number of voters. The present system had worked very well, and should be allowed to continue.

Mr. FOOTE said the remarks of the hon. member for Oxley did not hold good, as, if the boards did not secure the endowment for one year, they did for the next. He could not see why a ratepayer should not be allowed, if he chose, to pay up his rates even on the day of election and get his vote. The hon. member for Blackall said he did not see how that could be done with the ballot system, but he thought it quite possible. There was nothing to prevent the rate collector having his rate-books in the room, and taking the rates from those who wished to pay up and vote. The ratepayer could then show his receipt to the returning officer, and he should be permitted to vote. He could not see why he should be disfranchised or why his money should not be taken at any time he was prepared to pay it.

Mr. PATTISON said it would be simply impossible to do that under the ballot system. It would be all very well in a small division where all could vote at one polling place; but there might be eight or nine polling places in a division, and in such a case it would be impossible to carry on an election by ballot under such a system, unless they were going to give the returning officers or presiding officers power to receive the rates. If they must have a ratepayers' list, under the present system they must have voting by post, and then every ratepayer who had paid up his rates would get his voting paper to enable him to vote.

Mr. NELSON said the system provided in the previous Act had worked very well, and he did not think the proposed alteration would make any material difference. The notices for the annual elections must be advertised in January according to the Act, so that the interval would be so small that the proposed amendment would make but little difference. Most of the boards

took care that the arrears of rates unpaid by the 31st December were very small, so that they might get the full annual endowment. With regard to the voters' lists, he would point out that the time between the day of nomination and the ballot must be at least fourteen days, and it might be thirty, and that seemed to him to give ample time for compiling the voters' lists; and he did not think the system of extending the time for paying the rates in order to qualify a ratepayer to vote would work.

Mr. DONALDSON said he might point out, for the information of hon. members, that in Victoria the rates were payable on the 10th June and the elections did not take place until the middle of the following August. That gave ample time for having rolls made out, and the system worked well and had proved a good means of securing that the rates should be paid. By leaving it until the last day they might have indecent rushes by persons to pay their rates, and candidates might be placed in a false position, as had been pointed out, by having to lend money to ratepayers to pay their rates in order to qualify them to vote. That had been done and might be done, and it was a false position to put a candidate in.

The PREMIER said they had the voters' roll system under the Local Government Act in connection with municipalities; but, as he pointed out on the second reading of the Bill, it could not be very well applied to the country districts, It would be very expensive to have a regular revision of the voters' roll. Where there was a voters' roll it was necessary to fix some time before the commencement of the year, before which all rates must be paid up. Under the Local Government Act the rates were to be paid by the 1st November, and in that month the voters' roll was made up and remained in force during the succeeding year. It would be a very cumbrous and inconvenient system to adopt with respect to divisions in the country districts which the Bill proposed to deal with.

Mr. PATTISON said they should have voting by post, and let the people in a district in which voting by ballot would be suitable apply to have voting by ballot put in force. In eight out of every ten divisions, the voting would be by post; it was only in very closely settled divisions that voting by ballot would suit at all. They should provide that the voting should be by post, except at the request of the ratepayers who wished to vote by ballot.

Mr. GRIMES said that usually there were not many copies of the rolls required; and he believed hitherto they had been copied with the multigraph.

Mr. MELLOR said he would like information on one matter connected with the qualification. It had been a source of perplexity to many boards whether a person who was a ratepayer in one subdivision could become a member for any other portion of the division in which he had no interest.

The PREMIER said that by the clause any person who was a ratepayer in a division was qualified to be elected a member of the board. He did not think there was any doubt about that; there was no limitation in the Act as to subdivisions.

Mr. PATTISON said it had been understood hitherto that to be qualified to represent a subdivision a person must be a ratepayer of that subdivision.

HONOURABLE MEMBERS: No.

Mr. PATTISON: Yes; that is the law.

The PREMIER: No; it is not the law.

Mr. GROOM said it was not the way the law was generally interpreted. It was the rule in all municipalities that if you were a ratepayer you could stand for any ward you pleased. Quite recently in Sydney the question had been brought before the Supreme Court, and the court was unanimous that a ratepayer of any municipality could stand for any ward so long as he paid his rates and had complied with all the necessary conditions attached to his position. He could not see why a ratepayer having property in a division should be debarred from standing for any part of the division. In that way they might debar men of ability and intelligence; and common sense taught that the very best men should be elected, no matter in what part of the division their property might be situated, so long as they were ratepayers in that division. That system had worked well in the past, and he was sure it would work well in the future.

Mr. MELLOR said he knew there had been doubt about the matter; and he believed candidates who had been nominated in certain places had been disqualified because they had no qualification in the subdivision they were contesting. He thought a person ought to be a ratepayer in the subdivision of which he sought to be the representative. According to the other principle, they might as well extend the qualification to any person in the colony.

The PREMIER said he had no doubt whatever that the law was as he had stated it. It was a question whether it was worth while to insert in the clause a declaratory provision stating that it was so. He scarcely thought it necessary, but if there was any real doubt on the question it might be worth while.

Clause put and passed.

On clause 17, as follows:—

"No person who—

(1) Holds any office of profit under the Crown; or
(2) Is concerned or participates in the profit of any contract with the board; or
(3) Is the holder of a licensed victualler's or wine-seller's license; or
(4) Has his affairs under liquidation by arrangement with his creditors; or
(5) Is an uncertificated or undischarged insolvent; or
(6) Has been convicted of felony, unless he has received a free pardon or has undergone the sentence passed upon him; or
(7) Is of unsound mind;

shall be capable of being or continuing a member of a board.

"Provided that nothing herein shall disqualify any person from being or continuing a member of a board solely because he is concerned or participates in a transaction with the board in respect of—

(1) A lease, sale, or purchase of lands; or
(2) An agreement for such lease, sale, or purchase; or
(3) An agreement for the loan of money, or any security for the payment of money; or
(4) A contract entered into by an incorporated company for the general benefit of such company; or
(5) A contract for the publication of advertisements in a public journal."

Mr. NORTON proposed the omission of the 3rd subsection. He did not see why a publican should be disqualified any more than anyone else. As he had pointed out on the second reading, a licensed victualler or wine-seller was entitled to be a member of Parliament or to sit in a municipal council, and why should he be disqualified from being a member of a divisional board?

Mr. NELSON said before that amendment was put he would like to draw attention to the 1st subsection, which he thought was not very definite. It disqualified any person holding an office of profit under the Crown; he presumed that included all members of Parliament now.

The PREMIER: No; if you held an office of profit under the Crown we might turn you out.

Mr. NELSON asked if it included the President of the Legislative Council?

The PREMIER: Yes.

Mr. NORTON: It includes the Acting President, too.

The PREMIER: No.

Mr. NELSON said the late Government appointed the President of the Council a member of the board of which he was a member, and the question being raised whether it was a proper appointment, it was referred to the Attorney-General, who said it was.

Mr. NORTON said the Acting President of the Council was a member of the Rosalie Board, he believed.

The PREMIER: He is elected by the Council.

Mr. NORTON: Still it is an office of profit under the Crown.

The PREMIER said the term "office of profit under the Crown" was well understood to refer to persons appointed by the Crown and holding office at the pleasure of the Crown or under some statute, such as the judges, the Auditor-General, and the members of the Land Board. Whether the President of the Legislative Council fell under the definition or not was rather a nice point; he was appointed by the Governor.

Mr. JESSOP asked if a mail contractor held an office of profit under the Crown?

The PREMIER: No; a postmaster does.

Mr. ADAMS said he would support the amendment of the leader of the Opposition. The publicans were as respectable as any other class of the community, and he believed they were very much maligned. There was a class of men on some of the divisional boards about whom he knew this—that unless a man got on their books and owed them money, he would never get a job from those boards. Seeing that no money was to be paid in public-houses, he did not see why the publican should be disqualified; and as the question did not affect the Bill, he hoped hon. members on both sides would support the amendment.

Mr. PATTISON said he should certainly vote for the amendment. He failed to see why a publican, as such, should not be eligible to be a member of a board, more especially as he was eligible to be a member of the House of Assembly. It should be remembered that the ratepayers who elected members of divisional boards were to a great extent property holders, and would, therefore, be more conservative than if the basis were universal suffrage. That was a great safeguard, because if a licensed victualler who put up for membership was wanting in either intelligence or character he would stand no chance whatever of being returned. It was casting a slur upon a respectable body of men. No doubt there were black sheep amongst the publicans, as there were in all other callings, but as a body they might be looked upon as respectable men. Indeed, unless they were they would not be allowed to take out licenses. More especially was the subsection obnoxious when, according to subsection 6 of the clause, even a person convicted of felony was eligible, provided he had received a free pardon or had undergone the sentence passed upon him. It was putting the publican on a lower level than even those persons.

Mr. MACFARLANE said he did not suppose any hon. member denied the respectability of the publican or the wine-seller. The quarrel was not with the persons holding those licenses, but with the system. Danger might result from a licensed victualler or wine-seller being a member of a divisional board. The temptation would be great to the workmen employed on contracts given by the board. He had known a case where only young men were employed under a contractor, so that they might be boarders in the public-house. That was what the subsection would prevent. It did seem rather hard that any particular class of persons should be disqualified from being members of divisional boards; but it must be remembered that there would otherwise be danger to the employés, who would be almost compelled to lodge, or to partake of drink, in the member's public-house, through the publican being a member of the board. Viewing the matter in that light, they ought to be very careful before erasing the subsection from the Bill.

Mr. DONALDSON said he did not see the slightest danger to workmen employed by contractors under divisional boards. The members of a board could have no influence over a contractor's employés. The main object of a contractor would be to get a fair day's work out of his men, and if the men chose to board at the public-house it was a thing which they would do, perhaps, whether the publican was a member of the board or not. There was far more objection to storekeepers being members of divisional boards, for it was known that cases had occurred where it was an unwritten part of the contract that the contractor should get his goods from the member's store; and he could not have got the contract without that stipulation. The clause as it stood was an insult to every licensed victualler and wine-seller in the country; they were placed on a lower level than men who had been convicted and punished for felony. Because a man was a publican, that did not affect his respectability; and it must be remembered that the ratepayers, who were an intelligent body of men, would never elect a man who was unfit for the position. If it was thought that a publican was likely to abuse his position he would have no chance whatever of being elected. Looking upon the subsection as a gross insult on all the publicans of the colony, he hoped it would be erased from the Bill.

Mr. GRIMES said the hon. member for Mulgrave had given a very good argument why a publican should not be a member of a divisional board. That hon. member had stated that when grocers were on a board men could not get employment unless they dealt at their shops or were on their books. That was one of the reasons formerly adduced why publicans should be ineligible for seats on the boards—because it would tend to bring custom to their establishments. There was another objection to it. If a publican was a member of a board he might be the chairman of the division, and as such claim his right to sit on the licensing bench.

Mr. PATTISON: No; the Licensing Act prevents that.

Mr. GRIMES said he was not aware of it. But even so, it would be better to let the subsection remain as it stood—not because publicans were not a respectable body of men—there were many very respectable publicans—but because to make them eligible for seats on the board would lead to a good portion of the wages of the board's employés being spent at the public-house.

Mr. HIGSON said he should vote for the amendment. He had been for many years a member of the municipality of Rockhampton, some of the best and most useful members of which had been licensed victuallers or wine-sellers. The safeguards against electing unfit

men were even greater in divisions than in municipalities. There were many clever and intelligent licensed victuallers in the country, and it would be a loss to some boards if they could not avail themselves of their services. If men employed under the board's contractors went to the member's public-house to drink a glass of beer, they would do it entirely of their own accord, and from no compulsion on the part of the publican or the contractor.

Mr. McWHANNELL said that when that matter was brought before the Committee in 1882 he moved a similar amendment to that now proposed by the leader of the Opposition. On that occasion the Premier both spoke in favour of it and voted for it.

The PREMIER: I did not speak at that time.

Mr. McWHANNELL said he hoped that on the present occasion the hon. gentleman would see his way to accept the amendment without putting it to a division. Unless he did that he ought to give very good reasons for retaining the proposal contained in the Bill. His (Mr. McWhannell's) opinion had not changed in the slightest since the time when he moved the amendment he had mentioned. He considered that publicans ought to be eligible, and were quite fit men to occupy seats on divisional boards. The matter rested entirely with the ratepayers, and if they thought a publican was not a desirable man to represent them on the board, he felt certain that they would not elect him to the position. The argument of the hon. member for Oxley was not a good one. If it meant anything, it meant that grocers should not sit on boards. If the Committee were to strike out all classes of the community occupying similar positions, they would have a difficulty in getting any persons at all to sit on the boards. He held that publicans had an equal right with other classes to sit on boards, and would therefore support the amendment.

Mr. JESSOP said he would certainly support the amendment. Some of the most intelligent men in some divisions were to be found among the licensed victuallers, and they were often men who owned a great deal of property in the division. If publicans were not to be allowed to be members of boards, why should a grocer who was also a wine and spirit merchant be eligible for the position? A licensed victualler was just as respectable a man and quite as fit to occupy a seat on a divisional board as anyone else. Why, a Chinaman had only to be naturalised and he could be elected. Then surely the more intelligent white man who was a natural-born British subject should have the same chance. He recollected that some time ago a Chinaman was elected an alderman at Gayndah, and was even made mayor. He hoped the amendment would pass without division.

Mr. MACFARLANE said it seemed as if the hon. member could not lay hold of the object of that clause. It did not find fault with the publican, but simply recognised the fact which was recognised in all countries in the world—that the thing publicans dealt in was dangerous to the community. He believed that publicans were not allowed to sit as jurymen on cases where life and death were concerned. At any rate, he knew that such was the case in Scotland. But whether that was so or not, the clause under discussion simply recognised that the trade was a dangerous one; it dealt with the trade, not with the man. If he were a publican he would be debarred by that clause from becoming a member of the board, but he could become a member on relinquishing the trade, which showed that, as he had said, it was not the man but the trade that was referred to in the clause.

Mr. DONALDSON: A man convicted of felony can become a member of a board after his term has expired.

Mr. MACFARLANE said he could, and that circumstance furnished him with an argument. If hon. members would recognise that in that clause they were not dealing with the men, but with the danger that resulted to the community from the drink traffic, they would be very cautious indeed before they allowed the 3rd subsection to be eliminated. Those who supported it had no animosity or ill-will against the publicans; but they were legislating for the benefit of the whole community, and not for one class. They had just as much right to legislate for the men who were employed by contractors as for the publicans, and therefore, having in view the greatest good to the greatest number, and the desirability of making it easier to do right than to do wrong, he thought they ought not to accept the amendment. He had in his time known a great deal of evil spring from that same thing, and if hon. members would look into the matter and investigate it they would find that evils of a very alarming nature had arisen from contractors employing men, and those men having to lodge in a public-house, not from any force on the part of the publican, but simply from the example of the contractor. A man was employed by a contractor, and as the contractor was in the habit of going to a certain public-house the man thought it was right that he should go there too in order to keep his situation, and in that way employés were subjected to great temptations.

Mr. LUMLEY HILL said the hon. member for Ipswich, who had just sat down, had stated that the publican's was a dangerous business.

Mr. MACFARLANE: I did not say "publican's."

Mr. LUMLEY HILL said the hon. member stated that the publican's business was a dangerous business. He (Mr. Lumley Hill) had written down the words. A chemist's was a much more dangerous business. Of course there were good publicans and bad publicans; but he maintained that as a whole they were a useful and necessary class of men. They were absolutely necessary in the interior, and the liquor they sold was very useful and comforting as long as it was not abused. He had frequently been very glad to get to a public-house and get a good glass of grog, a comfortable bed, and good food. He did not see why publicans should be placed under a ban any more than chemists, who might be far more dangerous men if they neglected their business and did not look after it properly. He thought there was too much of that business of holding up the publican to obloquy. Speaking of his own knowledge, more especially with regard to the Western districts, he could say that the publicans as a body were intelligent men and capable of occupying seats on divisional boards —just as capable as storekeepers. There were good and bad publicans, just as there were good and bad storekeepers and good and bad chemists; and he thought it was probable that only good publicans would be elected by the ratepayers. He did not see any danger in allowing publicans to occupy seats on divisional boards, and would therefore vote for their being permitted to do so.

Mr. KELLETT said he quite agreed with the last speaker. He never could see any good reason why a publican should be debarred from sitting on a board. He knew a great many publicans in both the inside and outside districts, and he thought that as a class they were

just as respectable as any other class of the community—just as good as the storekeepers in the outlying towns, and some of them even a great deal better. It entirely depended upon the ratepayers. They would not put in a publican whom they thought was not a decent, respectable man, and one who would not work fairly in his position as a member of the board. They were trying to degrade publicans, instead of to raise them up and make them a better class than possibly they might have been in the past. He had seen cases in districts he had been in where the publicans were more intelligent than members of the board, and he did not see why they should not be allowed to act. It was the general opinion in the outside districts that publicans should be allowed to be elected members of a board if the electors thought fit.

Mr. PALMER said that if there was such a danger attached to that special class as the hon. member for Ipswich would have them to believe, the same reason would apply to publicans who were aldermen. He knew of cases where men had been debarred from being elected members of a board, and as soon as a municipality was declared instead of that board those men were elected at once, and he could name them. Such cases had occurred within this year, where several members had been elected to municipalities who were debarred under the Act from being elected to boards. He could not see that the danger was not as great in the case of councillors as in the case of members of a board. He was sure one was quite as respectable as the other. He thought the Licensing Act they passed last year would assist in a certain measure, if it were necessary to do so, to elevate the position of the licensed victuallers throughout the colony. It had restricted the choice in a great measure and made the calling more difficult; at least it had provided very great supervision over the calling of the licensed victualler; so that even if such a restriction had to be passed in years gone by, the publican had a much better claim now to be allowed to sit upon a board—from his position having been elevated through the Licensing Act. In common justice, it seemed to him apparent that they should have the same rights as anyone else. They were allowed to be elected as councillors, and if it was dangerous in one case it was equally dangerous in the other.

Mr. FERGUSON said he pointed out on the second reading of the Bill that he was not in favour of the clause, and he intended to support the amendment. He knew that publicans were often elected as aldermen in municipalities, and there was no objection in the thickly inhabited towns, where the objection raised with regard to their conduct must have more weight than in boards. Contractors were more largely employed in towns, and the influence of the publican would be more felt there than it would be in a scattered place, such as a divisional board. There was no ground whatever for debarring publicans from becoming members if they chose to stand. If the electors chose to elect them he could see no objection whatever. Of course, as amongst all other classes of people, there were good and bad publicans; some publicans were as good as any members of that House; they were eligible to be elected members of Parliament, and in other public institutions in the colony they would find publicans making themselves useful members, and they were just as capable of making useful members of boards as anyone else.

Mr. CHUBB said the objection to the section was that it was class legislation. It sought to prevent a person, by reason of his possessing a peculiar trade, from exercising the rights of citizenship which were not prohibited to any other persons. All the other subsections dealt with exceptional cases, which were proper; but none of them struck at a trade the way this one did. The publican, before he could exercise that trade, had to get a certificate of character which no other person had to get. A man could take out an auctioneer's license, open a grocer's shop or a draper's shop, sell boots and shoes, or carry on any other business; but before he could get a publican's license he must go to a bench of magistrates, or persons holding authority, and get a certificate to show that he was a person of good fame and reputation, and fit and proper to have a license. Those were safeguards which protected the exercise of that business from abuse. As was pointed out by the hon. member for Rockhampton, a publican was eligible to be elected to a seat in the House; and surely the hon. member for Ipswich would not say that that was a less important office than that of a member or even chairman of a board! A well-known publican was recently mayor of Sydney, and was made a member of the most distinguished order of St. Michael and St. George. He was now a wine and spirit merchant in Sydney, and his hotel there had his name over the door, although he did not keep it.

The PREMIER: No; there was somebody else's name over the door.

Mr. CHUBB: His name was painted upon the glass windows, for he (Mr. Chubb) read it there not very long ago. Under the circumstances, surely they were not to be excluded from being members of divisional boards.

Mr. GROOM said the present discussion showed to a very great extent the growth of public opinion. He could remember the night—he thought it was in 1880—when the senior member for Rockhampton (Mr. Ferguson) spoke very strongly against the admission of publicans to divisional boards, and he thought that when Mr. McWhannell, the hon. member for Gregory, moved an amendment for the omission of the subsection, the hon. member for Rockhampton voted against it upon that occasion. Well, they all lived to learn, and he supposed the hon. gentleman had lived to see that the class of persons against whom he voted then had shown their ability and qualifications to become members of divisional boards. He (Mr. Groom) opposed the clause when it was first introduced into the Divisional Boards Act; he spoke strongly against it on that occasion, and he continued to be of the same opinion, for the reason that he thought if a man were entitled to be a member of a municipal council he should be admitted into a divisional board. He knew several persons, now deceased, who were members of the council in Toowoomba and mayors of the town—very able mayors, too—and he could not see the force of the disqualification in the Divisional Boards Act. Of course, as the introducer of the original Bill, Sir Thomas McIlwraith, explained, there was this danger arising: that licensed victuallers might induce a number of contractors to apply for contracts, and two or three publicans, say one in each district, would form a majority to say who should have the various contracts. But that was an hypothetical case which was not likely to occur, and he did not think it had ever occurred. In municipalities there was a large counterbalancing influence against anything of that kind, and he did not think any combination would secure the contracts to any individual. He had known cases where Government contracts were given to innkeepers. There was a publican who had a very large contract on the Main Range, amounting to some £10,000, and that man had not on any one occasion assisted his contract by paying his men in his house. The pay was always given at the works, and the men were at liberty to go wherever they liked. When they found such high-class men as those in charge of hotels

in the colony why should they be debarred from being members of boards? He agreed with the leader of the Opposition that this subsection should be eliminated from the Bill, and he should support him.

Mr. GOVETT said that on the last occasion when the question was before the Committee he voted against publicans, and in his own district of Mitchell he was accused of being the man who kept them out. If he remembered rightly, the amendment was thrown out by one vote. He voted against it upon that occasion because he believed that there were a large number of men holding licenses as publicans in the country, and particularly about the coast districts, who had no right whatever to hold them. That was his opinion. He intended to say that the Mitchell district, ever since he had known it, had been fortunate enough to have some of the most respectable and most intelligent publicans in the colony of Queensland—so far as he knew. He could speak strongly on this question, because there were two publicans at the last election who opposed him very strongly. And those men, he was confident at the time, would not take any mean advantage of him whatever. They told him straight that they were not going to support him, and he said to them that they were quite right, if they thought that the present Postmaster-General—who was their man—should have their support. He thought, seeing the way matters had gone, he should support the amendment on this occasion; and he did so in no way whatever to curry favour with any publican in the colony. He considered that it would be punishing men that he should like to see on the board out in his own district by keeping publicans generally off the boards. He was quite sure that he had met publicans out in the Western districts, who were as intelligent as any other portion of the community, and many of them would make as good members of the board as others. Of that he was convinced. On a former occasion he did not think that the publicans of the whole colony were, as a general rule, so good as they were now. He was in hopes that the licensing authorities would take great care in future to put in such men as some of the men they had out west—respectable, honest fellows.

Mr. FOOTE said he intended to vote for the amendment. He could not see why publicans should be debarred from being members of boards, or why they should be treated differently from any other denizen of the colony or the members of any other trade. The publicans had the same right to take part in local government as all other trades had. What was more, he held that the present Licensing Act was a first-class Bill and that it was capable of meeting all the requirements of the colony. He thought it would be seen that within a few years there would not be a great deal to complain of as to the character of the publicans. He was satisfied that if the Act was duly enforced—he did not mean in a tyrannical manner, but intelligently enforced — it would produce very great and good results. Certainly he deprecated this clause, which prohibited a licensed victualler from being capable of being elected as a member of a board.

The PREMIER said that personally he had no objection to the amendment. In 1879, when the Divisional Boards Bill was introduced, he spoke on this subject, and condemned the exclusion of publicans from divisional boards. There was no division taken on the subject. In 1882, when the amending Bill was before the Committee, he did not speak, but he gave his vote for the amendment the hon. member for Gregory had referred to. There was a strange division of opinion on that occasion. The Ministry were divided. The hon. member, Mr. Macrossan, spoke against the amendment, and voted for it. It was curious to see the division. If the amendment went to a division now he should vote for it, as he had done before. He thought on the whole that there was no sufficient reason for excluding publicans from divisional boards. In framing the Bill it was thought desirable, as it had been discussed on two occasions, and the opinion of the House expressed upon it, that the Bill should be presented in its present form, for the purpose of fairly discussing and settling the point.

Mr. NORTON was glad to hear that the hon. the leader of the Government was going to support the amendment; and he hoped his colleagues would do so also. There was one point that had not been mentioned, and that was, that while publicans were excluded from the boards sly grog-sellers were not. He really wondered that the exclusion had existed so long, because the conclusion was so obvious that it was an unfair class restriction.

The MINISTER FOR LANDS said that he was one member of the Ministry who would not vote for the amendment. The argument had been used that publicans were elected for municipal councils, and therefore why should they be debarred from acting as members of divisional boards? There was this very material difference between the two positions: In municipal councils those who put them in that position kept a critical eye on all their doings; they were subject to the criticism of the Press and to general supervision. But in the country districts they were not so. Practically they were without any check except the check exercised over them by the other members of the board. Now, in the country districts there were publicans who were very desirous, where contracts were given, to see that the contracts were given to men who would spend their money in their houses; and if they had contracts of their own they only gave them to men who spent all the money they had made in the contracts in their own public-houses.

HONOURABLE MEMBERS: No, no! Hear, hear

The MINISTER FOR LANDS: That was his experience of publicans in the bush. It was only natural that they, like other tradesmen, should favour the man who brought custom to their shops. They knew that there were many men—good workmen—in the bush whose general tendency was to spend money in drink as soon as they made it; and they knew that publicans, when they had contracts to give on their own premises, generally employed those men who went to their houses and spent all the money they made out of those contracts. The same thing would apply to divisional boards, and there would be the same influences in the selection of the men who were to get the board contracts. The ratepayers should be relieved from the possibility of things of that kind being done. It was all very well to say that the ratepayers would select publicans themselves who would not act in that way; but they knew that men did act in that way, who liked to see their businesses increased, and who favoured those who would carry business to them. Ratepayers ought to be relieved from the responsibility of making such a selection. He did not think that publicans would look upon it as an indignity cast upon them to be excluded from the boards.

Mr. NORTON: Yes, they do.

The MINISTER FOR LANDS: His experience was that the best men amongst them did not think so, because they admitted the dangers that might arise from bad men getting on to the

boards; and bad men were very anxious to get into positions where they could prostitute their position for their own benefit, and they very often succeeded in doing so. He thought it would be a very wise thing for the House to adhere to the determination arrived at in the old Act, and exclude publicans from the board.

Mr. ADAMS thought the hon. gentleman who had just sat down had hardly proved his case. He wanted to make it appear that publicans were, as a class, men of common sense, and yet that they would not engage men as contractors unless these men got drunk on their premises and spent all the money they had made out of their contracts. But he could assure the Committee that publicans would not engage people who were getting continuously drunk. As a general rule the publicans wanted sober men to do their work as much as other people. The hon. gentleman also said that there were publicans bad men. He was aware that there had been publicans in the early days of the colony who were no better than they ought to be. It was just possible that publicans, even in the present day, were no better than they ought to be, but he could safely say there were other men who were no better than they ought to be. The gentlemen on the other side might be blue-ribbon men, but if they were they would know that it was always advisable to get the best men they could to hold publicans' licenses—men who would not sell a man any more liquor when they saw he had already enough aboard. Hon. members might say he spoke in that way because he was a publican himself. He was a publican when he entered the House, but he was not a publican now, though he considered himself just as good a man when he entered the House as he was now. They were agreed that a man must have a character as a good member of society—he must be a sensible man, and a man of tact—before he got a license; but the moment that man got his license from the bench, that moment he became a blackguard in the terms of the Act, because the Act distinctly told him that before he became a publican he could be a member of the board, but when he became a publican he was debarred. Another thing, many publicans had a large stake in the district in which they lived. They might have twenty or thirty allotments, and they would reasonably like to be able to protect their own interests, and yet they could not become members of the board, though the next man who simply rented a house at so much a year, who had no interest in the district, and who might be a sly grog-seller, could be a member of the board. He hoped both sides of the House would take the matter into consideration, and unite to wipe that slur upon the publicans off the Statute-book altogether and give them equal privileges with other persons.

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

Clause 18—"Defective election not to invalidate proceedings"—put and passed.

On clause 19, as follows:—

"The office of a member or chairman shall be vacated—

(1) If he is or has become disqualified or has ceased to be qualified under the provisions of this Act; or

(2) If he has been absent from three or more consecutive ordinary meetings of the board extending over a period of three months at the least, without leave obtained from the board on that behalf; or

(3) If he is ousted from his office by the Supreme Court.

"Any member who, being disqualified, or whose office has become vacant as aforesaid, continues to act as a member of the board, shall be deemed to have committed an offence against this Act, and shall be liable to a penalty not exceeding fifty pounds."

Mr. NORTON said he noticed that if a member who was disqualified continued to act he rendered himself liable to a penalty of £50; but a member might not know that he was disqualified.

The PREMIER: He knows it better than anybody else.

Mr. NORTON said he might not in all cases. He thought the provision should be—if he acted as a member, knowing that he was disqualified. He would therefore propose the insertion of the word "knowingly" after the word "aforesaid."

Mr. NELSON said that before the amendment was put he wished to draw attention to the 2nd subsection. There had been a good deal of doubt as to when the three months mentioned began, whether from the date of the last meeting a member attended, or from the first meeting from which he was absent.

The PREMIER: From the first from which he was absent.

Mr. NELSON said that was the way he read it, and if that were understood it would be all right, but there had been some doubt expressed about it.

The PREMIER said if there was no meeting within the time a member could not have been absent from it. He must have been absent from three or more consecutive meetings extending over a period of not less than three months. It was necessary to have a double provision; there must be three meetings, and the time must extend to a certain period. Absence from three consecutive meetings where meetings were held frequently would not be a sufficient ground for disqualification, and absence for three months, where the meetings of the board might only be held every three months, should not be sufficient ground for disqualification under the clause.

Amendment agreed to

Mr. WHITE said he had heard of some members who, after losing their seats on a board under the clause, put up as candidates again and got in again, and then continued to neglect the meetings of the board, and thus annoyed the people of the subdivision for which they were elected very much. They ought to be disqualified for twelve months at least. He proposed to insert, after the word "disqualified," the words "shall not be qualified to become a candidate for twelve months."

The CHAIRMAN: I must point out to the hon. member that he cannot make his amendment in that part of the clause, as it has already been amended further on.

The PREMIER: Propose it at the end of the clause.

Mr. WHITE said he would propose that his amendment be inserted at the end of the clause—

Any member who vacates his office by reason of absence shall not be eligible for re-election for twelve months.

The PREMIER said he would point out that that would interfere very seriously with the rights of electors; and, moreover, the cause of disqualification might be removed at once. A man whose estate was in liquidation might have settled with his creditors, and why should he be debarred from re-election? He might have been of unsound mind and have regained his sanity; he might have had an agreement with the board and got rid of it; there was no reason why he should not be eligible for re-election in cases like that. The other cases were very few, and with regard to them he thought the electors might safely be trusted

Mr. ALAND said he would recommend the hon. member for Stanley to withdraw the amendment, which seemed to him a very foolish one. If the ratepayers were satisfied to re-elect a member who treated them in the way mentioned by the hon. member, it was their own concern. He hardly thought any ratepayers would be so foolish as to put up with it.

Mr. WHITE said the hon. member was not aware of the wheels within wheels in some divisions. He did not know the influence of some gentlemen in certain parts of the country, and the way they worked the wheels to gain their purpose, and to the disadvantage of a large section of the community.

Mr. McMASTER said the ratepayers were in fact disfranchising themselves if they re-elected such men. He thought the spirit of the age was, that if the representatives did not keep up to the mark, to make them move on. It would be a hardship to disqualify a member for twelve months for neglecting to attend three meetings; there was nothing to show that he would show the same neglect in the future as in the past. If the ratepayers were satisfied to have no representative, that was their look-out.

Mr. WHITE said he would not take up the time of the Committee further, but would withdraw his amendment.

Amendment, by leave, withdrawn; and clause, as amended, put and passed.

Clauses 20 to 22, inclusive, passed as printed.

On clause 23, as follows :—

"In case of a vacancy arising from any cause whatsoever, except annual retirement as hereinbefore provided, the member elected or appointed to fill such vacancy shall be deemed to have been elected or appointed at the same time, and to have received the same number of votes, as the last holder of the seat who was elected or appointed otherwise than to fill an extraordinary vacancy"—

Mr. NORTON said that seemed rather an unusual provision. The probability was that the member appointed to fill a vacancy would not have received so many votes as the member originally elected. He did not know that the matter was one of much importance.

The PREMIER said it was necessary to make some rule to avoid difficulty when the time came for one member to retire. If two members were elected at the same time the one who received the least number of votes would have to go out first. If an extraordinary vacancy arose, it seemed most convenient that the member elected to fill the vacancy should occupy the same position as his predecessor.

Clause put and passed.

On clause 24, as follows :—

"Every member going out of office at the conclusion of an annual election shall retain his office until the members elected at such election are declared duly elected, and shall thereupon, unless he is one of such members, go out of office"—

Mr. NELSON said he wished to ask whether that would prevent the amendment of clause 120, with reference to the time a chairman should hold his office. He was referring to a matter about which a difficulty had arisen in the Wambo Board. Under the present Act it occasionally happened that a board was without a chairman altogether.

The PREMIER said he was disposed to agree with the hon. member for Northern Downs that an amendment would be necessary in clause 120. The clause before the Committee did not affect the matter, and it would be more convenient to deal with it when they came to clause 120.

Clause put and passed.

Clauses 25 and 26 passed as printed,

On clause 27, as follows :—

"Upon affidavit showing that any person declared elected to an office under this Act has been elected unduly or contrary to this Act, or that any person has been elected to or holds or exercises any such office, being incapable, under the provisions of this Act, of holding or continuing to hold the same, and upon payment into court of the sum of twenty pounds as security for costs to abide the event of the application, the Supreme Court, or a judge thereof, may grant a rule or order calling upon such person to show cause why he should not be ousted from such office.

"If, upon the return of the rule or order, it appears to the court or judge that the person so elected, or holding or exercising such office, was elected unduly or contrary to this Act, or was at the time of his election, or while holding or exercising such office, incapable under the provisions of this Act of holding or continuing to hold the same, the court or judge may make the rule or order absolute, or, if the matter does not so appear, may discharge the rule or order, and in either case with or without costs.

"The person against whom any such rule or order is made absolute shall be deemed thereby to be ousted from such office accordingly.

"Provided that no such rule or order for ousting any person as having been elected unduly or contrary to this Act shall be granted except upon the application of some person interested, nor after the expiration of four months from the declaration of the result of the election."

Mr. NORTON said the last paragraph of that clause provided "that no such rule or order for ousting any person as having been elected unduly or contrary to this Act shall be granted except upon the application of some person interested." He thought it would be better to put "some ratepayer" instead of "some person interested."

The PREMIER: It means that.

Mr. NORTON said that it might mean that, but it did not say so. Therefore, he proposed to amend the 4th paragraph by omitting the words "some person interested," with the view of inserting the words "some ratepayer."

The PREMIER said he thought it would be better to make the amendment at the beginning of the clause, and say, "On the application of a ratepayer entitled to vote at the election," as the question might arise as to whether the hon. gentleman's amendment meant the ratepayer of a subdivision or not. He would therefore propose the insertion of the words "the application of a ratepayer and upon" after "upon," in the 1st line of the clause.

Mr. NORTON said, with the permission of the Committee, he would withdraw his amendment.

Amendment, by leave, withdrawn.

The PREMIER moved that after the word "upon," in the 1st line of the clause, there be inserted the words "the application of a ratepayer and upon."

Amendment agreed to.

The PREMIER said he proposed to further amend the clause by the omission of the words "except upon the application of some person interested, nor," in the last paragraph.

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

Clause 28—"Supreme Court may cause an inquiry to be made"—passed as printed.

On clause 29, as follows :—

"Every natural-born or naturalised subject of Her Majesty, whether male or female, of the age of twenty-one years, whose name appears in the books of the division as of a person liable to be rated in respect of any land within the division, and every such person of the age of eighteen years whose name so appears in respect of a selection under the Crown Lands Alienation Act of 1876, or the Crown Lands Act of 1884, of which he is the selector, and no other person, shall be

entitled to vote for the election of members of the board of such division, and each such person shall be entitled to the number of votes following, that is to say:—

If the property, whether consisting of one or more tenements, is liable to be rated upon the value of less than fifty pounds, he shall have one vote;

If such value amounts to fifty pounds and is less than one hundred pounds, he shall have two votes;

And if it amounts to or exceeds one hundred pounds, he shall have three votes.

Provided that no person shall be entitled to vote in respect of property of a less annual rateable value than two pounds ten shillings.

"And provided also that no person shall be entitled to vote unless he has before noon on the day of nomination paid all sums then due in respect of any rates upon land within the division or subdivision for the payment of which he is liable.

"When a division is subdivided, every person entitled to vote shall be so entitled for every subdivision wherein any rateable property in respect of which he is so entitled is situated."

The PREMIER said the clause proposed to introduce a change by enabling selectors of eighteen years of age and upwards to vote. That was an innovation for the consideration of the Committee. If a selector of that age could be a ratepayer, he saw no reason why he should not be entitled to a vote. Persons eighteen years of age had the privilege of taking up a selection under the Land Act. Two or three verbal amendments were required in the clause.

Mr. NORTON said it seemed a fair thing that if a person eighteen years of age was allowed to select land he should be entitled to vote. But if so why should not a youth of eighteen years of age, being a freeholder, be entitled to vote? If they were to introduce that new provision into the law, they at once raised the whole question as to whether anyone under the age of twenty-one, who was a ratepayer, should be entitled to vote. At first he was inclined to agree with the clause as it stood; but if it passed in its present form probably a good deal of objection would be raised to it on the ground that any other ratepayer, whether freeholder or anything else, of the age of eighteen was just as much entitled to vote as the selector of that age. Some of them might, and no doubt did, pay far more rates than the selector.

Mr. WHITE said there were men who, having obtained their three votes and having considerable property, paid the balance of their rates in the names of other persons and used them for their own purposes at an election.

Mr. LUMLEY HILL: Is that your game?

Mr. WHITE said he thought some provision should be made to prevent such a thing as that taking place.

Mr. FERGUSON said there was one matter in the clause which was not very clearly understood and on which different opinions were held in different parts of the colony. That was as to who was liable to be rated and whether a landlord or tenant, or both, should be allowed to vote. Of course a tenant was liable to be rated, and in a great many cases the tenant was allowed a vote while the owner or landlord of the property was not. In some parts of the colony the landlord was permitted to vote, and in other parts he was not allowed to do so. A landlord might have half-a-dozen tenants, each of whom would be entitled to vote, but under that clause he himself might or might not be entitled to vote. He thought that when a man paid rates, as landlords frequently did, and were very much interested in the division, he should have the right to vote, otherwise he would not be qualified to be elected as a member of the board. There was a great difference of opinion as to the meaning of the clause, even among professional gentlemen.

Mr. LUMLEY HILL said there was another point in connection with that matter something like that to which the hon. member for Rockhampton had called attention. A landlord might have six or eight tenants all paying rates, and he might be entitled to three votes, but if one of his tenants, through inadvertence, was in arrears with his payments the landlord would be disqualified, although he had valuable property in the municipality, and it was no fault of his that the rates were not paid, he having stipulated that they should be paid by the tenants; and the corporation could come down on him to make good the arrears.

The PREMIER said he thought it would be convenient to deal with the question as to whether selectors of eighteen years of age should be allowed to vote before proceeding with the other matter. As to the question whether only the occupier of a property, or the owner, or both, should be entitled to vote there was a great deal to be said upon it, and he intended to move an amendment to settle the difficulty. He was not aware until a week or two ago that any difficulty had arisen in connection with that matter. But it would be convenient to dispose of the other question first. If no amendment was to be proposed, he would move that the word "property," in the 1st line of the 2nd paragraph, be omitted, with the view of inserting the word "land." There were two or three other similar amendments to be proposed before they came to the question about the owner or occupier.

Mr. ALAND said he would like to hear something said upon the proposal to allow persons under twenty-one years of age to vote. From what the leader of the Opposition had said he was not disposed to favour the innovation. It must be remembered that females as well as males were entitled to vote, and he thought it was a question whether they should give a girl of eighteen years a vote.

Mr. LUMLEY HILL: They have more sense than some boys.

Mr. ALAND said he had expected that the Premier would have said something in favour of the innovation when he introduced it.

The PREMIER said the only thing to be said in favour of the proposal was that the persons who were to be allowed to vote paid rates. There was nothing else to be said that he knew of. The law allowed persons of eighteen years of age to acquire land, and as they paid rates it seemed at first sight a desirable thing to permit them to vote. Of course, there was a great deal in what had been said by the hon. member for Port Curtis. It was an anomaly that a selector should have a vote, and that the same right should not be given to a freeholder. He did not know that there was a great deal more to be said on the subject. It was simply a question whether the proposal commended itself to hon. members.

Mr. NORTON said a freeholder under eighteen years of age had to pay rates, and why should he not be entitled to a vote as well as a selector? The chances were that a freeholder paid a great deal more in the shape of rates, and he was therefore just as much entitled to vote as a selector. It did at first sight seem a very fair thing to allow the selector to vote, but on taking a wider view of the question it did not look so fair unless at the same time the same right was granted to the freeholder.

Mr. MELLOR said he believed that in most cases people whose names were on the rate-books, and who were supposed to be eighteen years of age, were allowed to vote. He knew it was so in his district, and he thought it was only right that such persons should be able to vote.

Mr. ALAND said a debt was not recoverable from a person under twenty-one years of age. How, then, could arrears of rates be recovered from a minor? And if rates could not be recovered from them, why should they be allowed to vote? But there was another point that should not be lost sight of—namely, that persons who were allowed to vote were supposed to exercise their own judgment. How could they hedge about the provisions of voting in such a way that persons should exercise their own judgment? He put it to the common sense of the Committee whether young girls of eighteen years of age would exercise their own judgment, or would have it influenced. They knew perfectly well that they were not independent young girls who took up selections at eighteen years of age, but that they took them up because their parents requested them to do so.

Mr. LUMLEY HILL said if they had their judgment influenced, who would influence it probably? They would be influenced by their fathers—by their parents; and he thought the fathers of young girls of eighteen were entitled to have their weight in the councils of the district that they were in.

Mr. BULCOCK: More than bachelors?

Mr. LUMLEY HILL: Yes, even more than bachelors. He did not think any harm would be likely to accrue from giving them that privilege.

Mr. NELSON said he could hardly see the utility of hedging about the voting in respect to the age of ratepayers, because they had no means of ascertaining what their ages were. There was no declaration required. Their names would appear in the rate-book, and that should be quite sufficient to entitle a person to vote. How could they find out the ages? He would be inclined to strike out "the age of twenty-one years."

Mr. NORTON: And insert eighteen years.

Mr. NELSON said he would be inclined to leave out the twenty-one years, and the whole clause with respect to the eighteen years as well.

The PREMIER: Then mere children might vote.

Mr. NELSON said the trustees of minors would probably be on the roll, and not the minors themselves, as a rule. The lands were generally in the hands of trustees.

Mr. NORTON: Not all of them.

Mr. NELSON said the exceptions would be very few, and as they had no means of ascertaining the ages, he failed to see the utility of making it so very exact.

Mr. SHERIDAN said he thought the age of eighteen years ought to be struck out altogether. He did not see any reason why youths or girls should have the privilege of voting when they could not sue or be sued in any court of law. They were minors—they were nobody—and he thought that twenty-one should be the age. No difficulty could then arise. No advantage could be gained by using the votes of mere youths or girls. He moved as an amendment that the following words be omitted: "And every such person of the age of eighteen years whose name so appears in respect of a selection under the Crown Lands Alienation Act of 1876, or the Crown Lands Act of 1884, of which he is the selector."

Mr. LUMLEY HILL said that seemed to be a slight condemnation upon the Land Acts of 1876 and 1884. If young people were allowed to select they ought to be allowed to exercise all the functions of a selector, and have a say in the affairs of the district.

Mr. FOOTE: They can select.

Mr. LUMLEY HILL said they could not select until they were eighteen years of age, and when they could select they ought to have a vote to protect their rights. He certainly could not follow the hon. member for Maryborough in his amendment. If they were old enough to select, they were old enough to vote and guard their rights and privileges, and also to have a say in the taxation that was imposed upon them. If those minors could not sue, how were divisional boards or any other persons to get their rates out of them? Were they exempt from rates?

Mr. SHERIDAN: They cannot be rated.

Mr. LUMLEY HILL said if they paid rates, or could be made to pay rates, they had just as much right to vote as people two or three years older. It was not always as people grew older that they grew wiser.

Mr. FERGUSON said he was of the same opinion as the hon. member. He could not see why a person should not be entitled to vote if he were entitled to select. Under the clause a minor who selected could not be rated for three years—until he came of age. There was no one else to be rated. No one could be rated except the owner of the property or the occupier. The amendment would not work at all.

The PREMIER: It will work right enough.

Mr. WHITE said the ratepayers that he complained of were not the owners, or tenants, or occupiers of the land at all; but were simply dummies, whose names the proprietor could use at elections.

Mr. GRIMES said he could not see why they should give a privilege to a selector under the Lands Acts of 1876 and 1884 to vote at eighteen years of age, when they refused it to those who leased land from private individuals. Why should it not be allowed to both? If they allowed it to one only, it was certainly making a very invidious distinction. He certainly should support the amendment moved by the hon. member for Maryborough.

Mr. LUMLEY HILL said he should like to know from the Chief Secretary if there was any process of law by which rates could be recovered from a selector under twenty-one years of age?

The PREMIER: By distraint.

Mr. LUMLEY HILL: I thought he could not be sued?

The PREMIER: You can distrain upon the property.

Mr. NORTON said if they gave the privilege to selectors under twenty-one years of age, they ought to amend the earlier part of the clause and make the age eighteen years all through.

The PREMIER: That would be undesirable.

Mr. NORTON said it would be undesirable, and for that reason he thought it was undesirable to give the privilege to one class when they did not give it to others.

Mr. WAKEFIELD said he did not see the justice of giving a vote to a selector at eighteen years of age and withholding it from a freeholder. That was a great injustice.

Mr. LUMLEY HILL said he would like to know if a clause could not be introduced giving a freeholder of eighteen the right to vote?

The PREMIER said he was not prepared to do it, at any rate.

Mr. LUMLEY HILL: As well as selectors?

The PREMIER: No.

Mr. LUMLEY HILL said that if a freeholder was not to have the right to vote, he certainly should vote for the amendment. He did not see the fun of making fish of one and fowl of another.

Amendment put and passed.

The PREMIER proposed to omit the word "property" in the 36th line and insert the word "land."

Mr. LUMLEY HILL said the clause would then read, "If the land, whether consisting of one or more tenements." Land could not consist of one or more tenements.

The PREMIER: Why not?

Amendment agreed to.

The PREMIER said that the proviso in the 43rd and 44th lines was, as pointed out by the hon. member for Warrego, not necessary, because no property was rated at less than £2 10s. value. He moved the omission of the proviso.

Amendment agreed to.

On the motion of the PREMIER, the clause was further amended by the omission of the word "property" in the 51st line, and the insertion of the word "land."

Mr. PATTISON wished to know what had been done in regard to the payment of rates before the day of nomination? That was the most important part of the clause.

The PREMIER said that was discussed on the 16th clause.

Mr. PATTISON said they had discussed it, but he was not aware that they had come to any decision on it. Under the ballot system he contended that it was impossible to work under that part of the clause. The rates must be paid in sufficient time to allow a roll to be made out and sent away throughout the division, so that all the poll clerks could have a copy of the roll before them. He did not see how it could be worked. The general feeling of the Committee appeared to be against the clause as it stood at present.

Mr. ANNEAR said he would also like to get the point cleared up, who were entitled to vote—the owner or occupier, or both?

The PREMIER said he intended to move an amendment to settle the point.

Mr. BUCKLAND agreed with the remarks of the hon. member for Blackall that they should make up a roll of all persons who had paid their rates up to the 31st December, and close the lists on that day, and not on the day of nomination as mentioned in the 46th line.

The COLONIAL TREASURER said the views expressed by the members for Bulimba and Blackall were the views of members of divisional boards. But they were not the views held by the ratepayers, who, he contended, ought to be considered in this matter. It might be convenient for divisional boards to have their accounts closed on 31st December, but why should ratepayers be excluded from voting, or from having a voice in saying who should be their representatives on the boards, simply because they had omitted, by some oversight, to pay their rates on the 31st December? He agreed that the rates should be received up to the day of nomination; he would go further, and say up to the day of election. He contended that the administration by the boards should be so arranged that there should be no difficulty in regard to the roll. But he looked upon that as a secondary matter. He took a broader view, and said that ratepayers had as much right to be studied as the convenience of the members of divisional boards or the clerks of divisional boards, for it simply resolved itself into that.

Mr. NORTON: When are the rates due?

The COLONIAL TREASURER said that the rates might be due on the 31st December, but if they were paid on the day of nomination the ratepayer ought to be entitled to record his vote. He ought not to be disqualified simply by the accident of not having paid his rates on 31st December.

Mr. NORTON: It might not be by accident.

The COLONIAL TREASURER said he would further point out that if the rates were not paid by 31st December, not only might a person be thereby disqualified, but the divisional board might suffer; because many people might desire to qualify and would pay up the rates on the day of nomination so as to have the right to vote, but there would be no inducement to do so if they were precluded from that privilege, which would be the case if the amendment suggested by the hon. member for Blackall were adopted. However, he went on the broad principle that ratepayers ought not to be disqualified unnecessarily, which they would be by making the rates payable only on or before December 31st—which, by-the-by, was a very inconvenient time. It was a time of festivities and holiday-making, and all that sort of thing, and might interfere to prevent many people from paying attention to the exact date. He contended that the fullest opportunity should be given to voters to qualify for the elections.

Mr. NORTON thought it would be far better that ratepayers should pay their rates before going into festivities, because if they went into festivities many of them would spend all their spare money, and, leaving nothing to pay their rates, might find an excuse for putting off the payment to a more convenient season. It was very inconvenient for some people to pay their rates at any time. There was the difficulty pointed out by the hon. member for Blackall, that in large districts it would be impossible, where there were more than one polling place, for the clerk at one place to know if the rates had been paid at the time or not. The rates might be paid by an agent at the principal polling place, and it might not be known until after the election. However, there was not only that difficulty: he took the broader view that the ratepayer was bound to pay his rates when due. Why should a ratepayer who did not pay his rates when due have the same privilege as to the man who did pay them? In passing a Bill of this kind they should have a proper regard for the ratepayers who paid up at the proper time. They should not want to give any excuse to the bad payers. The Treasurer said it might induce ratepayers to pay up before election time. So it might. At the same time the hon. gentleman urged that in favour of the boards, but the boards were supposed to be able to recover the rates unpaid. They had that power, but exercised it with a very great deal of reluctance, and they could not consider the question from that point of view, if they did not compel the ratepayers to pay up. Let them give every consideration to the ratepayers who paid up their rates when they became due.

Mr. ANNEAR said there were a great many people besides members of the boards who considered that a date should be fixed for the paying of rates, and that that date should be the 31st December. If that date was fixed people would comprehend that that was the day on which their rates must be paid, and the result would be that the rates would be more promptly paid than at present—when they knew they would have to pay up if they wished to be entitled to a vote. He had a list of names sent him who were not members

of divisional boards but ratepayers, and they asked him to try and have the 31st December fixed as the day upon which the rates should be paid.

Mr. GRIMES pointed out that, even if the ratepayers were given until the day of nomination, they would only have another thirty days, as the notices had to be given on the 10th January, and under the 41st clause the day of nomination had to be within twenty-one days, and might be only fourteen days after, so that they really might have only twenty-four days after the 31st December. As the other system would cause confusion at elections and serious difficulty in the management of the books, he thought a day for the payment of the rates should be fixed.

Mr. BUCKLAND said he would point out to the Treasurer that on the rates paid up to the 31st December they could claim endowment, whereas on the rates paid after that date they got no endowment for twelve months. He had had some experience of the system of allowing ratepayers to pay upon the day of nomination, and he had found it bring in but a very small sum indeed. Last year the board of which he was a member had upwards of £400 arrears of rates on the 31st December. He thought the 31st December the best possible date to fix for the payment of the rates.

Mr. FOOTE said he could see that the 31st December was being advocated by all the divisional boardsmen, or those who had been members of boards. All they wanted was the endowment; they did not care a penny about the ratepayer. They did not regard him in the slightest degree. All they wanted was his money. They knew very well that ratepayers, as a rule, did not take the matter of voting into consideration; but when the election time came, and vacancies were spoken of, and candidates mentioned, then it occurred to them that they had not paid their rates, and they would be disqualified from voting. If the time for paying the rates was extended to the day of nomination there would be a rush of money into the board's offices in order that the ratepayers should not be disfranchised. He maintained that to compel a ratepayer to pay up his rates on the 31st December, when the time might be extended to the middle of February, was tantamount to disfranchising him. If he happened to forget to do it he would still have to pay up, but he would lose the right to exercise his franchise. He should support the clause as it stood; he was satisfied it would help the divisional boards, and the hon. member for Bulimba would not have to put up with £400 arrears of rates. He would recommend the hon. gentleman to get up an exciting election, as there was nothing like it to bring in the rates and the votes.

Mr. PATTISON said he was sorry to hear the hon. member for Bundanba speaking in that way about a matter he evidently knew little or nothing about. In fixing the 31st December the divisional boards really made a concession to the ratepayers. The divisional board rates, it was well known, were payable now, and if not paid within sixty days after the notice was given, the boards had power to issue a warrant for their payment.

Mr. FOOTE: They dare not do it.

Mr. PATTISON said that when the hon. member said the boards dared not do it he made another of his rash assertions, and showed how little he knew about the matter—how little he knew of what divisional boards dared do. The reason the power was not exercised was because it was calling upon the boards to perform an unpleasant duty and one they would rather avoid where possible. The members of the boards were ratepayers themselves, and all were interested in the well working of the boards. The hon. member, by arguing as he had been doing, showed that he knew nothing about the working of the boards. By fixing the 31st December as the date upon which all rates should be paid up they gave time for a ratepayers' roll to be prepared, so that if the election was by ballot it could be carried on with some show of decency. He might inform the hon. member for Bundanba that that was the only object which other members, who thought like himself (Mr. Pattison), had in view in proposing the amendment. He begged to propose as an amendment——

Mr. NORTON: There is already a motion before the Committee.

The PREMIER: I will withdraw my motion.

Mr. NORTON said there was a verbal amendment before that—that the words "and provided also" be omitted.

The PREMIER moved that the words "and provided also" be omitted with a view of inserting the word "provided."

Amendment agreed to.

Mr. PATTISON proposed the omission of the words "noon on," with the view of inserting the words "the first day of January preceding."

The PREMIER said opinions differed on the matter, but he believed the balance of argument was in favour of the clause as it stood. He did not think that any inconvenience arose from allowing rates to be paid up to the day of nomination. He believed, as a matter of fact, that it often had the effect of bringing in a great many rates. Arguments had been addressed to the Committee on the assumption that all the elections took place in February, but a great many by-elections took place after February, and the consequence of the amendment would be that if a ratepayer neglected to pay his rates by the 31st of December he would not be entitled to vote at any election through the year, which would be a very serious disqualification. The Government would therefore support the clause as it stood.

Mr. PATTISON said the by-elections were uncertain. They had a certainty in one case and a probability in the other; and he thought the certainty should have consideration.

Mr. FOOTE said he had listened attentively to the hon. member for Blackall. He looked upon the hon. member as a living, walking encyclopædia—a Northern luminary—the embodiment of wisdom. Nobody knew anything but the hon. member. He supposed the hon. member was on the first divisional board in his district—Gogango, or something of that sort—and no doubt he was a very worthy representative of it.

Mr. McMASTER said he believed the clause would be more acceptable to the general body of ratepayers as it stood. He did not know if hon. members who had spoken on the question had ever met an angry ratepayer, who was prevented from voting because he had not paid his rates by a certain day. He remembered once seeing a very respectable citizen, who, he thought, would turn the polling places inside out, he was so angry, because he had neglected to pay on one single allotment out of a very large number. The method adopted in the municipality for many years was to make up the roll from the rate-book, and allow every ratepayer to pay up to the nomination day. If a man did not pay by nomination day a red mark was put against his name, and he could not vote on polling day. Since the Local

Government Act was passed the roll had to be printed, and the town clerk of the city of Brisbane had to get his roll ready in three days; now he had fourteen days. The rates were due on a certain day, and the chairman could issue his warrant at any time if he wanted the money before the 31st of December. He (Mr. McMaster) thought every facility should be given the ratepayer to pay up to the day of nomination. As soon as the ratepayer saw the list of candidates for re-election, he would wake to the fact that he had not paid his rates, and would pay before nomination day. He (Mr. McMaster) was rather surprised to hear the hon. member for Bulimba putting the Treasurer up to the fact that he would not have to pay the endowment on rates paid after the 31st December; the hon. member should not have let that slip. They should give every facility to the general body of ratepayers, and not study the convenience of members of the board. If the town clerk of Brisbane could get the roll out in three days—as he had done for years—surely the divisional boards' clerks could do likewise. The only difficulty he saw was where the ratepayers were so widely scattered. In that case he thought they should be reminded in time to have their rates paid beforehand. He would support the clause as it stood; he believed it would be a boon to the largest number of ratepayers.

Mr. NORTON said he did not see why they should not study the members of the boards. They were the representatives of the ratepayers, and if they did not represent them properly they would probably have to go at the next election. The members of the boards were able to criticise the working of the Act; they knew how it worked far better than ordinary electors, who took only a casual interest in it. He thought, therefore, that they ought to consider the members of the board rather than the ratepayers who did not pay their rates when they were due. The hon. member for Bundanba had spoken of the hon. member for Blackall as a Northern light—as the embodiment of wisdom, and so on. If the hon. member for Blackall had been a few years in the House he would know that the hon. member for Bundanba was one of the great objectors to the Divisional Boards Act. He had been an inveterate opponent of it ever since it was passed—since the first Bill was brought in; he had never disguised his dislike for it.

Mr. FOOTE: That is no reason why I should not try to do the best I can with it.

Mr. NORTON said the hon. member was quite right in expressing his ideas; but other hon. members, who knew the opposition he had offered to the Divisional Boards Act all through, were not at all surprised at his opposition now. He looked on the hon. gentleman as an embodiment of wisdom, and believed he always should do so.

Mr. FOOTE: That is small!

Mr. NORTON said he really did. He also believed that this was a wily suggestion that came from the Treasurer. He did not want to pay the endowment till the end of the year. The less he paid the better—that was the whole secret of it, he believed.

Mr. S. W. BROOKS said he had never been either an alderman or a divisional boardsman so he could look upon the question in cold blood. He looked upon the clause as it stood as vicious in principle. The rates were due on the 31st December and ought to be paid. If any man neglected to pay the money by that time and was disfranchised in consequence, he had nobody but himself to thank for it. He thought it a reasonable thing to state that rates must be paid on the 31st December. It saved confusion at election times, and was just and right in principle.

Mr. MELLOR said it was stated by the hon. member for Bundanba that the divisional boardsmen were opposed to the clause. He (Mr. Mellor) was a divisional boardsman and he wished to retain the clause as it stood, because he thought it would be an injustice to ratepayers not to give them a chance of voting at election times. He knew from experience that the by-elections and other elections had been the means of bringing a lot of money to the divisional boards. There was a lot of money which could not be got in by distress warrants or anything else—where the ratepayers owned nothing but land in the division. Very often people who were not resident in the division paid their rates at election times in order to be enabled to vote.

Mr. GROOM said he was a member of a divisional board and he approved of the clause as it stood. One of his principal reasons was that he happened to know of hundreds of small freeholders in the district he represented who had left their homes to go shearing in the Western districts. They would not be back till long after Christmas—not till the end of January or February—and would not be able to pay their rates till then; and he did not see why the date of payment should be arbitrarily fixed at the 31st December. He had a *précis* of the communications received from all the divisional boards in reference to the Bill; but not a single board asked for the amendment. If the system worked so injuriously, surely someone would have asked for an amendment. The hon. member for Fortitude Valley, Mr. Brooks, said the thing was vicious in principle, but he could not see anything vicious in it. He happened to know that the provision in the present Local Government Act which compelled the payment of rates before the 1st November was very injurious; and he knew also that the local authority in the district he represented would endeavour to get it amended if a Bill dealing with local government was brought in, so that rates might be paid when the ratepayers were able to pay them. To fix in an arbitrary way the date on which rates should be paid placed it in the power of an arbitrary chairman to make the provision press very seriously on ratepayers at any time, because a chairman, as well as a mayor, had power to issue distress warrants and levy on ratepayers' goods, and he might do so when it would be most oppressive. The Committee ought to be careful, now the colony was only just recovering from severe depression, not to do anything which might have an injurious effect in that way. The working classes, especially the small farmers and selectors, had suffered grievously during the last three or four years, and the Committee should take their position into consideration and not pass an arbitrary provision placing it in the power of any board to oppress people who failed to pay their rates, not wilfully, but because they were unable to pay. In his district last season crops were in many instances a failure. Many of the farmers had no maize, no hay—in fact, they had nothing to sell at the present moment. They were, however, indebted to a bountiful Providence for sending rain, and the crops were now so promising that there was a probability of recovering in time from the losses they had sustained. But he did not see why they should be pressed for their rates on the 31st December, when a great many were really not able to pay. He spoke on behalf of some hundreds of small selectors who had gone out shearing, leaving their wives and children to look after their farms, while they went to the outside districts to earn the cheques with which they hoped to be able to make up for their losses. Those people were entitled to consideration. It was different in the

larger divisions, where people were settled on large estates—the division represented by the hon. member for Blackall, for instance.

Mr. NORTON: They have lost enormously.

Mr. GROOM said that might be; but the selectors of which he spoke held areas ranging from forty acres to eighty acres, and, unfortunately for them, very bad land too—rocky ridges. He repeated that, as a member of a divisional board, having had experience of the working of the Divisional Boards Act, he approved of the clause as it stood. The provision had worked exceedingly well on the Darling Downs, and it was only right that a ratepayer should be allowed to pay whenever he was able to do so without any unnecessary pressure being brought to bear on him to compel him to do so.

Mr. WAKEFIELD said he approved of the clause as it stood, and he thought divisional boards, as a rule, were willing to give ratepayers every opportunity of paying their rates without any undue pressure. The Colonial Treasurer was to be commended in supporting that also. He had seen in Brisbane, before the Local Government Act came into force, the town clerk reap quite a harvest on polling day. The ratepayers came to vote and were allowed to pay their rates on nomination day, knowing that they would not be able to vote if they did not pay the rates which were due.

Mr. FERGUSON said he also should support the clause as it stood, as he believed it would meet the wishes of ratepayers generally. He remembered an instance of £400 having been received as arrears in one day. When a general election took place the ratepayers got excited, and if they had any money at all they would pay up their rates. He knew that was the case in municipalities, and he believed the same thing occurred in thickly inhabited divisions, as Woollongabba and the other divisions around Brisbane, although he did not know how it acted in sparsely peopled divisions. He would support the clause as it stood.

Mr. HIGSON said that he should support the clause as it stood. He had had experience of the working of the system some time ago, and it had been found to work well. In their district it sometimes happened that a large number of ratepayers had been deprived of their votes through having come down south or gone to the coast towns at Christmas time; through forgetting to pay their rates they were disfranchised, which was a great injustice. That was one reason, he thought, why they should not fix the date at the end of the year. As he had said, he should support the clause as it stood.

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

The PREMIER moved that in the last line the word "property" be omitted with a view of inserting the word "land."

Mr. FERGUSON asked if that would interfere with the qualifications of voters?

The PREMIER: No; it is simply a verbal amendment.

Amendment agreed to.

The PREMIER said that a question had lately arisen as to whether the occupier and owner were both entitled to vote with respect to a property. He was very much surprised to hear it, as he had not previously been aware that such a point had arisen. In some places, he believed, it was the practice to allow both the occupier and the owner to vote. Now, in the case of a property owned by three persons and occupied by three persons, if it were of considerable value, each of them might have three votes, or eighteen votes in all.

Mr. GROOM: That is so now.

The PREMIER: He understood that was the practice in some divisions. It was quite clear that was wrong; they ought not all to be entitled to vote for one property, but it appeared they were. The person paying the rates ought to be the person entitled to vote. It was proposed in section 220 that the occupier was to be liable for the rates in the first instance, and he thought that was a good plan. If the occupier paid the rates he should be allowed to vote, and if he did not pay, and the owner did, he should have the right to vote. The names of both might be in the rate-book, and they both might be liable for the rates; but they certainly ought not both be allowed to vote. He therefore proposed to add to the clause the following proviso:—

> Provided, nevertheless, that the owner and occupier shall not both be entitled to vote in respect of the same land. When the rates are paid by the occupier he shall be entitled to vote, and not the owner; but if the rates are not paid by the occupier and the owner pays the same, then the owner shall be entitled to vote.

That was what ought to be the law, and he confessed he thought it was until a few weeks ago.

Mr. FERGUSON said he was convinced that would never work. For instance, if a landlord had a property occupied by a dozen tenants, and he paid all the rates himself. The tenants occupying the property were liable to pay the rates, but as the owner paid all the rates and taxes the occupier would not be entitled to vote.

The PREMIER: Why should they vote if they don't pay any rates?

Mr. FERGUSON said then the whole of the elections would be in the hands of a few. According to the Local Government Act, both owner and occupier had a right to vote. If the occupiers paid their rates regularly to the rate collector when the notice was served they should be allowed the benefit; but if the landlord paid all the rates himself—although the occupiers were the rateable persons, and therefore, he believed, the ratepayers—the whole of them would be disfranchised.

Mr. LUMLEY HILL said he thought both the owner and the occupier had an interest in the way the affairs of the district were administered, and therefore it would be equally unfair to disfranchise the tenants, as the hon. member for Rockhampton had said, as it would be to disfranchise the owner simply because the occupier paid the rates. Sometimes the tenant paid and sometimes the owner. If that became law the owner would probably make his arrangements to pay all his rates, and get all the votes himself, and the tenants would be disfranchised. He thought both tenant and landlord ought to have almost an equal say in the administration of the district affairs, as they were both interested in it. He thought the proviso proposed to be introduced a very objectionable one.

Mr. McMASTER said he would like to know how the Premier would act under the following circumstances: The roll for a municipality or a divisional board was made up once a year, and the annual election and the by-elections during the year were conducted upon that roll. Supposing that roll were made out in the tenant's name, and a few weeks after the rates were levied the tenant might leave. His name was on the roll and the landlord's name was omitted at the beginning of the year, and so the property would be disfranchised.

The PREMIER: That would be his own fault.

Mr. McMASTER said it would not, because under the Local Government Act at present the tenant voted as a householder, and the owner voted as a freeholder. He did not know how it was in the divisional boards, but that was how it was conducted within a municipality, because the landlord was liable for the rates whether the tenant paid them or not. If a tenant left a house the rates were a mortgage on the property, and the proprietor had to pay. The landlord had just as much right as the tenant to a vote, either in a division or a municipality. In the municipality of Brisbane both the tenant and the landlord voted—one as occupier and the other as freeholder—and both their names were down in the rate-book.

Mr. ANNEAR said he was certain the hon. member (Mr. McMaster) was mistaken. Supposing a man owned a terrace of twenty houses in Brisbane, and nineteen of those houses were occupied by tenants and one by himself, he would only have a vote for the house he lived in, and the nineteen tenants would each have a vote for himself. Even if the owner paid the rates for all the twenty houses, he could only have a vote in respect of the house occupied by himself. The proposition of the Chief Secretary was a very fair one; it defined the persons who were eligible to vote. There should only be one person so entitled—either the owner or the occupier, whichever paid the rates. He had had a little to do with the municipal work, and he was certain that two persons could not vote under the rating qualification for one property.

Mr. McMASTER said that if a man had a terrace of houses in North Brisbane, and himself lived in South Brisbane, although the tenants paid the rates, he, although living in South Brisbane, could vote in respect to them as a freeholder. That had been the custom, to his knowledge, for the last fifteen years. The freeholders' voting power was regulated according to the rates paid, up to three votes, beyond which he could not go. If one of the tenants had not paid his rates up to time he not only disfranchised himself, but the freeholder also. If eighteen of the tenants paid their rates, and the nineteenth failed, it disfranchised the freeholder from voting at the election.

The PREMIER: That is all wrong.

Mr. McMASTER: But it was the fact. No person was allowed to vote who was in arrears in any portion of the ward.

The HON. J. M. MACROSSAN said he was afraid the Chief Secretary was making a mistake in moving the amendment. He was simply playing into the hands of the landlords. That had been found to be the case in Sydney, where a similar law existed; and year after year all attempts to alter that law had failed in the Upper House—the house of landlords. The consequence was that much-needed sanitary reforms could not be carried out—the occupier not having a vote when the landlord paid the rates. It was wrong to deprive the occupier of the right to vote; even if he did not pay the rates, he had a great interest in the proper sanitation of his district, and in the other works proposed by the local authority. The same rule applied to divisional boards. The hon. gentleman should not deprive the occupier of his vote, even though the landlord might pay the rates.

The PREMIER: I do not propose to do so.

The HON. J. M. MACROSSAN: Take the case mentioned by the hon. member, Mr. Annear, of a landlord having a terrace of twenty houses, for only one of which, occupied by himself, he had a vote; suppose the rates were all paid by the landlord, were they not to have a single vote amongst them? If each tenant were allowed to vote, they would have twenty votes; whereas, even if the landlord paid all the rates, he could not have more than three, and all the tenants would be disfranchised. The hon. gentleman had better leave the law as it stood, and not play into the hands of the landlords, as he believed he would do if the amendment were carried.

The PREMIER said that leaving the law as it stood would be playing into the hands of the landlords. The object of the amendment was to restrict the vote to the person who paid the rates.

Mr. NORTON: But the landlord might stipulate to pay all the rates himself.

The PREMIER said the principle of local government was representation of ratepayers, and, according to the Act, it was the occupiers who were liable to pay the rates. If they did not, the landlord became responsible for them. He had exactly the same object in view as the hon. member for Townsville, and he believed the proposed amendment would accomplish it. As to what the hon. member (Mr. McMaster) said about the practice in the municipality of Brisbane, he did not dispute that it was the practice if the hon. member said so; but he was quite certain it was not the law, and it was a most absurd practice. The Local Government Act stated that the occupier should be rated, and the owner's name had no business to be on the rate-book—unless, of course, there was no occupier, and then the landlord's name was put in. He had never heard of the practice until lately, and it was necessary to settle the question in such a way that both parties should not be allowed to vote. He was particularly anxious to allow the occupier to vote, and he was the only person who had the right so long as he paid the rates.

Mr. NORTON said the difficulty he saw was that the landlord might refuse to allow the tenant to pay the rates. In such a case the tenant would be disqualified from voting, and that was a very serious matter.

The PREMIER: It will be very easy to settle that difficulty.

Mr. NORTON: That was a difficulty that ought to be settled. The voting power ought to be in the hands of the occupier; but the effect of the amendment would be to throw it entirely into the hands of the landlord, who might refuse to let his houses except on condition that he paid all the rates himself. That would give the landlord all the power and leave the tenants utterly disqualified.

Mr. LUMLEY HILL said he could not see why on earth either landlord or tenant should be deprived of a vote. He thought each had a right to vote, both in regard to sanitation and other works that were going on in their neighbourhood. It was much the fairest way to give both a vote. He did not wish to give landlords the power to nullify the votes of their tenants. If a landlord had a terrace of houses occupied by, say, twenty tenants, the three votes which he would give would not upset the votes of the occupants of the houses. The mere fact of his having three votes should not upset the whole carriage of justice at an election. The owner of a property had a decided and distinct interest in the district and was primarily responsible for all rates, and as long as he remained the landlord he should have a vote. On the other hand, the tenant was only a weekly or monthly or yearly tenant and might leave at any time. If the amendment were carried it would only lead to landlords taking steps to protect themselves by altering their leases, so that they should pay the rates and be entitled to vote.

Mr. WAKEFIELD said that was a clause in the Local Government Act which had always worked badly, and a similar provision was inserted in the Bill. The Premier had stated that both the tenant and owner of a property were liable for the rates. That clause provided that no person should be entitled to vote unless he had paid all sums for which he was liable. He had had some experience of how that provision worked, and would give an instance. Suppose a person owned large premises in which he resided, and he let a small place on the same property to a tenant, what would be the result if he had paid all the rates due on the premises occupied by himself and the tenant had not paid his? Why, the landlord would be deprived of his vote. He had been refused a vote under those conditions in the city of Brisbane. He thought that some little alteration should be made in the clause to meet cases of that kind.

Mr. FERGUSON said there was one thing which had perhaps escaped the attention of the hon. member who had just spoken—namely, that although a landlord might own property occupied by twenty tenants he had not more than three votes. If the amendment were carried it would put a tremendous power into the hands of landlords, because when letting their premises they would reserve to themselves the option of paying the rates and then secure the vote. The Divisional Boards Act and Local Government Act were nearly the same on that point, and that part of the Bill now under discussion was chiefly copied from the Local Government Act. It would be a great hardship and injustice if twenty tenants of a property owned by one man were deprived of a vote, and that might happen under the amendment, while at the same time the landlord might have a vote independent of that particular property. In cases where a man had a vote in one subdivision and held a large amount of property in another, it was, of course, only fair that he should also have a vote for the subdivision in which that valuable property was situated, especially if he paid the rates, which was the case in many instances.

Mr. SHERIDAN said he believed they were discussing the Divisional Boards Act, and that the qualification for electors under the Bill was to pay rates. He could not for the life of him see why two persons should be qualified to vote for the same property when only one of them paid rates. If a landlord paid the rates he should have the right to vote; if the tenant, then he should have that right. Therefore, without delaying the Committee any longer, he should support the Bill as it stood.

The HON. J. M. MACROSSAN said he would point out that in cases where the rates were paid by the landlord it was really the tenant who paid them, because it was put on the rent. He thought that was another argument against the amendment. Whether a tenant's name was in the rate-book or not he actually paid the rates; the landlord took very good care of that.

Mr. FOOTE said he thought the matter was one which could very well be settled by landlord and tenant. The hon. member for Port Curtis had stated that the landlord would pay the taxes. The reason of that was that as a rule tenants would not pay them, because, as they said, they would not be bothered having the tax-gatherer looking them up for their rates. If a landlord was the possessor of a considerable amount of property he could only have three votes according to the Act. If, however, he had property of a value above that required for three votes, what was to prevent him paying the rates in the names of his tenants if he wished the franchise to be extended to them? He could not see that the amendment gave all the power to landlords as some hon. members contended. Nor did he see any reason why a landlord should have a vote unless he was a taxpayer. For instance, he would put it this way: Suppose certain premises were let to a certain firm—it might perhaps be a large property—and that firm paid rent for the use of those premises while they continued in occupation, the premises did not belong to the landlord. Then, why should he be entitled to vote? He was receiving value from his tenants for the use of the property, and he had no right to assume the privileges of a taxpayer unless he arranged with the tenants to pay taxes. On the other hand, if he paid the taxes the tenant should have no right to vote. Another matter had been touched upon in the discussion that evening. It was said that a firm consisting of three persons might hold a large rateable property on which there might be £50 of rates to pay annually. According to some hon. gentlemen the three partners would be entitled to three votes each upon the property, and according to the hon. member for Fortitude Valley (Mr. McMaster) the proprietor would be entitled to three votes. That would be twelve votes for the same property. He might say that was new to him; he had never seen it acted upon, although he had heard that it had been, and he thought that the hon. member for Toowoomba had referred to something of the same kind. He thought the amendment of the Premier defined the matter very clearly. He did not see how it was possible to introduce the clause in such a way as to say that although the landlord might pay the taxes, yet the tenant should have the vote. He supposed that upon the whole, if the landlord paid the taxes, the rent was in proportion, and in that case it would be proper for the tenant to have a vote. The amendment of the Premier met the case; it defined who should vote and who should not.

Mr. McMASTER said the number of votes—the voting power—was not given upon the value of the property or the number of partners. It was upon the amount of rates levied and paid. They could not go beyond three votes, no matter how many partners there might be. The amounts were—under £5, one vote; over £5, two votes; and over £10, three votes. If the clause were carried out it would meet all those cases, and the voting power would be taken away from the tenants, or from what might be called the working men, and handed over to the capitalist. It would be this: the capitalist—the landlord, so as to get the voting power into his own hands, would say to his tenant, "I will let that house to you for so much per week, and I will pay the rates." Therefore the voting power would get into the hands of the landlord and the tenant would be disfranchised. They were going to allow young men of twenty-one years of age to vote, and why should they hand the rights of these citizens over to the landlords? He failed to see why they should not give the landlord an equal right to vote, inasmuch as he was held liable and responsible for the rates in the event of his tenant leaving without paying his rates. He had to pay them, and in the event of one of his tenants—even if he had twenty—not paying, it would prevent him, not only from being a voter, but from being a representative. A man could not have a seat on a divisional board, nor upon a council, if one of his tenants omitted to pay his rates. He must be clear upon the books before he could vote or have a seat upon the board. He could see that by carrying the amendment the voting power would be taken from the tenant and handed over to the capitalist.

The PREMIER said the proposal he had made was that the occupier and the owner should not both be entitled to vote in respect to the same land. If the occupier paid the rates he should be entitled, and not the owner, and if the occupier did not pay the rates he should not be entitled to vote. Manhood suffrage was not a principle of local government at all. The principle of local government was that persons who paid should vote. He never heard of any other principle being suggested. The hon. member for Fortitude Valley was arguing in favour of the proposition that people who did not pay rates should be entitled to vote.

Mr. McMASTER: I want them to vote.

The PREMIER said that would be allowing a man who did not pay rates to vote. Why should he vote at all?

Mr. McMASTER: He is responsible.

The PREMIER said it could be easily made so that he should vote, but, of course, if a man would not pay his rates he should not be entitled to vote. They had stipulated that no one should vote who did not pay his rates before the day of nomination, but now it was suggested that if he did not pay them at all he should be entitled to vote. That was what the hon. member was contending for, although he did not know it. They had agreed unanimously that if a man did not pay his rates he was not entitled to a vote, and the hon. gentleman contended for this: that if the rates were paid, no matter by whom, both should vote.

Mr. McMASTER: No, no!

The PREMIER: That was what the hon. gentleman was contending for. The proposal before the Committee was that both should not be entitled to vote, and that was what he always supposed to be the law until a month ago, or even less. It ought to be the law.

Mr. LUMLEY HILL said that both distinctly had an interest in paying the rates, and also in seeing to the expenditure of the money that was collected. At present the usual course was to make the tenant primarily pay the rates, although the landlord was ultimately entirely responsible for them; therefore he had a right to some consideration. He had also an interest in the expenditure of money for good drainage and sanitary provisions, just as much as the tenant, who might be only a weekly tenant. He could assure hon. members that as far as he was concerned tenants would have the option of paying their rates; but, speaking from a landlord's point of view, he should get the ratepaying into his own hands, and see that the rates were paid punctually, and that they were added to the rent. In that case the tenants would be deprived of their votes. That was a point of view that should not be lost sight of. The occupants under this provision would be deprived of their votes, and he thought that both should be allowed to vote. The Treasurer could tell the hon. gentleman more about that.

Mr. CHUBB said that under the 220th section of the Bill the occupier, of course, was primarily liable for the rates, and in accordance with the contention of the Premier, he should be entitled to vote; but under the 2nd section of that clause he might receive the rate as rental, and have the vote himself.

The PREMIER: That will have to be altered.

Mr. CHUBB: A case of this kind might occur: They knew the rates were almost invariably assessed by boards at their first or second meeting in the beginning of the year, and the amount ascertained, and possibly it might be paid. In many boards rates were paid annually in one sum, and if a tenant paid a rate and was only a tenant for three months and then left, who was to be put upon the rate-book? Nobody could vote in respect to that property; the landlord could not, because he had not paid the rates, and the person who had paid them, and whose name was on the rate-book, was not there. So that there would be no vote on account of that property at all. He agreed with the Premier to this extent: that he did not think there should be any swamping power of voting. He thought property could be represented, because the property was ultimately liable for the expenses. Heavy drainage rates were levied, and the property owners had to pay them all in the long run. The tenant did not care two straws what the division might do with their funds. He simply paid his rent, occupied the property, and went away. But the person who really had to suffer was the person who held the property, and to a certain extent he ought to be considered. Take the case of the election of a member of Parliament. A man held a piece of land as a freehold. He had a vote in respect of that. On that property was a house occupied by a tenant who paid the rent which entitled him to a vote in respect of that property. And say that on the premises there were two orthree men-servants; these had a vote in respect of residence. He was quite certain that what the member for Cook said would come about—namely, that if the tenant had to pay the rates to have a vote, the landlords would take good care to pay the rates themselves, so as to retain the whole power in themselves and allow the occupier no vote. At any rate this would happen: that the landlords would have the maximum number of votes possible.

Mr. GRIMES said there was one point he would call attention to. If they gave the landlords the privilege of voting under this Bill, they might have a landlord and a servant voting for the same property. A servant or an agent was, according to the Bill, deemed an occupier, and if he paid the rates he was entitled to a vote. A property might be divided into twenty tenements, with a servant in each, and they could claim a vote for each; while the owner could claim three votes on the whole. That was a species of double-banking that would work very badly.

The PREMIER said that by the amendment he proposed all that would be removed of course, though it was quite certain it would not as the clause now stood. He had heard no reason given why both owner and occupier should have a vote—no reason consistent with the principle of local government. The whole principle of local government was voting by ratepayers, and it would be a revolution of the whole system to say that everybody who lived in a town should vote. What he proposed would do no injustice to anybody. They must settle it in one way or another which was to have the vote, but they should not lay down the ridiculous rule that the occupier and the owner both should vote for the same property.

Mr. NORTON quite believed in the principle of local government, but he contended that if both owner and occupier were not to be allowed to have a vote, then the voting power should be given to the tenant.

The PREMIER: That is what is proposed.

Mr. NORTON: It aimed at that, but it had not the effect of giving it to the tenant, because the landlord might refuse to give the tenant the right to pay the rates. He could disqualify the tenant and hold the power with both hands. Of course, the object was to give the voting power to the greater number when they were residents. He admitted it seemed hard to deprive a landlord of the right to vote, but the first right should be given to the tenant.

The PREMIER asked if the hon. member meant to say that the tenants would pay the rates simply for the sake of having a vote? It was a question of who paid the rates. If the tenant did not care to have a vote the landlord would have it because he paid the rates. The tenant could not make the landlord give him the chance of paying the rates and of so having a vote. They must take things as they found them. Take the case of a succession of tenants. He was quite sure that in that case none of the tenants would pay the rates. A man who occupied a house for two or three months ought not to have the right to vote for twelve months after, simply because he had got on to the rate-book as tenant.

Mr. LUMLEY HILL said he certainly did not at all hold with the member for Port Curtis, that if it was to be the one or the other, the preference should be given to the tenant, who was only a temporary occupant of the land, and that the landlord, who was the permanent proprietor, and was ultimately liable for any arrears of rates, should be deprived of his vote.

The PREMIER said that if the landlord paid the rates he would get the vote.

Mr. LUMLEY HILL said that if this Bill came into force very few tenants would have a vote. If it was going to be the one or the other, who was to be deprived of his franchise—his tenants or himself—he would take very good care that it was his tenants. He did not wish to do that. He wished the tenant to have the same right as himself. To give an illustration from his own experience: He had been deprived actually of his three votes in the west ward through the neglect of one solitary tenant to pay his rates.

Mr. McMASTER said that the Act had worked very well ever since Brisbane had been a municipality, and he did not think any evil had arisen to make them disturb the old arrangement now. The landlords and the tenants were perfectly satisfied that they should both vote. Both had an interest in looking after the expenditure, and in looking after that the rates were paid, because the landlord, if he had a large number of tenants—particularly if he was a candidate for a board or a town council—would see that the tenants paid the rates, otherwise he would be disfranchised, and would not be able to sit. Therefore he could not understand the Chief Secretary's amendment giving the tenant the vote and making the landlord liable for all rates in arrears. If, as he had said before, the tenant left the property, who was going to have the vote?

The PREMIER: The owner will pay the rates and vote.

Mr. McMASTER: But the tenant's name was on the roll. The roll was made up of the ratepayers. At present both landlord and tenant were eligible to vote, but although the landlord was struck off and only one individual was to vote, yet two names would be on the roll.

The PREMIER said the proposal was not to alter the making-up of the ratepayers' list. He proposed that the names of both owner and tenant should continue to remain on the rate-book, but that only one should vote. The objection raised by the hon. member was an imaginary one.

Mr. LUMLEY HILL said both would be on the rate-book, but would both be on the roll?

The PREMIER said there was no roll. It was a rate-book provided for by the Bill.

Mr. McMASTER said he received a printed roll the other day with the names of all the ratepayers upon it.

The PREMIER: We are not dealing with the Municipalities Act.

Mr. McMASTER said he was speaking of the Booroodabin roll. He had a printed roll sent to him a few weeks ago containing all the names of the parties entitled to vote in No. 1 division.

Mr. LUMLEY HILL said if there was no roll, how were the presiding officers to know who were entitled to vote?

Mr. PATTISON said it was a fact that there was a roll for all divisional boards.

Question—That the words proposed to be added be so added—put, and the Committee divided:—

AYES, 28.

Sir S. W. Griffith, Messrs. Dutton, Moreton, Sheridan, Annear, Lissner, Foote, Miles, Grimes, Salkeld, Lalor, Govett, Wakefield, S. W. Brooks, Buckland, W. Brookes, White, Nelson, Mellor, Isambert, Black, Aland, Norton, McWhannell, Philp, Midgley, Bailey, and Groom.

NOES, 8.

Messrs. Chubb, Lumley Hill, Pattison, Ferguson, Higson, Bulcock, McMaster, and Murphy.

Question resolved in the affirmative.

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

Mr. LUMLEY HILL said he really thought hon. members did not know what they were voting about in the last division. It was really the tenants and not the landlords who were disfranchised by the amendment. Where there were twelve tenants in a block of buildings and the landlord paid the rates, every one of those twelve tenants were, from that moment, disfranchised. He knew of such a case, though he did not care about naming the gentleman, where the landlord by a special agreement paid the rates, and he was anxious that his tenants should have a vote equally with himself; but now the amendment was passed, as he was the ratepayer, none of the twelve tenants could vote. They were assured by the Premier that there was no such thing as an electoral roll, and yet he saw in clause 60 that before the day appointed for taking the poll the returning officer "shall cause to be prepared from the rate-books a correct alphabetical list, hereinafter called the 'voters' list.'" What else was that but an electoral roll? Unless both tenant and owner's name were on the list it would be very difficult to say which could vote, and, if both were on, both should be able to vote. He was sure if hon. gentlemen would consider the matter they would hesitate to confirm the step they took. They did not understand the position, or they never would have had the division they just had. He would like to hear a few words from the Colonial Treasurer on the subject. He was sure that the hon. gentleman understood the matter, and he could probably enlighten them on the subject.

The PREMIER said the hon. member referred to section 60. Well, section 60 provided that "before the day appointed for taking the poll," the returning officer should "cause to be prepared from the rate-books a correct alphabetical list to be hereinafter called the 'voters' list,' showing the names numbered consecutively, of all the voters entitled to vote at the election." Very well; before that list was prepared it would be known who paid the rates, and the name put down on the list would be the name of the person who paid the rates, and not the name of the person who did not pay them. No difficulty would arise under that clause. He did not know how they were prepared under the present system, but the amendment he proposed would not have altered the law as he supposed it to be.

Mr. FERGUSON said he wished it to be clearly understood that the vote just taken would disfranchise a large number of persons who had the privilege of voting at the present time. That was the reason he voted against the amendment. In such a case as that stated by the hon. member for Cook, and in others that he was aware of, a large number of persons would be disfranchised by the amendment.

The PREMIER said the amendment just carried would disfranchise a large number of persons who did not pay rates, and nobody else. And why should they not be disfranchised?

Mr. LUMLEY HILL said that the tenants had just as much interest in the good management of the money expended by the corporation, whether they paid the rates directly out of their own pockets, or whether they were paid for them by the landlord. He stuck it on to the rent afterwards. They would see, as the result of the amendment, a serious diminution in the voting power.

Thr MINISTER FOR WORKS: No doubt. All those who are not entitled to vote will be struck off.

The PREMIER: The landlord can only get three votes.

Mr. LUMLEY HILL said, take the case quoted by the hon. member for Maryborough of a man having a terrace of twenty houses, for which he would have three votes. If there were twenty tenants in the houses they would have twenty votes and he would himself have three before the amendment was carried. He would have a small say in the management of the business and that would satisfy him, but as it was now he would take good care to keep the voting power himself.

The PREMIER: I do not believe there is any such fool in existence as a man who would deprive twenty of his tenants of votes in order to get three votes for himself.

Mr. LUMLEY HILL: Did the hon. gentleman really think so? He was surprised at the simplicity of the Premier.

The PREMIER: Not in municipal matters, because his interest and that of the tenants would be the same.

Mr. LUMLEY HILL said he could very well understand it. Their interests might clash sometimes, and he certainly thought both parties had a right to be represented. He was sure hon. members in the division did not understand what they were voting upon.

Mr. SALKELD said he did not think that what the hon. member for Cook said would take place would be at all likely to take place. If a man owned twenty houses and had twenty tenants in them, what he would be likely to do would be to pay rates for a sufficient number of the houses to entitle him to the maximum of three votes, and leave the other votes for the tenants. There was another aspect of it to be considered. He did not see why, if the member for Fortitude Valley owned a house for which he had a vote and resided in it himself—of which he was both the owner and occupier—he did not see why he should have only one vote for the property, when another man might have a house let to a tenant and have two votes. He did not see any justice or sense in that.

Mr. LUMLEY HILL: The reason for that was because there were two people interested in it.

Mr. SALKELD said if that was so why did they not propose to give mortgagees a vote? There might be a number of people interested in the property. The simple way was that property rated at a certain amount should have a certain vote, and whoever might be the tenant or owner, the person who paid the rates was the person who should be entitled to vote. He had never heard of a case such as had been mentioned by the hon. member for Cook, though he had paid the rates for persons as an agent for a number of years, and he had known cases where the owner of a property asked that sufficient rates should be paid in his name to entitle him to the maximum number of votes, and the rest of the rates should be paid by the tenants to entitle them to vote.

Mr. McMASTER said he was surprised to hear the Chief Secretary say that no person would be such a fool as to pay the rates for twenty tenants and disfranchise them. Now, would it not be easier for him at an election to contest Fortitude Valley with 1,000 electors than 3,000? It was to his advantage, then, to reduce the voting power, so that instead of twenty voters he would only have one to contend with. If he could get into the good graces of the property owner, it was no benefit to him to have a large number to drive to the polling place in cabs——

An HONOURABLE MEMBER: And shout for.

Mr. McMASTER said they did not do that in the Valley, but they had to bring a large number of electors in cabs; so it would be a great saving to him to be able to reduce the voting power. He was surprised to hear the hon. member say no person would reduce the voting power. He heard a gentleman say he had twenty tenants, and he would reduce them to six votes—three for himself and three for his wife—and pay the rates for the twenty. A large number of property holders would do that. It would disfranchise the tenant, not the landlord.

The PREMIER said he wished to correct the remark made by the hon. member for Cook that he had stated there was no list made out. He was not looking at the Bill from the same point of view as the hon. member; he was looking at it as a pure, simple Divisional Boards Bill, not from Queen street point of view, as a *quasi* suburban municipality Bill. In those divisions where the voting was by post there was no such thing as a voters' roll; there was a voters' roll only where there was voting by ballot.

Mr. LUMLEY HILL said he would call the Premier's attention to clause 72.

The PREMIER: That refers to voting by ballot.

Mr. LUMLEY HILL: "No person claiming to vote at an election shall be excluded from voting thereat except by reason of its appearing to the presiding officer upon putting the questions hereinbefore prescribed"—was that voting by ballot?

The PREMIER: Yes; the whole of Part V. refers to voting by ballot; a little further on you will find voting by post.

Mr. BULCOCK: What is the question before the Committee, Mr. Chairman?

The CHAIRMAN: The question is "That the clause, as amended, stand part of the Bill."

Clause, as amended, put and passed.

Clause 30, as follows:—

"When more persons than one are jointly liable to be rated in respect of any property, each of such persons shall, for the purpose of the last preceding section, be deemed liable to be rated in respect of property of rateable value equal to that of the whole of such mentioned property divided by the number of persons so liable to be rated, not exceeding three.

"In case more than three persons are liable to be rated in respect of any property, the persons to be deemed liable shall be those three whose names stand first in order upon the rate-book in use, or, if no rate-book has been made, upon the valuation and return made as hereinafter required."

—was verbally amended on the motion of the PREMIER.

Mr. CHUBB said he would like to call the attention of the Chief Secretary to a point which he had raised on the second reading. In some cases a difficulty had arisen with regard to allowing votes to be recorded where a partnership appeared on the rate-book. Suppose the name on the rate-book were "John Smith and Company," or the "Eagle Farm Brick and Tile Company." Those were not the cases in question; but they were cases similar to those. He knew that at Ipswich the other day Messrs. Cribb and Foote were not allowed to vote. There was a lady in the firm and two gentlemen; but the name of the firm was on the books, consequently, though they had a very large interest, they could not exercise their franchise.

The PREMIER said in a case of that sort he thought the ratepayers had themselves to blame. If the company was a corporation, the manager could vote; if not, the proper names should be entered in the rate-book.

Mr. FERGUSON said a firm of three individuals could have three votes each.

The PREMIER: That is the law.

Mr. FERGUSON asked whether it was a just thing? If there was only one proprietor he would be entitled to three votes for his place of business, and if he had private property besides he would be entitled to three votes for that also. But if a property belonged to a firm of three members each of them would have three votes on account of that property; and if they held private property as well they would be entitled to three votes each on account of that, making six votes each, or eighteen votes altogether. That was opposed to the clause they had already passed, providing that where the annual value was small there should be only one vote, and that where it was large the proprietor should have more than one vote.

The PREMIER said he did not read the clause so. The 29th clause provided that a person should be entitled to three votes under certain circumstances whether his property consisted of one or more tenements; and if that was read with the 30th clause it would be seen that when more persons than one were liable to be rated in respect of any property, none of them could get more than three votes. If three members of a firm had fifty properties in a division they could not get more than nine votes. They could not get any more than nine whether they were rated separately or jointly.

Mr. FERGUSON said that property occupied by one person, which would entitle him to three votes, would, if occupied by three persons, entitle them to nine votes. That was in opposition to the clause they had passed, the intention of which was that a property should not entitle a man to more than one vote, no matter who paid the rates. At the present time a firm of three members could have three votes each for their business site, and if they held private property they might have three votes each as private property owners; so that the three might have eighteen votes altogether. He did not think that was right.

The PREMIER said that was not the law, and he was surprised to hear of the extraordinary abuse in practice. They could not make a law that would be mathematically perfect. The matter was fully discussed in 1878, when the Local Government Bill was under consideration. Some provision must be made for joint owners of property. A valuable property might be owned by a firm. Whether three votes were a proper maximum was a matter for consideration.

Mr. LUMLEY HILL: I think they should have only one each.

The PREMIER: That is a matter of opinion.

Mr. GROOM said there was no doubt as to the abuses pointed out by the hon. member for Rockhampton (Mr. Ferguson). He could now put his finger on stations on the Darling Downs, which paid probably £60 or £70 a year rent, but being in the name of six or seven individuals, each of them had three votes. He knew of one subdivision of a division—he would not name it—in which two stations controlled the election. That was the way the provision was abused at the present time, and he had no doubt that the abuse would be continued for a considerable time to come. He did not know whether a law could be framed which would prevent it, and the reason was very obvious. The object was simply to avoid too much taxation being put on land, and as long as those large estates possessed the monopoly of power, so long would exist that ridiculous amount of taxation on the Darling Downs. The taxation was made as low as possible, and the little homesteads had to pay no more than 2s. or 2s. 6d. in order that the larger freeholds might be reduced to the minimum of taxation, and that feeling would prevail for a long time to come.

Mr. GRIMES said he was afraid the Committee were providing for a continuation of that abuse by allowing servants and agents to be deemed occupiers.

Clause, as amended, put and passed.

On clause 31, as follows:—

"At any election held in a division before a valuation of the rateable property has been made therein in manner hereinafter prescribed, all persons named on any electoral roll for the Legislative Assembly for the time being in respect of a freehold, leasehold, or household qualification situated within the division, or if the district is not comprised in any electoral district, then any person who is liable to be rated under the provisions of this Act in respect of property within the division, shall be entitled to vote, and each such person shall have one vote"—

The PREMIER moved the substitution of the word "land" for the word "property," in line 7 and also in line 13.

Amendments agreed to.

Mr. NORTON said he thought the clause would be found rather unworkable. In the event of a division not being comprised in any electoral district, who was to decide upon the persons entitled to vote? He failed to see how that could be done until a valuation was made.

The PREMIER said there was no way of making the clause perfect in that respect. The Government had occasion, the other day, to establish a divisional board in a part of the colony not part of an electoral district—at Thursday Island—and as the Act stood no one was eligible either to be elected or to vote. The result was that they had to nominate the first board of persons who were owners or occupiers of land. If the clause was passed, what would probably be done in a contested election would be what was actually done with regard to the municipal council of Normanton the other day. When the question arose of electing their first municipal council it was found that there were only twenty persons properly entitled to vote or to be elected, and amongst them were none whom the general public desired to see aldermen. One or two of those twenty proposed to take it into their own

hands to elect the first municipal council, but public opinion was too strong for them. Afterwards a public meeting was held, presided over by the chairman of the divisional board, at which a resolution was passed appointing a committee, who compiled from the divisional board list a list of persons who were honestly entitled to vote in the municipality. By common consent a ballot was taken of those persons, and the names of those who had a majority were submitted to the Governor in Council for nomination, which was done. Probably a case similar to that at Thursday Island would never occur again.

Mr. NORTON : Then it will resolve itself into this: that at Thursday Island the Government will have the nomination of the first board.

The PREMIER : They have done so already.

Mr. NORTON : Then we need not discuss it further.

Mr. MELLOR asked what was the object of substituting "land" for "property" in the clause?

The PREMIER explained that it was a verbal amendment consequent on an amendment introduced in an earlier part of the Bill.

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

Clause 32, as follows :—

"The chairman shall from time to time cause to be made out a list, to be called 'The Ratepayers' List,' containing in alphabetical order the names of all persons whose names appear in the books of the division as of persons liable to be rated, and such list shall be kept at the office of the board, and shall be open to inspection by any ratepayer at all reasonable times during office hours, and any ratepayer may without payment of any fee make a copy thereof or take extracts therefrom.

"When the division is subdivided a separate ratepayers' list shall be made out for each subdivision."

—was amended, on the motion of the PREMIER, by the insertion of the words "whether occupiers or owners" after the words "all persons," and of the words "together with the value upon which the land of which they are the occupiers or owners is liable to be rated" after the words "liable to be rated."

Clauses 33 and 34 passed as printed.

Clause 35—"First board may be elected if so petitioned for"—passed with a verbal amendment.

Clauses 36 and 37 passed as printed.

Clause 38—"Returning officer"—passed with a verbal amendment.

Clauses 39 to 42, inclusive, passed as printed.

On clause 43—"Mode of nomination"—

Mr. PATTISON said he would like to know whether, in a case in which there were three electors—one for each subdivision—any ratepayer in the division could nominate a candidate for any of those subdivisions?

The PREMIER said, no. A person must be a ratepayer in the subdivision, because he alone was entitled to vote. That was provided for in section 29.

Clause put and passed.

On clause 44—"Money deposit"—

Mr. NELSON asked whether that clause would allow the returning officer to accept a cheque as a deposit on his own responsibility?

The PREMIER : No, not as it stands.

Mr. NELSON said that would be very inconvenient in the bush, in places where there were no banks; and he thought that if a returning officer was willing to take a cheque on his own esponsibility he should be allowed to do so.

The PREMIER said if that were allowed it would practically do away with the deposit altogether. How could they refuse one man's cheque and take another's? Suppose there were three persons nominated, the returning officer might take a cheque from the man he wanted to get in and refuse to take one from the other candidates. They must put everybody on the same footing, and not allow him to take any one's cheque. He thought the question first arose in regard to parliamentary elections. He believed that one or two members were elected to this House on the payment of cheques as a deposit.

Mr. NELSON said he never knew anything except a cheque taken. He understood that the returning officer accepted the cheque upon his own responsibility, and if it were a bad one he had to find the money himself.

The PREMIER : Who is to sue him?

Mr. NELSON said it would be very inconvenient in many places to carry sovereigns or bank notes.

The PREMIER : Could not they raise £5?

Mr. NELSON : You cannot always get five sovereigns, or five bank notes.

Clause put and passed.

Clause 45 passed as printed.

On clause 46—

"Every person who—

(1) Procures himself to be nominated as a candidate for the office of member of a board knowing himself to be under the provisions of this Act incapable of being or continuing such member; or

(2) Knowingly signs a nomination paper nominating or purporting to nominate as a candidate for such office a person incapable of being or continuing such member; or

(3) Not being qualified to vote at an election of members knowingly signs a nomination paper nominating any person as a candidate at such election;

shall for every such offence be liable to a penalty not exceeding twenty pounds."

Mr. NORTON said there appeared to be a mistake in the 3rd paragraph. The word "knowingly" was in the wrong place.

The PREMIER said the hon. gentleman was quite right. He proposed to leave out the words "not being" at the beginning of the paragraph, and insert the words "knowing that he is not."

Mr. McMASTER said he had known of a case where a man's rate-papers were delivered to him, and supposed to be the rate-papers of the subdivision, and numbered in that division. He signed the nomination paper, and, as a matter of fact, the election was disallowed on account of his having signed a nomination paper, being resident in another division than the rate-paper showed. It was a clerical error, of course; but a man might be fined £20 for it.

The PREMIER said the fine ought to be 1s. in a case like that. The man would, however, have put people to a lot of trouble and annoyance.

Amendment agreed to.

On the motion of the PREMIER, the word "knowingly" was omitted from the 2nd line of the 3rd paragraph.

Clause, as amended, put and passed.

Clause 47 passed as printed.

On clause 48—"Candidates to be nominated"—

Mr. NORTON said the last line did not appear to be quite correct. It said that the returning officer should name "the polling places, if any, at which the poll will be taken." There must be some polling place.

The PREMIER: No; when the voting is by post there is no polling place.

Clause put and passed.

Clause 49 passed as printed.

On clause 50—"Power of Governor in Council to appoint members when none elected"—

Mr. NORTON said the clause provided that if an insufficient number of candidates were nominated the Governor in Council might appoint a sufficient number. The candidates who were nominated, although insufficient in number, ought to be considered elected.

The PREMIER: So they are. If there are three candidates asked and only two are nominated, those two are elected. Section 47 provides for that.

Clause put and passed.

On clause 51—"Poll, how taken"—

The PREMIER said hon. gentlemen would observe that the poll was to be taken by open voting, unless otherwise prescribed. That was the best way to deal with it under the altered circumstances of the colony.

Clause put and passed.

Clause 52 passed as printed.

On clause 53—"Election not to be questioned. Remedy for informalities in election proceedings"—

Mr. NORTON said the 1st line of the 2nd paragraph read, "No election shall be void in consequence of any delay in holding the election at the time appointed." Ought it not to read "any unavoidable delay"? A delay might be avoidable, and ought not to occur.

The PREMIER said that would mean litigation, to see what were avoidable and what were unavoidable delays. It was the same as in regard to parliamentary elections.

Clause put and passed.

Clauses 54 to 56, inclusive, passed as printed.

The PREMIER moved that the Chairman leave the chair, report progress, and ask leave to sit again.

The CHAIRMAN then left the chair, reported progress, and obtained leave to sit again to-morrow.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

CUSTOMS DUTIES BILL—JUSTICES BILL.

The SPEAKER informed the House that he had received messages from the Legislative Council, returning the Customs Duties Bill without amendment, and the Justices Bill with amendments, in which amendments the concurrence of the Legislative Assembly was asked.

On the motion of the PREMIER, it was ordered that the Council's amendments on the Justices Bill be taken into consideration in committee to-morrow.

MINERAL OILS BILL.

The SPEAKER also informed the House that he had received a message from the Legislative Council, stating that the Council concurred in the Assembly's amendment on their amendment to clause 5 of the Mineral Oils Bill.

ADJOURNMENT.

The PREMIER said: I move that the House do now adjourn. To-morrow it is proposed to take first the amendments of the Legislative Council on the Justices Bill—which, I believe, are very small, and relate principally to the subject we have been discussing this evening—and then go on with the Divisional Boards Bill.

The House adjourned at twenty-six minutes past 10 o'clock.