

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 13 OCTOBER 1898

Electronic reproduction of original hardcopy

THURSDAY, 13 OCTOBER, 1898.

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

QUESTION.

PROMOTION OF ASSISTANT TEACHERS.

Mr. FINNEY asked the Secretary for Public Instruction—

Is it his intention to take any steps towards bettering the condition of assistant teachers] by lessening the time intervals necessary for promotion?

The SECRETARY FOR PUBLIC INSTRUCTION replied—

This matter has for some time past engaged the attention of the department, and is still being considered.

BISHOPSBOURNE ESTATE AND SEE
ENDOWMENT TRUST BILL.

REPORT OF SELECT COMMITTEE.

Mr. GROOM, as chairman, presented the report of the Select Committee appointed to inquire into this Bill, and moved that the paper be printed.

Question put and passed.

The second reading of the Bill was made an Order of the Day for Thursday, 27th instant.

UNIVERSITY BILL.

On the motion of the SECRETARY FOR PUBLIC INSTRUCTION, it was formally resolved—

That the House will, at its next sitting, resolve itself into a committee of the whole to consider of the desirableness of introducing a Bill to incorporate and endow the University of Queensland.

MINING ACT AMENDMENT BILL.

On the motion of the SECRETARY FOR MINES, it was formally resolved—

That the House will, at its next sitting, resolve itself into a committee of the whole to consider of the desirableness of introducing a Bill to provide for mining for gold and silver on private property.

ATTACHMENT OF WAGES ABOLITION
BILL.

COMMITTEE.

On clause 1—"Wages or salary of £3 per week or under not to be attached"—

Mr. CROSS asked the Committee to bear with him for a minute or two while making an explanation with regard to this question. On the second reading of the Bill he expressed the opinion that if the Committee thought it desirable that there should be modifications of the principle contained in the clause, and if it would further the passage of the Bill he would accept such amendments. His object was to procure the largest measure of reform possible. He might say that in reality the late Premier was the father of the Bill. Four years ago he embodied similar principles in a more drastic and very much more comprehensive form, and, compared to his Bill, the one before them was mild and simplicity itself. Seeing that the late hon. gentleman had approved of the principle, he thought it would be a very excellent thing to adopt it now with such modifications as the Committee might think advisable. He was quite willing to consider any reasonable amendment, but his attitude towards the principle was the same now as it had been before with reference to widening the scope of the

measure so as to include persons engaged in clerical as well as manual labour. He had not attempted to widen the scope of the Bill in that direction, believing that it might check its progress and prevent a large and important section of the community from obtaining most necessary relief.

Mr. DRAKE had stated on a previous occasion that persons engaged in clerical labour were entitled to equal consideration to those engaged in manual labour. He had not found anyone who seriously contested that, but still there were some who considered that the advantages of the Bill should be restricted to manual labourers. He would like the Committee to remember that the need for the Bill had arisen in consequence of the passage of the Small Debts Act Amendment Act of 1894, which gave power to garnishee wages. Though wages or salary could previously be garnishees in the higher courts, no hardship had ever arisen, but it was through the action of the legislature in 1894 that power was given to garnishee both wages and salary in the small debts court. Now the contention of the hon. member was that they ought to undo what they did in 1894 in so far as it concerned those engaged in manual labour only. Why? If that was a measure of relief brought in in consequence of hardships which existed, why not extend the relief to both classes of workers? The question was always raised as to whether it was not better to accept a partial reform than fail to attain a total reform. But here were two classes of persons, one much more numerous and more powerful politically than the other; and if the measure was not extended to both classes at the same time, it would never be extended to clerical labourers. It smacked somewhat not only of class legislation, but it was selfish on the part of members to point to the hardships resulting from the action of the legislature in 1894, and then to ask only that they should undo what they had done in so far as one class only was concerned. It had been said that the number of cases of attachment of salary of clerical labour was very small indeed, but what had that got to do with it? If an injustice was done, they should equally remove it, whether the number who suffered was small or great. If they were going to perpetuate injustice on the smaller class of the population while they gave relief to the larger class, what possible chance was there of the smaller and less powerful class ever getting relief? Another argument was that if the Bill were extended in the way he proposed there would be some difficulty in getting it through another place. Why? Could hon. members point to any case in which a Bill passed by the Lower House had been rejected by the Upper because it was not a measure of class legislation? Was there any case in which the other House refused to pass a Bill because it applied to all classes? The hon. member who had the Bill in hand had stated that he was prepared to accept modifications—he presumed in the amount attachable. He would suggest that it might be advisable to make only a certain proportion of the wages attachable. He should like the Committee to consider the advisability of proceeding upon one definite principle, and that was that a man, whatever might be his hardships or difficulties or troubles, should not be stripped of all his earnings. Only a certain proportion should be attachable; the rest left for the support of his wife and family. And, further, they should make the Bill applicable to clerical as well as manual labour. He proposed the omission of the words “servant, labourer, or workman” on line 6 with a view of inserting “persons, male or female, engaged in clerical or manual labour.” The amendment was similar to the one he moved on the Bill introduced by the Government.

Mr. FITZGERALD: The hon. gentleman who has just sat down made a great point about the hon. member for Clermont introducing this Bill in order to upset the legislation on the subject in 1894, but he was attempting nothing of the kind. The Act of 1894 brought into the small debts courts the garnishee order which existed in the District Court and also in the Supreme Court, and it brought into the small debts court a bigger authority than the other courts had. Did the hon. gentleman not know that whenever a case of garnishee for wages came before the Chief Justice he refused to grant the garnishee; but the Act of 1894 was administered by justices of the peace and police magistrates who were not versed in the law, and even the best police magistrate when he saw a lawyer coming for a garnishee order granted it at once. A judge of the Supreme Court would not do that. He asked what were the facts—whether the man had enough to live upon, and support his wife and family; and if it was a question of wages, the biggest judge refused to grant the garnishee. Suppose the hon. member for Clermont summoned him to-morrow for a debt, and applied for a garnishee with respect to money due to him (Mr. Fitzgerald) in the hands of the hon. member for Rosewood, he would get an order either in the District Court or in the Supreme Court; but in the case of a wages man, the judge would make particular inquiries, and he could instance a case where the Chief Justice, Sir S. W. Griffith, had refused to garnishee wages. The Bill wanted to put all the courts of the colony on the same footing with regard to garnishee orders, but the hon. gentleman wanted to bring in clerks. He agreed that clerks ought to be protected up to £3 a week, and so did the hon. gentleman who introduced the Bill; but, as was pointed out by the late Premier, whose death everyone regretted, the amendment would only complicate the Bill. The year before last the junior member for Fortitude Valley brought in a Factories Bill and consented to shearing-sheds not being brought within its jurisdiction, because the Acting Premier, Sir Horace Tozer, said that if shearers were included the Bill would never pass the other House. The hon. member acted on the principle that if one could not get a whole loaf it was better to accept half, and that was the position of the hon. member for Clermont; but the leader of the independent democratic party—which was always wanting or absent when it was wanted—was trying to spoil this little Bill. The hon. gentleman was a lawyer like himself, and he appealed to him on a question of precedent. This Bill happened to have been passed in 1870 in the old conservative country called Great Britain. When it was passed there the people were not narrow-minded enough to raise objections like the hon. member, and he appealed to him to be more sensible and let this go through now, and bring in a Bill extending its provisions to clerks next year, when he would support the hon. member. Let the hon. member not play into the hands of the senior member for Fortitude Valley and a few others who wanted to spoil the Bill. Ever since 1870 there had been no question in the old country as to the word “clerk” or the word “servant,” and if the hon. gentleman claimed to be a democrat, for goodness sake let him allow this piece of legislation to pass, and make no more fuss and ridiculous nonsense. Before sitting down he wished to say, with reference to some remarks he made last night, that he had already expressed his regret personally to the hon. gentleman at the head of the Government, and he took this opportunity of expressing his sorrow for the expressions he had used.

MEMBERS on the Opposition side: Hear, hear!

Mr. DRAKE: The hon. member's reply to him with regard to the Act of 1894 did not appear to be a reply at all. What he said was that the House, in passing that Act, had passed legislation which had been the cause of certain injustice since. If he did not go into particulars it was because he did not care about repeating himself; and if the hon. member would refer to what he said when the Government measure was before the House he would find a remark to the effect that the power of garnisheeing wages had not been found to result in any injustice up to the time that that Act was passed, and that it was in consequence of that power being given to the inferior courts that cases of injustice had occurred. To the extent of this Bill the hon. member for Clermont was now trying to undo what was done by the Act of 1894, which placed both the wages of working men and the salaries of clerks in the same position with regard to orders for judgment; and his contention was that such an attempt should not be confined to the manual labourer only, leaving the clerical workers in the position in which the House put them in 1894. The hon. member made some play on the word "democrat." He thought he knew the meaning of that word as well as the hon. member, and he would say that to be democratic a man must show that he was not dominated by class feeling, and that a man who opposed the amendment he had proposed might claim to be a member representing working men only but he could not say he was democratic. It was democratic to make the principle applicable all round, and only a man who claimed wholly and solely the man who worked with his hands could justifiably oppose the amendment he had moved. Then the hon. member told them that in 1870 the measure was agreed to in that old conservative country, England, and that no amendment of this kind was proposed there. That might have been because the English Parliament was not sufficiently democratic in 1870. At any rate he declined to follow blindly the precedent set in conservative England.

Mr. CROSS: The hon. member for Enoggera was doing all he knew to catch the votes of hon. members opposite who did not want any reform in that direction at all. The hon. member had posed for many years as a democrat. He had had some experience of the hon. member as a democrat, and had found that his democratic professions, while very nice on his lips, bore very poor fruit in action. During the Parliament of 1893 to 1896 he gave to that side, to which he was so warmly attached, about 28 per cent. of his votes, and to the other side about 68 per cent.

The CHAIRMAN: I would remind the hon. member that there is now an amendment before the Committee, and that he must confine his remarks to that amendment.

Mr. CROSS: The hon. member for Enoggera had often pretended that he did not believe in the "whole-hog" policy. His (Mr. Cross's) object on that occasion was to get what measure of reform he could. He was just as desirous as the hon. member to relieve the clerical as well as the manual worker, but, as was pointed out on a previous occasion by the late Premier, there were almost insuperable difficulties in the way.

The HOME SECRETARY: It was amusing to hear the hon. member for Clermont on expediency and justice. He remembered having a little Bill in 1896 and another in 1897, which he was endeavouring to pilot through the House. They were Land Bills. Certain amendments were made in them in another place, and when he proposed that they be accepted he was met by

an almost unanimous demand on the part of hon. members opposite to have the Bill as it left the Assembly or to have no Bill at all.

MEMBERS of the Opposition: Oh, no!

The HOME SECRETARY: Oh, yes! He had a very vivid recollection of it, and they very nearly lost the Bill.

Mr. DAWSON: We advised you not to sacrifice the Bill.

The HOME SECRETARY: Then, it was his Bill, and hon. members opposite said, "We won't sacrifice any principle for expediency." But now, they said they did not want any principle at all; they would have expediency, or the Bill might be wrecked elsewhere. It appeared that it all depended upon which side a Bill emanated from whether principle or expediency was to predominate. He had a great deal of sympathy with the proposal of the hon. member for Enoggera, but as that hon. member said to the hon. member for Clermont, "You have not gone far enough," so he said to the hon. member for Clermont and the hon. member for Enoggera, "Neither of you has gone far enough, if you are going to do this at all." He would put in a word for a class of persons who were very much more deserving of consideration than either those whom the hon. member for Clermont desired to serve, or those whom the hon. member for Enoggera desired to benefit, and that was those people who were not earning any wages at all. It was all very well for hon. members to introduce amendments which would benefit people who were in the receipt of regular wages not exceeding £3 per week—a very nice wage for a working man—but what about the unfortunate man who did not happen to be in a billet where he received £3 a week, but with his horse and dray made only £1 or £1 10s. a week, and had to keep a wife and children on that amount? Another person who was entitled to the consideration of the Committee was the unfortunate widow who was earning her own living and perhaps supporting a family of children by taking in washing and mangleing. Such persons as those were very much more deserving of consideration than the man or woman who was earning £3 a week, whether by manual labour or clerical work. Why should the small property of the unfortunate drayman, or the unfortunate washerwoman, or any other person in an equally humble walk of life not earning regular wages, be treated differently, and with less advantage, than the wages of a worker receiving £3 a week?

Mr. DRAKE: You cannot attach a horse and cart, or washing.

The HOME SECRETARY: That was one way of putting it, but that measure was introduced to protect wages from attachment; and if that was done, why should not a horse and cart in a case like that he had referred to be free from seizure for debt in the same way as wages? To say that a horse and cart could not be attached was to burke the question, because a horse and cart could be seized by the bailiff; and it was just as much incumbent upon the Committee, if they wanted to do justice all round, to see that those persons were protected from liability to pay their debts, for that was what it amounted to, as persons in receipt of a regular wage of £3 a week. Another class of persons who ought to be very seriously considered, and who in many instances were not earning wages but would be very glad to earn even half of £3 a week, was those homestead selectors throughout the colony who, under the liberal provisions of the land laws, had taken up 40, 80, 120, or 160 acres, and then had a very hard struggle to make both ends meet, rear their families, and perform their conditions. He had seen those people within the last two years, and though their condition was not so bad now, yet he had seen homestead

selectors with clothes made out of bags working on their farms. They were in the most absolute poverty, but still they stuck to their land in the hope that they would be able to pull through. Hon. members talked a great deal about the desirability of settling people on the land, and he contended that, if they were going to make such concessions as were proposed in that Bill, homestead selectors were the men who ought to be encouraged. Yet, while it was proposed to protect wages, the unfortunate homestead selector who happened to have a few cows or a horse upon which the livelihood of himself and family depended was to be allowed to remain under the disability of having them seized by the bailiff. If they wanted to do the right thing they should let the question of expediency go to the winds, and follow up the principle. The hon. member should deal with the whole question, and not single out a particular class who, as a rule, were doing fairly well. There were many others to whom protection was necessary, and he had indicated three of them. It had become the fashion in this colony to experiment in legislation. They indulged in some legislation of this kind in 1894, and now they found that it was working a hardship, which proved that it was always best to feel one's way. Only lately they decided that everybody's wages should be liable, and surely the House gave sufficient consideration to that question when it was before them. It seemed as if this Bill were introduced because a general election was looming in the distance, and the wages man had a vote while the mangling woman had not.

Mr. CROSS: The mangling woman's husband has a vote.

The HOME SECRETARY: He was referring to widows. A woman who had a husband ought not to have to work.

Mr. ARMSTRONG: A great many of them support their husbands.

The HOME SECRETARY: The hon. member seemed to know more about it than he did. There was no doubt that if this amendment were carried, they would have to carry a great many more amendments in order to do equal justice all round. The hon. gentleman had referred to his change of front in this matter, but there was no change of front.

Mr. CROSS: He had expressed a willingness, when the Bill was on its second reading, to accept amendments if the Bill did not meet the views of a majority in the Committee. On that occasion the hon. gentleman interjected that the Bill would put a premium upon dishonesty, but he pointed out that the House of Commons passed just such a Bill in 1870, twenty-eight years ago, and there was no doubt that if they had had the political Solomon from Carnarvon there to tell them that they were doing a wrong thing there might have been a different result. The hon. member had used arguments to-day that he dared not have used a few weeks ago. The lion was dead, but the jackall still lived. If the lion had not died there would have been no arguments like this from the hon. gentleman. He would have sat quietly in his seat and obeyed his leader, but now his leader was gone he had a free hand to express his Toryism and Conservatism. The hon. gentleman asked why the Bill was to be confined to manual workers, but he knew that under the Masters and Servants Act a manual worker was liable to be imprisoned for a breach of agreement, while a clerk was not. The hon. member for Enoggera seemed to have formed a coalition with the Tories in regard to this matter, and if his amendment were carried, the Home Secretary threatened to include washerwomen, draymen, and farmers, and perhaps the little brown man, and the Japanese and Chinese. Hon. members opposite were always ready,

as they said, to pass measures for the relief of whole sections of the community. They wanted to have a blanket of reform so large as to cover the whole of humanity, but when they were asked to carry out any definite thing they proposed nothing. The late Premier was the only man amongst them who did set his foot down and was determined to take some steps to remedy the wrong done by the Act of 1894, much against the wishes of some of his followers, and therefore he refused to accept the amendment proposed by the hon. member for Enoggera. The absurdities indicated by the hon. member were only so much wind, and were only intended for the purpose of stonewalling.

The HOME SECRETARY: The hon. member for Clermont had told them upon one occasion that he would very gladly accept the amendment of the hon. member for Enoggera if it were not going too far—that was in a democratic direction—but it was not expedient to do so, because the Bill would be lost in the Upper House. Then, because he (the Home Secretary) proposed to go further than the hon. member for Enoggera, he was called a Tory, which he did not regard as a compliment even if the hon. member intended it as such. As for his not being prepared to say a few weeks ago what he had said then, this was not the first time he had expressed the same opinions, and if the hon. member were a true democrat he would have gone a great deal further than he had. It was no use calling him a Tory and abusing him in order to get away from the question at issue. What the hon. member had to do was to explain to the electors of the colony why he proposed to give certain advantages to persons who were earning good wages, while he proposed to deny the same advantages to people who were very much less able to cope with the realities of life. The hon. member gave as a reason for introducing the Bill that those coming within the definition of a "servant" under the Masters and Servants Act were liable to certain penalties and disabilities if they did not fulfil their contracts; but he could tell the hon. member that those men enjoyed a corresponding advantage under the Masters and Servants Act, because they had a remedy for wages due which was not enjoyed by any other employee, such as the clerk whom the hon. member for Enoggera wished to include in the Bill. He was not at all sure that that advantage was not very much more than commensurate with the disabilities they laboured under in the event of non-fulfilment of contracts.

Mr. McMASTER: Those on the other side who were supporting the Bill were following the supposed example of the legal profession—having no case, were prepared to abuse the otherside. The hon. member for Mitchell had said that the hon. member for Enoggera was playing into the hands of the hon. member for Fortitude Valley. There was no need to play into his hands. He had never supported class legislation, and had not been returned by his constituents for any such purpose.

Mr. GLASSEY: You have very faithfully carried it out during the years you have been in Parliament, and supported class legislation.

Mr. McMASTER: He had carried out his duties as faithfully as the hon. member for Bundaberg. He had always supported what he considered justice between man and man. Hon. members opposite were trying to legislate for one section of the community, and were ready to leave the great majority of the workers outside the provisions of the Bill. The hon. member for Mitchell had given them a great deal of law that afternoon, and he would ask the hon. member who came within the scope of the defini-

tion of a "workman"? Would the counter hands in his shop come within the meaning of the term?

Mr. GLASSEY: Certainly.

Mr. DRAKE: No.

Mr. McMASTER: The definition would include his carters, but he did not think it would include his shop hands, and yet they were all weekly servants.

The HOME SECRETARY: Do they get less than £3 a week?

Mr. McMASTER: Yes. The Home Secretary had referred very nicely to the position of draymen, and there were many draymen who did not earn the half of £3 a week after feeding their horses and keeping their drays in repair. Draymen were workmen, but they would not come under the Bill, as they were not paid weekly wages. Why not bring in a Bill to wipe out writs? Why not bring in a Bill providing that no workman who was not earning £3 a week could be summoned? A statement had been made by the hon. member for Clermont some time ago that the garnishee order was quite a recent institution. As a matter of fact it had been operative in the Supreme and District Courts for years, and the argument was used that a man with large means who could go to the higher courts should not be allowed the privilege of recovering his debts while the man of smaller means could not afford to go to the higher courts to recover what was owing to him. They had been told that a great deal of hardship existed. Where had it happened? He had only heard of one case in Gympie, and he remembered seeing a list of the number of garnishee orders which had been taken out, and they were very few indeed. No honest tradesman would pounce upon a man by means of a garnishee order unless he thought there was a deliberate attempt to try and rob him. If a single man attempted to leave his lodgings without paying his debt for board, he should not be allowed to go scot free. If the hon. member would bring in a Bill that would relieve all persons from debt, and say that no credit should be given, then his position would be intelligible. That would not be class legislation; but the present Bill would apply to comparatively few people, and he was going to oppose it.

Mr. FITZGERALD: The position of the hon. member who had just sat down was perfectly consistent. He was stonewalling the measure.

Mr. McMASTER: No, but I am good for an hour if you wish.

Mr. FITZGERALD hoped hon. members would not be led away by the hon. member for Fortitude Valley. The hon. member for Clermont desired to pass a Bill to protect wages, and if the hon. member for Fortitude Valley wished to protect other persons let him bring in a Bill for that purpose. He hoped the Committee would pass the Bill and let it get to the other House. If they were going to introduce farmers and horses and carts into the Bill, it would grow into immense proportions. He appealed to the common sense of the Home Secretary not to introduce matter foreign to the principles contained in the Bill. He would remind the hon. gentleman that it was only the other day that the Government bench was very silent on the second reading of a similar Bill.

The HOME SECRETARY: I spoke before in the same strain.

Mr. FITZGERALD: Yes, he would give the hon. gentleman credit for that, but there were other members on the Government bench who kept very silent on the Bill introduced by their late lamented leader, but who now opposed the present Bill. He must admit, however, that the hon. gentleman had been consistent.

The HOME SECRETARY: The hon. member had appealed to him not to introduce outside issues—not to raise questions which were not germane to the Bill. He did not wish to do so, but he wished to obtain from the hon. member for Clermont and those who supported the Bill an expression of opinion as to whether it was desirable to be thoroughly consistent in the matter. The hon. member for Clermont said it was not expedient to go further than he proposed. That to his mind was not a satisfactory answer to the objection he had raised. The hon. member ought to go further and say whether he was prepared to free from debt persons who were less able to bear the burden of debt than those who got regular wages.

Mr. DAWSON: We do not propose to free anyone from that obligation.

The HOME SECRETARY: Oh, yes, free the wages of single men. He was not arguing against the principle of the Bill at all; what he said was that if there was to be any extension of the principle it should go further than was proposed by the hon. member for Enoggera, so as to do equal justice to all the poorer classes of the community. He regretted to find that, with all the boasted democracy on the other side, his remarks had not found a single echo there.

Mr. DRAKE: You ought to have been ruled out of order.

The HOME SECRETARY: Why?

Mr. DRAKE: Because this is a Bill relating to the attachment of wages.

The HOME SECRETARY thought the Chairman knew his duty as well as the hon. member for Enoggera. He objected to the amendment in the same way that he objected to the Bill itself—he wanted to know from those who supported the Bill and those who supported the amendment whether they were prepared to follow to its legitimate conclusion the principle which underlay the Bill. He wanted to know whether it was a question of principle or one of expediency. Of course the wage-earner up to £3 a week had a vote, and it was expedient that something should be done for him; but the unfortunate widow whose claims he had been advocating had no vote, and he could see where the principle came in there. He further argued that the means by which the non-wage earning men supported himself and his family was also entitled to be protected if the wages of the wage-earner were protected. He failed to see that that was at all foreign to the question before the Committee. He asked hon. gentlemen on the other side to give an assurance as to whether they were prepared to go as far as he was. If they were not prepared to do so they were not good democrats.

Mr. GRIMES thought every man and every woman should meet the debts they incurred, and should be prepared to deny themselves to meet their responsibilities. For that reason he was not in favour of the Bill at all; but if they were to have it the scope should be widened as much as possible, and for that reason he was in favour of the amendment. But if the idea of the Bill was to conserve the living of the individual—to protect people from being deprived of their living—he did not see why it should be confined to wages men. There were hundreds of persons who were not wages men whose incomes were very small, and who had to pinch themselves at times—

Mr. DRAKE rose to a point of order. He wished to test the question as to whether the hon. gentleman was in order in speaking with regard to the claims of persons who were not earners of wages. This was a Bill to abolish attachment of wages, and did not refer to any person who was not in receipt of wages or salary.

The HOME SECRETARY: The hon. member for Oxley was perfectly in order in using as an illustration why this Bill should not pass—

Mr. McDONALD asked the ruling of the Chairman as to whether the hon. gentleman was in order in discussing the point of order?

The CHAIRMAN: Whenever a point of order is raised, before I give my ruling hon. members may give me their views. I ruled that the other day.

The HOME SECRETARY submitted that the hon. member for Oxley was perfectly in order in using arguments which tended to show that the Bill should not be passed, or that the amendment should or should not be adopted, and was justified in using as an illustration the condition of people who were not affected by the Bill. To limit the discussion to the consideration only of persons who earned wages would be to limit the right of free speech to a degree not contemplated by the Constitution or by the Standing Orders.

Mr. GRIMES said he was going to support the amendment.

Mr. McDONALD: What about the point of order? The Chairman hasn't given his ruling.

The CHAIRMAN: I am of opinion that the hon. member for Oxley was comparing one class who would come under the Bill with another class that would not come under the Bill, but who, in his opinion, would be entitled to be included; therefore I consider that the hon. member for Oxley was quite in order.

Mr. GRIMES: He could not see why that relief should be confined to wage-earners alone, and he would again urge the claims of a class which, he maintained, were in more need of assistance in that direction than those who had a regular income coming in from wages.

Mr. GLASSEY: Are you prepared to support a measure of that kind?

Mr. GRIMES: He was prepared to support the amendment, but at the same time he should reserve to himself the right to vote against the clause altogether.

Mr. GLASSEY: The Bill aimed at doing some good to a certain section of the community. It was admitted that the Act of 1894, permitting workmen's wages to be attached, had been injurious to a very numerous class. The Bill might not cover all the ground desired by some hon. members, but the question they had to consider was, if the Bill became law, would or would it not benefit a certain section of the community?

The HOME SECRETARY: What about the other section?

Mr. GLASSEY: If the other section was included in the Bill was it likely to become law?

The HOME SECRETARY: That is a question of expediency, not of principle.

Mr. GLASSEY: Some hon. members seemed extremely anxious to benefit all sections of the community. He was prepared to go as far as any of them in that direction, and he would dearly like to test their sincerity by asking them to abolish all claims for debt up to a certain figure. That was the logical outcome of the attitude they had assumed.

The HOME SECRETARY: It should be the logical position of the hon. member for Clermont, but it is not.

Mr. GLASSEY: He should like to see a measure introduced covering the whole ground, and he ventured to say that it would have no more decided opponents than those who were supporting the amendment, especially the hon. member for Oxley. A similar Act had been in force in Great Britain since 1870. He remembered the old law of attachment in full operation there, and he had also seen that Act at work. The old law gave rise to serious hardships and gross

abuses. Often, without the knowledge of the workman, a writ had been left at his residence, and when he went to draw his wages he found they were all stopped.

Mr. MACDONALD-PATERSON: Not all; only a portion.

Mr. GLASSEY: Yes, all. Both in Scotland and in England he had seen workman after workman going into the pay-office and not drawing a single shilling. That Act had been in force in England for twenty-eight years, and he challenged hon. members to point to a single instance where any hardship had resulted to the class for whose benefit the amendment was intended. Were not their wages covered in the same way as an ordinary labourer's?

Mr. DRAKE: Certainly not, I should say.

Mr. GLASSEY: He challenged the hon. member to mention a single instance where a clerk's wages had been attached since that law had been in operation.

Mr. DRAKE: If the Act has that effect it is only a matter of phraseology.

Mr. GLASSEY: That being so, where was the justification or the necessity for the amendment? He was prepared to go as far in that direction as the hon. member for Enoggera; but if they could get that Bill through Parliament, it would do substantial good to a large number of people who were anxiously looking forward to the protection embodied in it. During the last few weeks he had been met by several persons, especially in the West Moreton district, asking him if there was any likelihood of the Bill becoming law; because, since the Government Bill was before the House, there had been several cases in which workmen's wages had been attached, and considerable hardship had ensued. He knew of one case in which a man lost the whole of his wages, and had a wife and six or seven children to support.

Mr. STORY: Wouldn't a clerk be affected in the same way?

Mr. GLASSEY: No doubt, but if a section of the community would be benefited by the working of that measure, and it was found that the other section suffered any hardship through not being specifically mentioned in it, the Act could afterwards be amended. But as it had not been shown that any hardship had accrued to clerks under a similar measure in Great Britain, he contended that there was no reason for proposing the amendment, and with a view to make the Bill as simple as possible, and as acceptable as possible to another place, he would respectfully ask the hon. member for Enoggera to withdraw his amendment.

Mr. STORY should certainly vote for the amendment, not because, as the leader of the Opposition might think, he wished to block the Bill altogether, but simply to make it serviceable to a larger class than the hon. member for Clermont intended it to apply to, for if it was a good thing to protect men who worked for wages it must be a better thing to extend the same relief to a larger section of the community.

Mr. Cross: If you can.

Mr. STORY: If they could not, then let those who refused to do so take the responsibility of their action. He had a most unhappy experience about two weeks ago which had opened his eyes to the condition of clerks in Brisbane. He advertised for the services of a junior clerk, salary £100 per annum. He did it more as a matter of principle than anything else, so that he should not be asked by his own particular friends to choose a friend for the position, but he would never have advertised had he known what he would have to go through. He hoped to get two or three applications, but instead of that he got nearly seventy, some from married men, and others from men of good attainments who had

been working for half that paltry sum, and he was absolutely begged by men to give them the position. Were not men in such a position as much entitled to have their wages protected as men who worked with a pick and shovel, or a scythe? If any men were deserving of protection it was those men, for they were far more helpless when out of employment than the manual labourer, who could shift about from place to place and take any class of job; and he could not understand why the hon. member for Clermont objected to include them in his Bill.

Mr. McMASTER was sure that the hon. member for Bundaberg must know that in England the working classes were a more settled population than they were in this colony. In England scores of working people were born and died in the same village, while here the working classes were a floating population. He questioned very much whether many of the men who had been attracted to the city by the work in connection with the wood-blocking of the streets were not now 100 or 150 miles away from Brisbane, and possibly some of them had not paid the tradespeople from whom they received credit.

Mr. GLASSEY: How did the tradespeople get their money before 1894?

Mr. McMASTER: In the same way as they did now. How many garnishees had been issued?

Mr. GLASSEY: A great number.

Mr. McMASTER: No, very few indeed. He did not know that this discussion was coming on that afternoon, otherwise he would have got the number issued in Brisbane, for he saw it published not long ago in the *Courier*. No tradesman would pounce upon a regular customer and garnishee his wages, for in so doing he would be "killing the goose that laid the golden eggs." Although he had objected to the Bill all through, yet he had never issued a garnishee, and he never went to court. It was the floating population that caused all the trouble, and if this measure were passed it would be an inducement to dishonest men to work for a time in one place, and then clear out without paying the honest struggling tradesman who had been kind enough to give him credit. Moreover, the honest working man would suffer, for tradesmen would be more careful as to whom they gave credit, and men who deserved to be assisted would be unable to obtain credit. As hon. members no doubt knew, during the time of the flood scores of families in towns along the coast were assisted by tradesmen until they got over their difficulties. What would those families do if the tradesman refused them credit when calamity overtook them? Tradesmen did not rush into court to take out garnishees, and he had not altered his opinion that the Bill would do more injury than good, whatever might be the intentions of the hon. member.

Mr. DRAKE did not quite understand the remarks of the hon. member for Bundaberg, who could hardly have meant that the amendment he proposed would have covered some persons who were not covered by the English Act. He believed the hon. member for Clermont had adopted the terms of this Act. Then the hon. member for Bundaberg had stated that if this amendment were accepted it would make it more difficult to get the Bill through the Council, but that was an entirely unproved assumption. Were they to suppose that the Council was so entirely wrapped up in the interests of the working man that it would pass a Bill that benefited them only, while it would reject it if it extended the relief proposed to be given to clerical workers? Could any proof be given?

Mr. Cross: I shall give you proof.

Mr. DRAKE: The hon. member for Bundaberg also said they should pass this Bill as it was, and then if they found it desirable to extend the principle they could introduce this amendment in another Bill; but if they could not get the Bill through in its amended form what reason had they to suppose they could get it through at all? The constitution and temper of the Council was not likely to so change in a few years that although they might decline to give relief to clerical workers now they would give it later on. He was strongly of opinion that the Bill would be more acceptable to the Council with this amendment than without it.

Mr. CROSS would give some evidence in favour of his contention that the Bill was more likely to be passed by the Council without the amendment than with it. The hon. member for Enoggera knew as well as any other hon. member what was the temper of that House towards sweeping reforms of any kind in domestic legislation. All Legislative Councils opposed such legislation on the ground that it was their duty to check hasty legislation; but that meant that they considered it their business to check progressive legislation, and, therefore, it was unwise for the Assembly to send to the Council any Bills of a comprehensive nature. If the comprehensive Bill were passed by the Assembly, the property Chamber would restrict or moderate it, and that was the experience of the late Premier, who had an intimate knowledge and experience of the Council. That gentleman restricted his Bill to the same limits as this Bill.

Mr. DRAKE admitted that the remarks of the hon. member in regard to the tendency of the Council to oppose sweeping reforms were correct; but he did not admit that that tendency would come into action in this case. If he admitted, for the sake of argument, that the hon. member was right, was it not clearly his duty, knowing what he did, to throw upon the Council the responsibility of rejecting the wider measure?

Mr. Cross: I would rather get this measure than none.

Mr. DRAKE: The hon. member said that it had been the policy to send up sweeping measures of reform in the expectation that the Council would submit them to the whittling process and pass some of them. Therefore, why did not the hon. member accept the amendment, and if he found that the Council, while in favour of a measure benefiting only manual workers, would object if it included clerical workers—a position that was almost untenable—he could abandon that part of it? Bills were sometimes sent backwards and forwards two or three times, and he did not think it would be jeopardised at all. The hon. gentleman should accept the amendment, and if the Council were opposed to it it would be for the Assembly to consider whether it would not be advisable to accept a partial measure rather than nothing.

The HOME SECRETARY thought the contention of the hon. member for Enoggera was unanswerable. The hon. member should accept the amendment so that the onus of throwing it out should rest upon the Council, and not upon the Assembly. If the Council declined to allow the Bill to apply to clerical workers, the hon. member for Clermont could accept the amendment of the Council, and would then be in exactly the same position as he was now. Why did the hon. member refuse to do that which the hon. member for Enoggera apparently regarded as an advance in this class of legislation? He could only conceive that the hon. member for Clermont in refusing to accept the amendment was still guided by that spirit of expediency which he had expressed before. If the hon.

member was afraid that the Council would only grant that measure of relief with respect to one class, and if, as the hon. member for Enoggera suggested, they would have a decided objection to the measure being made applicable to workmen, why not extend the protection to clerks in the first instance and deal with the workmen afterwards?

Mr. Cross: Let us take a division. I will take the responsibility.

The HOME SECRETARY: The hon. member's responsibility was very easily carried; he had got none. Let the hon. member throw the responsibility where he said it ought to lie, and then they would know that he was sincere. The hon. member's attitude, both towards his suggestions and the amendment of the hon. member for Enoggera, caused him to doubt the hon. member's sincerity altogether. He suggested that the hon. member should accept the amendment of the hon. member for Enoggera. For his own part, he did not care which way it was. He had never liked the Bill.

Mr. McDONNELL: You did not oppose the Government Bill.

The HOME SECRETARY: Certainly not. That was a Government measure, and a very different measure from the one now before them.

Mr. McDONALD: You had to support it.

The HOME SECRETARY: He had not to support it. The hon. member for Mitchell was not inclined to give him credit for anything that he did not deserve, but that hon. member had that afternoon admitted his consistency in the matter. He did not like the Bill because, either things should be left as they were or else they should pursue a course which would—as the leader of the Opposition had said—give an indemnity to certain persons against paying their debts. He was not in favour of that. He believed in protecting tools of trade; they were protected at present. He believed in protecting bedding, but he did not believe in basing protection upon wages.

Mr. Cross: I can quote *Hansard* to prove that you were opposed to the protection of furniture and bedding.

The HOME SECRETARY: I am confident the hon. member can do nothing of the sort.

Mr. Cross: When I proposed a limit of £50 for furniture to be protected from seizure you opposed it.

The HOME SECRETARY: £50 was a little too much, but he was in favour of protection within certain limits. £3 a week was also too much.

Mr. Cross: They did not think so in the House of Commons.

The HOME SECRETARY: The hon. member was very fond of quoting the House of Commons, but the House of Commons had passed several measures which the hon. member did not worship. They had heard a great deal from hon. members on the other side about a certain Act passed in the time of one of the Georges. The hon. member for Fortitude Valley had shown very clearly the distinction which should be drawn between the condition of affairs in the old country and that which existed in Queensland.

The SECRETARY FOR PUBLIC INSTRUCTION was disposed to agree to a certain extent with the amendment, and he was sorry that the other side was not disposed to fall in with it. The amendment simply desired to extend the operation of the Bill. But the hon. member for Oxley had gone a little further than the hon. member for Enoggera, and pointed out that there were large numbers of persons who were equally deserving of consideration with annual labourers and clerks, and who were not

included in the Bill. If they were justified in legislating on the subject at all, the justification was that a certain income was necessary for the preservation of vital activities and to procure necessities. The hon. member for Oxley had pointed out that the necessity of living was not the prerogative essentially of persons who worked with their hands or with their pens for wages. The keepers of small shops or small farms had also to live, and they were as much entitled to protection from rapacious creditors as either the artisan or the clerk. There was nothing much to fall out with in the argument of the hon. member for Enoggera. The whole thing depended upon what was the minimum necessary to support life. A widow might be able to obtain £1 or £2 a week by her labours, and yet someone earning wages might owe her a considerable sum of money, which was absolutely necessary for the sustenance of the widow and her family. Where was the protection to come in, and who was to be protected? Was the widow to obtain what was owing to her, or was the person who owed her money to be protected? He regretted that a somewhat too limited view was taken of the classes affected by the Bill, or rather he should say a too special view. They pictured to themselves certain facts and dealt with them, but they were very apt to picture facts which were not those with which they would meet. Hon. members pictured to themselves an artisan who was being sued by a tradesman. They could not but help feeling that in that case the tradesman was better off than the artisan, but they had forgotten that there might be a case in which an artisan was indebted to an artisan. So that the litigation did not take place exclusively among one class of persons against another class; it might exist between two persons of the same class. Just as sometimes a workman at £3 a week was better off than perhaps a small tradesman, so it might happen that the tradesman was better off than the workman, but it did not at all follow. It seemed to him that it might be equally necessary to give protection to persons not earning wages as to those who were. For instance, take the case of the small grocer. There was nothing to guarantee that he would not be summoned for a debt owing by him to a larger tradesman, and there was certainly nothing to guarantee to himself or his family a week's or a month's rations when he got into difficulties. If the principle of protection was good in one case it should be extended still further. That was one defect in the Bill which he pointed out, and in doing so he was only following the lead of the hon. member for Enoggera. Whether it was democratic or undemocratic he cared not. It was by no means uncommon, if a person took up conscientiously a particular view of a case, to accuse him of being undemocratic. If he took up any position at all upon the subject it would not be a matter of surprise to him to hear that his sentiments were most undemocratic; and it was somewhat of a relief therefore to him to find that his sentiments—on this occasion, at all events—did not entirely clash with those held by one of the numerous parties on the opposite side of the House.

Mr. Cross: How many parties have you got over there? There are five or six.

The SECRETARY FOR PUBLIC INSTRUCTION: He did not know how many members there were on the other side, but at all events there were about as many parties as there were members. It had been said that if an advantage was given to those who earned their living by means of manual labour, a similar advantage should be accorded to clerical labourers. Whether any real advantage would accrue to either was extremely doubtful. Nothing was more certain than that, if the security which

the tradesman got was less than he had been accustomed to, then the advance, either in the shape of money or goods, which he made would be proportionately less also. If they prevented any body of persons from recovering advances or allowed them to be robbed of the value of that which they sold, that moment would there come about an alteration in the method of giving credit and the amount that was given. As to whether there was any advantage to any one class to have its credit restricted, that was a matter on which members must form their own opinions, but there was an impression amongst a certain class that the removal of the garnishee provisions of the law would be a serious drawback to them. The more difficult they made it to recover debts, the more difficult it would be to obtain credit; and so far, therefore, from the proposal being an advantage, it might become a positive disadvantage. There were a number of other points which had been raised by the leader of the Opposition and others on that side to which, if time permitted, he should have liked to refer, but, as he did not wish to prolong the discussion and thus prevent a conclusion being arrived at, he would curtail the further remarks he would otherwise have made.

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

AYES, 17.

Messrs. Dickson, Chataway, Philp, Dalrymple, Glassey, G. Thorn, Keogh, McMaster, Dawson, Tooth, Stumm, Newell, Fitzgerald, King, Cross, Hardacre, and Maughan.

NOES, 28.

Messrs. Hamilton, Dunsford, McDonnell, McDonald, Kerr, Jackson, Petrie, Stephenson, Stephens, Jenkinson, Armstrong, Story, Bartholomew, Turley, Drake, Groom, Castling, Curtis, Boles, Fogarty, Dibley, Moore, Stodart, Grimes, Corfield, Cribb, Kidston, and Stewart.

Resolved in the negative.

Question—That the words proposed to be inserted be so inserted—put; and the Committee divided:—

AYES, 35.

Messrs. Chataway, Philp, Dunsford, Kidston, Jackson, Curtis, Dawson, Story, Grimes, McMaster, Stephens, Kerr, Turley, Stumm, Bartholomew, Tooth, Armstrong, Jenkinson, Moore, Drake, Fogarty, Stodart, McDonnell, Boles, Grimes, Petrie, Newell, Corfield, Castling, Dibley, Stephenson, Cribb, McDonald, Stewart, and Hamilton.

NOES, 8.

Messrs. Keogh, King, Maughan, Cross, Fitzgerald, Glassey, G. Thorn, and Hardacre.

Resolved in the affirmative.

At five minutes past 7 o'clock, the House, in accordance with Sessional Order, proceeded with Government business.

ELECTIONS BILL.

FIRST READING.

The House having, in committee, affirmed the desirableness of introducing this Bill, it was, on the motion of the PREMIER, read a first time, and the second reading made an Order of the Day for Tuesday next.

TOWNSVILLE MUNICIPAL LOAN ACT REPEAL BILL.

On the motion of the TREASURER, the House, in committee, affirmed the desirableness of introducing this Bill, and the resolution was adopted.

OFFICIALS IN PARLIAMENT BILL.

SECOND READING.

The PREMIER: In rising to move the second reading of a Bill to amend the Officials in Parliament Act of 1896, I wish it to be distinctly understood that this Bill was deliberately framed and thought over by our late lamented Premier, Mr. Byrnes. This Bill is entirely his own

creation, and has not been framed or considered by the present Government through any circumstances which may have since arisen. It has no application whatever to any present conditions, and I wish hon. members therefore to understand that the measure is one, as I think I shall be able to show, that is absolutely necessary, and one that will be a very great convenience indeed to members of the Government. It is a legacy of the policy of the late Premier which it devolves upon us to submit to the House. The Bill is intended to convenience Ministers who have occasion for temporary purposes to leave their offices, and to ask some of their colleagues to perform their duties during their absence. Under the Officials in Parliament Act of 1896 the following Ministers are capable of sitting in Parliament, namely:—The Chief Secretary and Treasurer; Attorney-General, Solicitor-General, or Minister for Justice; Home Secretary; Postmaster-General; Secretary for Mines and Secretary for Railways; Secretary for Public Instruction and Secretary for Public Works; Secretary for Public Lands; and Secretary for Agriculture. And the 8th section of that Act provides that—

The Governor may from time to time authorise and empower any of such officers to perform and exercise all or any of the duties, powers, and authorities imposed or conferred upon any other of such officers by any Act, rule, practice, or Ordinance, and officers so authorised and empowered may perform and exercise any such duties, powers, and authorities accordingly.

This Bill proposes to repeal that section, and to extend its provisions so as to read as follows:—

The Governor may from time to time authorise and empower any of such officers, or any member of the Executive Council, to perform and exercise all or any of the duties, powers, and authorities imposed or conferred upon any other of such officers by any Act, rule, practice, or Ordinance, and the officer or member of the Executive Council so authorised and empowered may perform and exercise any such duties, powers, and authorities accordingly.

Mr. GLASSEY: Read the next paragraph.

The PREMIER: Yes. It is as follows:—

The term "Member of the Executive Council" includes any member of such Council heretofore appointed or hereafter to be appointed, but does not include the Governor or officer administering the government of the colony.

The necessity for this Bill will perhaps be better illustrated by what has occurred during the past six months than by any explanation. It will be within the recollection of hon. members that our late Premier had occasion to visit different parts of the colony upon his accession to office, and that some of his colleagues accompanied him. At that time also other colleagues were unfortunately disabled by sickness, and I may claim the record—if I may use the euphemism—of having then represented in my own person more portfolios than had devolved upon any Minister at any previous period. Of course, being one of the Ministers designated in the 4th section of the Officials in Parliament Act, any act performed by me was perfectly valid, and I could sign for the Attorney-General, or Treasurer, or any other Minister of the Crown who requested me to administer his department during his absence. At the same time that handicapped or loaded Ministers with an amount of work which it might have been beyond their ability to perform. I remember a case recently in which a gentleman who was not, but who is now, a portfolioed Minister, for many months performed the duties of Minister for Justice and Attorney-General; but yet, not being one of the Ministers mentioned in this 4th clause, any proclamation issued by the department had to be validated by a portfolioed Minister of the Crown. The late Premier was fully impressed with the necessity of being able to obtain or secure the services of a member of the Cabinet—although he

might not be a portfolioed Minister—to perform his duties during his absence, and this Bill now seeks to validate any act done by such a member of the Executive Council in the absence of a Minister, and to enable him to sign any proclamations and documents which may be necessary. The Bill has no political significance whatever, but deals with a mere matter of convenience, and did I not recognise its great convenience, and were I not satisfied that it was the intention of my predecessor to push this Bill through Parliament, I should not have presented it. I see no reason why it should not be proceeded with. My colleagues are fully aware of the exigencies of the many cases which have presented themselves in connection with departmental work, and this Bill merely seeks to validate the performance by members of our Cabinet of certain acts which they, as *locum tenens* for the Minister, perform on his behalf, and which cannot be published or proclaimed unless the signature of the *de facto* head of the department is attached. I do not think I need explain the matter any further. I only ask the House to remember that this is not a measure of recent creation so far as this Government is concerned, but I bring it forward as part of the policy of the late Premier, and I can thoroughly endorse it. I hope hon. members will divest their minds of any desire that, simply because there has been a change in the Government recently, there is any intention of introducing fresh principles or arrangements in connection with Cabinet proceedings. Doubtless, just at the present time, the idea of interfering with the Officials in Parliament Act may give the impression that we are asking for a new Minister, and there may be a feeling of uncertainty, because we must at once admit that the Cabinet is not yet complete; but I can assure hon. members—if they will accept that assurance from me—that this measure is simply introduced as a matter of convenience, and it has no other signification either in regard to the present members of the Cabinet or to the filling up of vacant seats. I have no hesitation in asking the House to pass the second reading of the Bill.

Mr. GLASSEY: The Bill now before us is a very innocent-looking measure at first sight, and according to the speech of the Premier it had no political significance whatever, nor do I say that it has. He has also told us that this measure formed part of the policy of the late Premier; but I do not see any mention of it in the programme submitted to us in the early part of the session.

The SECRETARY FOR PUBLIC INSTRUCTION: It was of too little importance.

Mr. GLASSEY: I think this is a measure which, if carried into law, will effect a very serious change, and, if I may be pardoned for saying so, I think it will be rather a dangerous change—certainly a change that I do not look upon with any favour. Notwithstanding the simplicity with which it is surrounded, it is a Bill that requires very serious and earnest consideration. It looks very innocent; it seems merely to give power to the Premier to give different members of the Cabinet authority to issue proclamations and documents which shall have the force of law. But surely a Minister ought to be responsible to the representatives of the people! And yet, if this Bill becomes law, a gentleman, being a member of the Executive Council, may hold any office, and be responsible to whom?

The PREMIER: The Cabinet as a whole are responsible.

Mr. GLASSEY: But not responsible to the representatives of the people in this Chamber. He will merely be responsible

to his seven colleagues, whoever they may be. We want the responsible Ministers, so far as possible, to be in close touch with the representatives of the people, but an outsider may be a member of the Executive Council. A gentleman was appointed a member of the Council the other day, against whom I have not one word to say. He holds a position in the other House, and is not at all in touch with the representatives of the people, but he might even hold the position of Premier, and might issue proclamations and do a hundred and one other things. The House might not be in session, but that gentleman would not appear here during the next session to answer for his acts during the recess, and the Ministers who were here might say, "We are sorry these things occurred. They were done by our colleagues during our absence. We had to be absent, and were bound to allow some persons to transact our business while we were away. All we can do is to try to avoid such things in future." An excuse of that kind would not be accepted by hon. members as satisfactory. I certainly do not wish to speak strongly against the Bill, but I do say that it is making a serious innovation to permit men to hold these positions and have the destinies of the country in their hands, without being within our reach at all. All we could hope to do would be to deal with the matter at second hand, through some other Minister. A measure of this kind should have been submitted to us at the opening of Parliament, because I attach great importance to it, and my opinions are shared by others. One would have thought that the powers conferred by the Act of 1896 would have been ample for all purposes, but the Premier tells us that the Act has not worked by any means satisfactorily—that difficulties have arisen. But he has pointed out none of the difficulties which have arisen. He has merely dealt in generalities, and generalities are not sufficient in the present instance. I am not inclined to agree with the second reading of the Bill because the Premier says that Ministers have frequently to go away, and those left in charge cannot sign documents and issue proclamations as they will be able to do when this Bill becomes law. I shall only read the marginal note of the eighth section of the Act of 1896—"Duties imposed by law on any Minister may be ordered to be performed by other Minister." The marginal note to clause 2 in the Bill is, "Duties imposed by law on any Minister may be ordered to be performed by another Minister or member of the Executive Council." If the Bill becomes law, it may be that an outsider—at any rate, an outsider so far as the representatives of the people are concerned—will be called upon to act as Minister, and the only control we will have over his actions is the control we may exercise over his colleagues in this Chamber when Parliament meets, supposing Parliament is not in session when the actions complained of take place.

The PREMIER: The Minister is himself responsible for the actions of his *locum tenens*, and the Cabinet is responsible as a whole.

Mr. GLASSEY: We need only refer to what has taken place in connection with the New Guinea concession. We find now that one man is most anxious to shift the responsibility from his shoulders and place it on the shoulders of another. This matter will very likely be discussed before Parliament rises, but the gentleman who it is alleged is chiefly responsible for what has occurred is now occupying a responsible position in another Chamber.

The HOME SECRETARY: But he held a responsible position here at the time.

Mr. GLASSEY: Can the representatives of the people in this House act as effectively in

the absence of that gentleman? That is a matter for some consideration, and yet we are here asked in the coolest possible manner to make a drastic change—because it is a drastic change. It may be that a man who is a fairly worthy citizen is called upon to act as a Minister of the Crown because he happens to be a member of the Executive Council, and, perhaps, occupies a seat in another place, and yet he may be a man who would not command the respect of a very ordinary constituency in the country, and who could not find a seat in this House. Yet that man may deal with all kinds of questions of State policy, and the only persons who can be held immediately responsible are his colleagues who have seats in this House. Is it possible to go as fully into the New Guinea business as it would be if Sir Hugh Nelson occupied the place which he used to occupy in this Chamber? The discussion loses its point most materially. Assuming that that gentleman is the party most responsible—and I believe he claims a considerable deal of responsibility—the discussion cannot be as satisfactory as if he still held the position of Premier with a seat in this House. I trust hon. members will not treat the matter lightly, but will carefully and calmly go into the whole subject. I view the proposal with considerable misgivings, and with a considerable deal of suspicion. If the Bill becomes law—as no doubt it will by a considerable majority—I do not think many years will elapse before some of those who are prepared to vote for the second reading to-night will regret the votes they are now about to give. In the meantime, I am by no means inclined to support the second reading.

Mr. ARMSTRONG: Are you going to vote against it?

Mr. GLASSEY: I am not quite sure yet. I am anxious to hear some more tangible reasons in its favour than have been given by the Premier, and some more detailed information regarding the difficulties which have led to its introduction.

The TREASURER: There was a case last year when Mr. Wilson was acting.

Mr. GLASSEY: The Premier stated that during the tour of the late Premier some difficulties had arisen. Well, we want to know what those difficulties were. I have no desire to prolong the discussion, but I hold the opinion that it is most undesirable that a member of the Executive Council who does not occupy a seat in this House should be placed in such a position as this Bill will place him in. I shall be very glad to hear what those members who are prepared to vote for the Bill have to say in its favour, and it is possible they will be able to offer some better justification for it than the Premier has done. I view the Bill with disfavour from almost every standpoint, and, unless much stronger reasons are given than those given by the Premier, I am not by any means agreeable to vote for the second reading.

The HOME SECRETARY: The leader of the Opposition has very greatly exaggerated the importance of this Bill. It is one merely of convenience in matters of administration, and will not affect the responsibility of Ministers to Parliament in any way whatever. The hon. member, if he will pardon me for saying so, has somewhat marred his speech by the suspicion which he assumes to cast on the measure. The statement of the Premier requires no confirmation from me that this Bill was prepared by the late Premier after his return from the North. The necessity for it was markedly impressed upon Mr. Byrnes, owing to circumstances arising out of the performance of his duties while he was away in England. He was Attorney-General, and the Minister who performed his duties—except the formal signing of certain matters

provided for by statute—was the Hon. W. H. Wilson, a member of the Upper House, now Postmaster-General, but then without portfolio. Owing to the want of this measure Mr. Thynne, who was then Secretary for Agriculture, had to be gazetted as *locum tenens* for the Attorney-General, while Mr. Wilson did the work, except in these purely formal matters I have alluded to. The hon. member says that no Minister ought to hold office unless he is responsible to this House. Why, it is a fact that not only any Minister, but the Prime Minister himself, may hold any one of the eight offices in the Ministry without holding a seat in either House.

Mr. DRAKE: But it has never been tried on.

The HOME SECRETARY: Unless the hon. member for Enoggera refers to the fact of the Prime Minister not having had a seat in either House, I may tell him that it has been tried on. Mr. Pring held office as Attorney-General for a considerable time without being a member of either House.

Mr. DRAKE: While he was trying to get a seat.

The HOME SECRETARY: He had been defeated for Fortitude Valley.

Mr. BELL: The Chancellor of the Exchequer in England, Mr. Goschen, was in exactly the same position.

The HOME SECRETARY: This Bill does not alter the Constitution in any way. The freedom of holding office without a seat will not be curtailed or extended by this Bill. But the hon. member has gone further, and said that no Minister ought to hold office unless he is responsible to this House. Well, under our Constitution—of which the Officials in Parliament Act is an important item—it is quite impossible that the whole of the members of the Government should have seats in this House. There are eight portfolios mentioned in the 4th section, and the preceding section requires that not more than seven of those shall be held by Ministers in this House. The other one must either have a seat in the Council or nowhere. As a matter of fact, though Mr. Thynne held a portfolio, it was not convenient for him to do the work of Attorney-General, and Mr. Wilson voluntarily undertook the work. The management of the department was in his hands, but not completely so, in consequence of the absence of such a measure as this. The hon. member has also quoted a case, most illogically, I think, of the New Guinea concession and the responsibility of the Prime Minister to this Chamber for his action. That is a most unfortunate instance, because at the time Sir Hugh Nelson did whatever was complained of with regard to New Guinea he was Premier of the colony, and held a seat in this House and was directly responsible to the House and his constituents.

Mr. GLASSEY: But he is no longer responsible.

The HOME SECRETARY: Would the hon. member desire to prevent any man resigning and ceasing to be a member of this House? That hon. gentleman has gone elsewhere, and no law we could pass could prevent him from resigning. All that is asked by this Bill is that a member of the Executive Council, whether he holds a portfolio or not, should be at liberty to perform certain duties; but he cannot possibly draw any salary for his work, and if the hon. member thinks so he is mistaken.

Mr. GLASSEY: I do not care whether there is any salary or not. It is his responsibility to this House.

The HOME SECRETARY: I am only trying to meet the arguments which I assume the hon. member had in his mind, and to which he did not give utterance, because I can really find no criticism of the Bill in what he did say. If the

hon. member or anyone else thinks there is any thing in this Bill by which any Minister without portfolio performing the duties of a Minister with a portfolio can draw a salary, he is making a mistake. It is only the persons who are proclaimed and appointed by the Governor as holding the eight portfolios who can be salaried Ministers. If the Bill is not passed the only effect will be that in the event of such circumstances arising as arose last year during the absence of Mr. Byrnes in England, instead of one of the members of the Ministry who has no portfolio being able to perform the whole of the duties of the absent Minister with perfect authority, they will have to be done as they were done by Mr. Wilson last year, and certain formal documents—a very small proportion—will have to be signed by one of the eight portfolioed Ministers. Of course, it would have been quite competent for Mr. Thynne, while holding the portfolios of Agriculture and Postmaster-General, to have performed all the duties of Attorney-General, but it was decided by the Cabinet that a non-portfolioed Minister should perform those duties, and it was arranged that Mr. Wilson should perform them during the absence of Mr. Byrnes. I do not think there can be any possible objection to this Bill. If it is not accepted because it is thought that there is some sinister motive for its introduction, it will only cause possibly a slight inconvenience to certain members of the Ministry.

Mr. MACDONALD-PATERSON: The Home Secretary stated in the early part of his speech, in reply to the hon. member for Bundaberg, that no matter what happened in the way of arranging portfolios it would not affect the responsibility of Ministers one bit, as such, to this House. That is where the kernel of the question comes in, and the matter has been discussed freely in the city to-day amongst prominent citizens who take a deep interest in the welfare of both Houses of Parliament. We know very well that it would be sometimes a great convenience, as has been done by Ministers without consulting their followers within the last few days, to appoint men in either House or both Houses to the Executive Council without portfolio. In the city and in the provinces the conclusion arrived at is not as the Prime Minister said this evening—that the introduction of this Bill has no application to existing conditions nor has any political significance whatever.

The HOME SECRETARY: Perfectly true.

Mr. MACDONALD-PATERSON: Somehow or other the thinking part of the community who are in the metropolis, near to Parliament, have got it into their heads to the point of absolute conviction that there is political significance in the attempt to introduce this Bill. Be that as it may, I rise to oppose this Bill on general grounds, and I beg hon. members to give ear to the few words I have to say. I say that within the scope of this Bill there is great danger of the Government of the day extending what may be styled their patronage to any man in the Legislative Council or in the Legislative Assembly who may be for the time being a pet of the majority of the Cabinet. He may be a pet personally, or a pet in a business aspect; and he may be their pet and not the pet of the community; he may be a man who is utterly at variance with the community on the great public questions of the day, and be quite out of sympathy with the majority of the constituencies. That being so, it is a danger. We understood the other day that we were to have the confidence of Ministers—the followers of this party, which is called a party by courtesy, and a very good party it is—but the introduction of this Bill is very significant

indeed. We are told that we are to follow everything that is found in the box belonging to the late Premier of the colony.

The HOME SECRETARY: No.

Mr. MACDONALD-PATERSON: I think the Premier has said on more than one occasion that his policy is the adoption of a policy that never was declared to the country. That is what the people objected to at one time, but it seems that the policy is found in a box and we are informed by the Home Secretary that having been found in a box and prepared from views arrived at by the late Premier when in the old country—

MINISTERS: No, no!

Mr. MACDONALD-PATERSON: The hon. gentleman said the late Premier prepared the Bill after his return from the mother country to meet an inconvenience he felt had arisen during his absence with regard to the performance of the duties of Attorney-General. But this was not disclosed in the Speech at the opening of Parliament.

The SECRETARY FOR MINES: It was not of sufficient importance.

Mr. MACDONALD-PATERSON: I regard it as a matter that should have found a place in the Speech. It is not of the simple insignificant character that the interjection of the Minister for Mines would imply, and we are not going to be caught by that line. I say most respectfully that it is one of the most important matters ever introduced into our constitutional practice. It is of a most insidious character. The danger is what transpired the other day, when a member of the Legislative Council was appointed—

The HOME SECRETARY: That was done without this Bill.

Mr. MACDONALD-PATERSON: I know that. Perhaps the suggestion of the appointment of the member of that House was found in the box too. At any rate, I take this opportunity of saying that several most prominent members of a certain body of people in this colony have called upon me and written to me within the last four hours that they are not in accord with that appointment.

Mr. BELL: Hear, hear!

Mr. MACDONALD-PATERSON: They regard it as one of the most serious blunders that could possibly be made by a Ministry at the tail-end of its existence, and at the tail-end of a session with a moribund Parliament.

The SPEAKER: I think that, in discussing the provisions of this Bill, the hon. member is out of order in reflecting on an appointment made by the Ministry.

Mr. MACDONALD-PATERSON: I can show very clearly that it is extremely cognate. Are we not dealing with a member of the Executive Council? I should like your ruling on that, as I have no wish to break the rules of order or of propriety. But here I respectfully assert what I am told by some of my strongest supporters both here and hundreds of miles away from Brisbane in other electorates that it is regarded as a probably undesignated coincidence that this Bill comes along on the heels of an appointment which has not found favour externally to the Ministry themselves. And therein lies the danger. How do we know that the Legislative Council may not have another couple of Ministers without office within the next fortnight or three weeks? At any rate there is a preponderance there of Ministers without portfolios that is totally unjustifiable. If a Minister without portfolio is required, I look round on the cross benches on the other side, on the benches behind Ministers, on the cross benches on this side, and I see members who have followed this continuous Ministry through thick and thin, in darkness and in light, in all

the political storms that have arisen during the last eight or nine years; and they are passed aside for one who is practically a neophyte in the life of politics and in the councils of the country. These are matters that require our best attention, and I hope the younger members of the House will specially take notice of them. Talking of the legacy of the late Premier, we have had that about a score of times. The better plan would be to schedule the contents of that box and pass the list round to members of both Houses—because the other House must be regarded now to some extent—so that we shall no longer be exposed to sudden surprises that may at any time be sprung upon us. We have had separation now for thirty-nine years—since December, 1859—and during the whole of those four decades we have got along with the parliamentary administration of the country without any difficulty. And now we are told that this is to meet fresh difficulties that may occur under like circumstances. I ask the House is it at all likely that every Minister for Justice or Attorney-General is going to rush off to the mother country every year? Such a jubilee year will never come again. The Assembly would never support such a thing. Even under similar circumstances the country would never stand the expense if they were to come about every four years. The Treasurer would certainly buck at it, and the constituencies would object to it most strongly. So that the suggested idea of saving trouble and inconvenience in the future will not hold water. What trouble is it for a responsible Minister with a portfolio to sign the papers in question; and why should a member of the Executive Council be told off to perform the duty of a Minister, even though it is done for nothing? But has it always been done for nothing? It does not do to inquire too closely into the past, but I know that in two cases substantial recompense has been given and received for duties so performed—not by the Minister himself certainly. I think that with regard to an important matter of this kind the Government should have taken their party into their confidence. Its ramifications are so broad and so far reaching that even one or two of the Ministers, I observe, are unable to perceive them. But I can analyse the subject-matter pretty fairly, and peer into contingencies that may arise in the future of the Government just as we to some extent are guided by their past conduct—not only of this but of all other Governments. In Victoria, with a small territory and with a population a little more than double that of ours, they have ten Ministers, and there is only one Minister without portfolio. Consequently they do not suffer from those inconveniences that have been mentioned by the Premier and the Home Secretary. I have advocated for many years, both in this House and elsewhere, that seven Ministers are too few for this great country and its growing interests. And the country does not want Ministers appointed who are not responsible to the people. They want Ministers whose aspirations are founded on their votes from constituencies, and not anyone whom the Cabinet may choose to take into their favour. Why should strangers be taken into the confidence of the Government? Bless my soul! I say it would be more justifiable for the Premier to take the hon. member for Flinders, Mr. McDonald, into his confidence and make him a Cabinet Minister than to do what has been done recently. That is the crux of the question. Ministers say they are responsible to this Assembly. We all know very well what that means. They say, "If our actions do not please you, bring a vote of want of confidence and turn us out." But we do not always want to do that.

It is often a most inconvenient duty. They say they are responsible to the House for such an appointment as this. It is quite true in a sense, but we know that the responsibility, such as it is, sits extremely lightly on the shoulders of all the members of the Cabinet, from the Premier downwards. I am strongly of opinion that this is a surprise Bill that should have been well considered by the Government, and that it is one with respect to which the party should have had an intimation of the intentions of the Government at least a week anterior to its introduction. Its effects in the future will be far-reaching, and unwholesome to the body politic, and not in the interests of the country. I do not care how clever a man is, or how his standing may be, if he is not a member of this Chamber I do not think it is desirable to appoint him a member of the Cabinet under such circumstances as the recent appointment was made. There is some excuse for the Hon. A. H. Barlow being a member of the Ministry without a portfolio, as he has been ten years a member of Parliament, and has had experience as a Cabinet Minister as well as a member of the Legislative Council. But there are other members who are older members of Parliament and had longer experience than the gentleman who had the honour to be appointed by the Government the other day. For that gentleman I have the highest respect. I have known him for very many years; but if he were my own brother I should deal with this matter in the same fashion as I have dealt with it to-night. I regret that I have had to refer to it, but it is my duty to the Ministry, to the country, and to my constituents to say what I have said, and if I had a year's notice of the intention of the Government to bring in this Bill, it would make no difference in my conclusion with respect to it, for I should do as I shall do to-night—vote against its second reading.

Mr. BELL: The hon. member who has just resumed his seat has stated that he will oppose this Bill on general grounds. I shall also oppose the Bill on general grounds, and I shall attempt to justify those general grounds by a very particular and very recent example; and I shall do that despite the attempt to throw over this Bill the ægis of the late Prime Minister, a gentleman whose prestige looms as largely in my mind as it does in the mind of any hon. member of this House. If the arguments that have fallen from the Treasury bench go for anything, they establish this fact—that any reorganisation that is necessary with regard to administration in this colony should take the direction of an additional Minister. We have had an excellent case made out for the appointment of an additional salaried Minister. We certainly have not had a case made out for the perpetuation of that system of floating Ministers which the last few years have witnessed developing in the colony. Hon. gentlemen have cited in support of their case the history of their experience within the last few years, and have pointed out that owing to the absence of first one Minister and then another Minister, either in another colony or on the other side of the world, it has been necessary to look around the Cabinet for some man who would temporarily take upon his shoulders the burdens of the absent Minister. Can that object not be better achieved by adopting the practice that is resorted to in other colonies, and that is invariably resorted to in Great Britain? On those rare occasions when a Cabinet Minister in the old country does take it upon himself to go abroad, his work is invariably done by a colleague, and not by some hon. member who discharges the duty as a journeyman Minister in the Cabinet, waiting for any emergency that may arise to employ his services. That is one

argument that I advance in opposition to the contention of the Treasury bench, and I fortify that argument by laying this consideration before the House: that it is to our interest, as representatives of the people, to have face to face in this Chamber, to as large an extent as we can, the direct salaried heads of Ministerial departments who shall directly bear the brunt of the criticisms that we bring to bear upon them and who in their own persons will accept the responsibility of their actions and reply to our criticisms. That condition of things is preferable to the other state of things which obtains, and under which we have to look to another place for a man who has discharged fitfully and irregularly the duties of an office, the proper discharge of which is really of prime importance to members of this Chamber. That consideration I put before hon. members as a matter of prime importance—that we as representatives of the people should insist upon having before us the man who is duly charged with the responsibility of a department, and that we should not be content with some substitute who in order to fall in with the convenience of a member of the Cabinet, undertakes to attend at the office every day and perform a species of clerical work. We should not be prepared to accept such a substitute. But if any argument on the score of economy, or on any other ground, can be advanced against the proposal to appoint an extra Cabinet Minister—and I submit that no adequate argument can be advanced against it—let us adopt the suggestion I have made on more than one occasion in this House, and that is to start the principle of parliamentary under secretaries.

The HOME SECRETARY: You would double the size of the Cabinet.

Mr. BELL: No; under secretaries are not in the size of the Cabinet.

The HOME SECRETARY: You would double the size of the Ministry.

Mr. BELL: They would be in the Ministry, but they would not increase the size of the Cabinet, though they might increase the number of men who sit on the Treasury bench. I do not know that it would largely increase the expense of governing the country, but in my opinion it would very largely increase the efficiency of the government of the country. Certainly it would be a preferable course to the system that has lately obtained. I submit that as a course which is preferable, because we should either appoint an extra salaried Minister—that is, we should have nine paid Ministers in this colony—or we should inaugurate the system of parliamentary under secretaries. Personally, I believe that the system of under secretaries would be preferable, but either of those alternatives is preferable to the course which Ministers invite us to take in this measure. I am totally opposed to the principle of putting men in a Government without a portfolio. I do not know when it was first done in Queensland; I do not know that it ever came into force before it was adopted by the Cabinet which took office in 1883, and I do not know that Mr. Sheridan, who held that position, discharged Ministerial duties.

An HONOURABLE MEMBER: It was done long before that.

Mr. BELL: Then I am sorry the evil is so deep-rooted.

The HOME SECRETARY: Mr. Ramsay held office as a Minister without a portfolio for a long time.

Mr. BELL: It is interesting to know that; I have certainly forgotten it, if I ever did know it. At all events, that does not justify the present procedure. I do not know that we have to go back further than three years ago to find for the first time two men in the Cabinet, neither of whom holds

a portfolio, and neither of whom is responsible to this House. One result of this disposition to introduce into a Cabinet men who do not hold a portfolio, who are not directly responsible to this House, and who have not to undergo the ordeal of facing a constituency in order to obtain a seat in this House, is that you give an opening to political machinations—I cannot think of any other word, though probably a milder term might meet the case, if I could think of it—but at all events you give an opening to political manœuvring that is not desirable, and that we should not give an opportunity of encouraging. Although it would appear from the ruling you have just given, Sir, that you do not hold the same view, I wish to say that by a very recent appointment to the Cabinet we have an instance of the evil that would result from the adoption of this system of appointing men without portfolios. We have just had an appointment to the Cabinet under the principle which the Government are advocating under this Bill—a gentleman who in his private capacity I believe to be everything estimable—

The HOME SECRETARY: That does not affect the case.

Mr. BELL: I have never heard a word against him. He is in every respect an admirable man I am convinced, but no man has ever accused him of being a politician. He has never shown any interest in politics whatever, and he has never identified himself with a political party. Yet we find that he has been suddenly promoted to Cabinet rank! A member of another Chamber, he has been called into the deliberations of this Government, and he will perform whatever functions he will have to perform in a place utterly beyond direct criticism here. Why is that hon. gentleman in the Cabinet? I have no hesitation in saying why. He is a mere sprat thrown out to catch the Roman Catholic vote. That is the sole reason why he was put in.

The SPEAKER: I think the hon. member is entirely out of order in making those remarks.

Mr. BELL: I do not think I need to say that I treat with the utmost respect any ruling that comes from you, Sir; but when I deem that it is proper for me to take a certain course, and a certain line of criticism, and in taking that line of criticism I am, in my humble opinion, not infringing the rules of the House, I must endeavour, so far as I can, to have my way.

The SPEAKER: I think the hon. member must see that he was imputing dishonourable motives to the Government. I would also remind him that whilst he may be in order in referring to any Minister without portfolio, and apply his argument as an objection to this Bill, he should not condemn the appointment of any Minister upon this occasion. I think the hon. member will see the distinction between the condemnation of the appointment of a gentleman as a Minister without portfolio, and showing that that individual would not be fit to hold office under this Bill.

Mr. BELL: Before I deal with that point I would say that I did not use the word "dishonourable." Any hon. member can come to his own conclusions upon the effect of my criticism, but I merely say that I have no wish to apply the word "dishonourable" to any member on the Treasury bench. If I thought their conduct was dishonourable I should not take the opportunity of the second reading of a Bill to say so, but should come forward with a direct vote and ask for an expression of the opinion of the House. I say that they are adopting a political manœuvre, and I shall justify my statement here and elsewhere. What I want to say is this: That in the principle which the Government are urging in this Bill—of giving a scope to the

appointment of Ministers without portfolio—we witness a condition of things which I am attempting briefly to describe. I contend that I am quite in order in attempting to do that, and merely say in palliation—if palliation be necessary—that I do not intend to pursue that line of criticism at any length. But I insist upon my right, having entered upon that criticism, to complete what I was going to say, and certainly I believe I could do it with perfect appositeness to the measure. I believe that an appointment of that kind—to which the passage of a Bill like this gives every encouragement, and to which the rejection of a Bill like this would give a very powerful check—is not a creditable appointment to the Cabinet. It involves two things—either that the first consideration in the appointment of a man to an office is his creed, and, secondly it is in my opinion—and I say so deliberately and clearly—acting upon the assumption that the Roman Catholics of this colony are fools, that they are going to form their estimate of a Cabinet by the creeds of the men who compose it.

Mr. KEOGH: Take my word we will not be put upon that way.

An HONOURABLE MEMBER: Logrolling.

Mr. BELL: They are not fools.

The SPEAKER: I think the hon. member is going entirely outside the question. I do not see that his remarks are at all relevant to the Bill. I ask him to show, if he can, that the individual appointed is not competent to take office under this Bill. If he could do that he would be in order, but simply to condemn the appointment is entirely out of order at this stage. If he wishes to indulge in charges of that sort he should do so by a direct vote of want of confidence.

Mr. BELL: I appreciate the value of your endeavour, Sir, to state clearly the interpretation of the rules upon this point. As it is an interesting one, and perhaps a fairly important one, if I may respectfully do it, I should ask you to state again in a very few sentences to what extent I can criticise this appointment. You admitted that I could do it to a certain extent, but I did not clearly catch to what extent.

The SPEAKER: I tried to convey to the hon. member this fact: That if he wishes to show that any member of the Government without portfolio is incompetent to hold an office which is provided for in this Bill he will be in order in using it as an argument against the passage of this Bill. To that extent I think he may go, but no further.

Mr. BELL: What I am endeavouring to show is this: That this Bill allows considerations to come into force in the choice of a Cabinet Minister which undoubtedly would not be brought into play if the principle which this measure encourages were checked. If we insisted upon the point that every Cabinet Minister, except, say, one, had to find a seat in this Chamber, the appointment recently made, and the considerations which operated in making it, would never have been allowed any play at all. That is the point; and I respectfully submit that, to some extent at any rate, I am in order in alluding to it. At all events I shall pass away from that by saying that I devoutly hope that the class of people whose votes it is expected to catch by this appointment will not be deluded.

The SPEAKER: Order! The hon. member is again transgressing.

Mr. BELL: I shall now pass away from that point, and only say that I believe it is the duty of this House to oppose this Bill. It is the duty of this House to insist upon getting Ministers here face to face with the representatives of the people. It is our duty to do away with the system of emergency Ministers, and do away

with a system which permits of announcements in the *Gazette* that so and so is discharging a certain office to-day and another office to-morrow, and which allows one Minister to run the whole gamut of Ministerial office, and which also allows a Minister practically to become a kind of nimble sixpence and suggest the game of the thimble and the pea. A Minister is here to-day, what office will he hold to-morrow? There are men in another place who discharge the duties of Minister without portfolio, and who are in the Cabinet for the mere purpose of acting as *locum tenens*—men who do not impress their individuality upon the departments and who bring to their departments no definite line of policy, and who practically exist for the purpose of acting while another Cabinet Minister is out of the colony. I say the sooner we put an end to that system the better. The sooner we insist on the men who are supposed to administer the departments administering them and staying in the colony as much as possible, and sitting in this House as much as possible, the better. And the sooner we put an end to this system of floating Ministers the better it will be for the country.

HONOURABLE MEMBERS: Hear, hear!

Mr. GROOM: The crux of this Bill is very clear. The 8th section of the Officials in Parliament Act of 1896 provides that the "duties imposed by law on any Minister may be ordered to be performed by another Minister." It is proposed to repeal that section, and the marginal note of the section which is to take its place reads—"duties imposed by law on any Minister may be ordered to be performed by another Minister"—and then comes the dangerous part, and the part which is a perfect innovation in the history of this colony—"or member of the Executive Council." I do not think that ever in the history of this colony such a clause has ever been introduced into any other Act of Parliament. I have no recollection of it.

Mr. MACDONALD-PATERSON: Nor in any other colony.

Mr. GROOM: I do not believe such a clause has ever been introduced in any other colony either. The Home Secretary has alluded to the fact that Mr. Robert Ramsay was appointed by Sir Arthur Palmer—then Mr. Arthur Palmer—for a short time as an honorary member of his Government, but that is going back to the early "seventies," and it was only a temporary appointment until a vacancy occurred, when Mr. Ramsay was made Colonial Treasurer.

The HOME SECRETARY: I only mentioned it because it was stated that this had never been done before.

Mr. McMASTER: Then there was the case of the Hon. George Raff.

Mr. GROOM: That case can hardly be considered similar to the present. The whole Constitution was at that time practically suspended, and the whole of the Government usurped and carried on by three commissioners, of whom the Hon. George Raff was one. But that state of affairs only lasted for a week or so. An honorary member of the Government was only appointed for a short time in the early "seventies" in the case of Mr. Robert Ramsay, when Mr. Palmer condescended to carry on the Government of the country on the casting vote of the Speaker, and when we had three dissolutions in the course of three years. But that is a state of affairs which, now that the House has increased from thirty-two to seventy-two members, we are not likely to see occur again. In 1883 the late Mr. Sheridan was appointed an honorary member of the Cabinet out of compliment to his long and distinguished services to the colony, and, of course, it was considered that the Wide Bay district should have a representative in the Government.

The HOME SECRETARY: Mr. Raff was in the Macalister Government for four months.

Mr. GROOM: From 1883 up to the present time honorary members had been appointed to the Government as members of the Executive Council, but this is the first time under the Officials in Parliament Act that an effort has been made to give such a status to those honorary members as is proposed by this Bill. I am not one of those who think that this innovation should command the sanction of the House. Let us take the case which occurred at the end of 1895. We then had three Cabinet Ministers who went away on a holiday excursion to Honolulu, and during their absence their functions were discharged by other Ministers. One of those Ministers in particular, during the absence of his colleagues, gave hon. members to understand that the general election would not take place until the month of April, in order that electors whose names were registered in January should be revised by the appeal courts, and be entitled to vote at the general election. After being absent for six weeks from the colony, in the face of this promise, on the return of his colleagues, the whole of the departmental action of that one Minister was entirely set on one side, and the colony, in the month of March, was precipitated into a general election, and some 4,000 electors were disfranchised. That was what occurred in 1895. Supposing the House sanctions this Bill, under section 2 the whole Ministry, at the close of the session, might take a holiday, appointing three or four honorary members of the Executive Council, and they might allow the whole work of the Government to be carried on by honorary members of the Government. Is there anything to prevent it? It is not proposed, even in this Bill, to limit the number of honorary members of the Executive Council. These appointments may go on *ad infinitum*, and half-a-dozen members may be appointed.

The HOME SECRETARY: That can be done without this Bill.

Mr. DRAKE: No.

Mr. GROOM: You could not give them authority to administer departments as it is now proposed to do. The hon. gentleman himself admitted that owing to the absence of the late Attorney-General in England the honorary member of the Government who was appointed to administer his department was unable to sign documents for him.

The HOME SECRETARY: As long as there is one Minister with a portfolio, he can sign all documents.

Mr. DRAKE: By breaking the law.

The HOME SECRETARY: The other seven might all be away.

Mr. GROOM: That might be done by getting round the law, but it is not a practice which should commend itself to the common sense of the country or of hon. members.

The HOME SECRETARY: It is a question of what is possible.

Mr. GROOM: It is not a question of what is possible, but a question of what is right to be done in the interests of the country.

The HOME SECRETARY: That could be done now.

Mr. GROOM: If it was necessary that these official documents should be signed by the gentleman acting for the Attorney-General, why did not the Government do what has just been done in New South Wales? The Attorney-General of that colony was going away on a holiday. There were certain documents required to be signed during his absence, so the Premier was gazetted Solicitor-General, and he will sign all documents. The 4th section of the Officials in Parliament Act provides for the appointment

of an Attorney-General and a Solicitor-General, and what was to prevent the Government appointing a Solicitor-General instead of having an unofficial member of the Government to carry out the functions of the Attorney-General, and then have to get a salaried member of the Government to sign all documents? I put completely on one side what the Premier said about the Bill being drafted by the late lamented Attorney-General. It may have been necessary for the hon. gentleman to make that statement, but it is not necessary for us to consider that just now. The hon. gentleman put it to us that it was a matter of the convenience of Ministers. Now, the hon. gentleman has certainly not pointed out that any inconvenience at all has arisen through the non-appointment of an honorary member of the Government. There are eight Ministers provided for under the Officials in Parliament Act. Has any inconvenience arisen from the want of a ninth Minister of the Crown? If so, then I concur with the hon. member for Dalby that it would be the duty of the Government to come down and ask for the appointment of an additional Minister and make out a good case for the appointment. I think it would be far better in the interests of the country, the Government, and of Parliament, that in place of appointing honorary members of the Executive Council, who may undertake administrative duties, power should be asked for the appointment of an additional Minister. Is it not opposed to all principles of government that a gentleman in no way connected with this Assembly might have charge for three or four months of a department, and play high jinks with it? The Minister could not be held responsible for the acts of his *locum tenens*, and the department might become in a thorough state of disorganisation. At all events, if the House concedes this power, then I say the power to appoint honorary members of the Executive should be limited—the Government should not be allowed to appoint more than one, two, or three. If it were otherwise, they might appoint half-a-dozen honorary members of the Executive, who would administer departments of State while not being responsible to this House. If a division is called for, I shall vote against the second reading of this Bill.

Mr. JACKSON: The hon. member who has just spoken pointed out what might happen under this Bill—that all the departments might be administered by honorary members of the Government. I do not think that is a contingency at all likely to happen, but it might happen that three or four departments of State might be administered by honorary members. We find the principal Act provides for eight portfolios, and the eight Ministers administer no less than eleven or twelve departments of State. There is the Chief Secretary and Treasurer, Attorney-General, Solicitor-General, and Minister for Justice, the Home Secretary, the Postmaster-General, Secretary for Mines, Secretary for Railways, Secretary for Public Instruction, Secretary for Works, the Secretary for Public Lands, and the Secretary for Agriculture, all of which may be considered separate departments, and making in all eleven departments. So that we might have seven Ministers sitting in this House and four Ministers administering four different departments outside the House, and in no way responsible to Parliament. When it was mentioned that Ministers would not be responsible to Parliament the Treasurer interjected, "How long would a Government last under those circumstances?" Of course it is always recognised that the Legislative Assembly, having the power of the purse, has a sort of command over the Government, but although that is so yet at the recent Federal

Convention, in drafting a Commonwealth Bill, which is the most recent effort at constitution framing, we find it was made compulsory that Ministers should have a seat in one House or the other. That is provided by clause 64, which reads as follows:—

The Governor-General may appoint officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish.

Then the 3rd paragraph in the clause reads—

After the first general election no Minister of State shall hold office for a long period than three months, unless he is or becomes a senator or a member of the House of Representatives.

It is quite clear from that that the Convention believed in Ministers holding seats in one House or the other. The Senate will be practically a House constituted similarly to the House of Representatives. There would be no comparison between the Senate of the Commonwealth and our Legislative Council. If we had a Council here on the same lines as the proposed Federal Senate, we should not have any great objection to several Ministers sitting in that House, although we might have strong objection to more than one Minister sitting in the Legislative Council. We want Ministers present here, so that we may be in touch with them, and so that we may be able to go to them on departmental business. This Bill would give the Government rather more power than they ought to have. It is all very well to say that it is only meant to facilitate departmental work. There is something more in it than that. Possibly it might not be abused by the present Government, but my opinion is that it would not be wise to allow it to go through.

Mr. ARMSTRONG: I have very few words to offer on this Bill. I would say first most distinctly that it is about time we heard the last of the statement in this House that this or that measure was drafted by the late lamented Premier. We all much regret that he is with us no longer, but it is quite unnecessary to have the fact trotted out when each piece of legislation is introduced. As far as I am able to gauge public opinion, I believe it is the general desire that Ministers should, as far as possible, have seats in this representative Chamber; and further than that, I believe public opinion is all in favour of members, when they accept offices of profit under the Crown, going before their constituents and receiving their endorsement. That is the tendency of public feeling, and we want no perpetuation of that state of things which we have had for so many years—the appointment of honorary Ministers to carry on the departmental work. The hon. member for Toowoomba was right in pointing out that any member of the Executive Council could perform the work of Minister, but I would also point out that a man who once becomes a member of the Executive Council in Queensland remains a member of that Executive Council during his life. It is exactly akin to the Privy Council. Does not that place the proposition in a more absurd position still? A man who has been out of Parliament years and years may be called upon to administer a department. Can any proposition be brought in savouring of greater absurdity than that? I ask not as a member of this party, but as an independent man—and I ask the Premier to study the question—what position will the Premier occupy in days to come when he expects the party following him to support the administration of an irresponsible member of the Ministry? It is putting an undue strain upon his supporters, and one which he cannot fairly expect them to bear. I wish to say before sitting down that I cannot congratulate the leader of the Labour opposition with regard to this Bill. He says he is well

aware of the sentiments of the country at the present time, yet he cannot decide as to whether he should vote for or against it. It is unlike the hon. member, and I should have thought he would have decided one way or the other. I shall vote against the second reading of the Bill.

Mr. STORY: This Bill is intended to enable the duties of Ministers to be temporarily performed during their absence by Ministers without portfolios. All I have to say is, that if Ministers were more often away and less in the House it would be better for the departments and better for the country generally. If any arrangement could be made under which the Ministers for Lands and Railways could get away, there would be fewer mistakes made and the departments would be better carried on. The Minister can only be away for a short time; the Minister without portfolio must retire when he comes back, and I take it for granted that the Minister is fully responsible for the acts of his *locum tenens*, therefore a good man would naturally be chosen. It seems to me that there has been more said about a late appointment than about what is in this Bill; but that has nothing to do with the Bill as far as I can see. And I cannot see that the question is such a big one. It seems to me that in a new country like this it is necessary that Ministers should go more about the country than they do, in order to get more closely into touch with the people. The advantage of that was shown by the trip of our late lamented Premier. The trip made by the late Minister for Lands had the effect of making him a far better Minister to deal with than he was before, and I should be very glad if we could get Ministers to go more frequently into portions of the colony like that which I have the honour to represent, so that when we come to discuss rents, and occupation, and that sort of thing, they would have a far better general knowledge of the position of some of the people they govern than they possess at present.

The SECRETARY FOR PUBLIC INSTRUCTION: This is really a harmless Bill to create so much sensation. The leader of the Opposition, with his usual perspicacity, termed it a Bill which seems innocent. I venture to say that it is innocent, and that it proposes very little change in the procedure that has been followed in the past. Ministers without portfolio are no recent invention. Such an institution has existed, I believe, very nearly since the foundation of the colony. I cannot avoid noticing that the principal objections which have been taken to the Bill—or which should have been urged against the Bill—have on the whole been much more largely directed against a recent appointment made by His Excellency the Governor of a member of the other Chamber to the Executive Council. This Bill is not—as some of my hon. colleagues have already said—in any way connected with that appointment. The Bill had been thought of for a considerable time, and if hon. members ask why it was not made part of the Government policy as announced in the Speech, I may say that it is simply a measure of convenience to enable Ministers to do what, in another way, they have done for a long time. It should not be expected that Bills considered by Ministers to be of a very minor character should be prominently put forward in the Government policy. With regard to the remarks of the hon. member for Brisbane North about adopting the policy of the late Premier, I may say that there is nothing wonderful in the present Ministry continuing that policy. The hon. gentleman said he supposed we found it in a box—that the late Premier did not take his colleagues into his confidence. What is more natural, and what is more right, than that whatever measure the late Premier considered judicious and wise—

measures upon which he consulted his colleagues—should be brought forward by the Government? But the appointment which has just been made, according to the hon. member for Dalby—and I may say that I am astonished at the hon. member's remarks—it is said that it has been made because the hon. gentleman who has been appointed is a member of the Roman Catholic church. That is an extraordinary objection. The late Premier belonged to that faith, and I am not aware that the fact of his becoming Premier was in any way owing to any desire on the part of the party to get the benefit of support to which they were not otherwise entitled. According to the argument of the hon. member for Dalby we cannot appoint a Roman Catholic without an objection being raised; and I venture to say that the hon. member objects to the appointment far more than to the Bill, for some reason or other. The gentleman who has been appointed is one of the most worthy citizens in Brisbane; he is widely connected with business, and there is no reason to doubt his administrative power; and I have heard it said again and again that if the Ministry included more commercial men it would be a good thing for the colony. There are other gentlemen whose counsels are desirable besides members of the legal profession. I do not know anything whatever against the appointment of that gentleman, and certainly any Ministry who would refrain from appointing a Roman Catholic because reflections of this kind would be made upon them would not long retain the confidence of Parliament. One proposal which seems to find favour with the House is that there should be another Minister. Possibly they might get along more peaceably if they had twelve more Ministers, but the objection is taken that we must not have a non-paid Minister, because he is a relieving Minister, and a relieving Minister is not absolutely necessary. But if a Minister is sick or absent, another Minister has to fulfil exactly the same functions, and the object of this Bill is to enable that to be done with a little less inconvenience. It has been deemed desirable that certain things that can be done in a slightly roundabout way should be done in a more direct manner. But unless there is really a public necessity, although there may be a parliamentary one, for appointing an additional Minister, I am not aware that it would be desirable. It must be proved to be absolutely necessary. What is maintained at present is that if the condition of affairs which has previously existed is very slightly altered it will do away with the necessity for another Minister. With regard to any particular object the Government have in view in bringing in this Bill, I fail to see any. The Government are not going to stay here as members of the Government for ever. The leader of the Opposition, or perhaps the aspiring member for Dalby, may by-and-by be members of a Government, in which case the arrangement will be quite as convenient to them as it will be to us. But what it is desired to accomplish by this Bill can be, and as a matter of fact has been, arranged by some other method. Of course a Minister must be responsible directly or indirectly to this House, and the objection that has been taken that a Minister cannot be responsible for what is done by his *locum tenens* is not a good one. If three or four Ministers are away, other Ministers have to administer their offices for the time being; and they must be, and are, responsible in those offices for what the Ministers, whose places they have taken, have done. It is necessary that something of the kind should be done occasionally in order to carry on the business, and I can see no way less objectionable, less costly, and by which you could get better security, so far as parliamentary super-

vision is concerned, than the one now proposed. If the Minister does not do his duty, the remedy is that the House will refuse to give him that support without which he cannot be a Minister. There is exactly the same safeguard in the other case. If someone is made a member of the Cabinet with certain duties to perform, if he does not perform those duties rightly and well, it is certain that not only the Minister whose place he has taken will suffer, but the whole Ministry will suffer. Hon. members have taken up time in conceiving remote possibilities—what might happen if somebody did something. If the Railway Commissioner said he would not allow any more trains to run, what would occur? What if Her Majesty chooses to exercise a tithe of the power she possesses? As hon. members know, any morning she could disband the army; she could pay off the navy, and I am not at all certain she could not sell the ships. But although these terrible things hang over the British nation the British nation still manages to pursue "the even tenor of its way." And although it suits hon. members to paint the most terrific pictures of what will happen if a member of the Cabinet is allowed to do certain things—which, as a matter of fact, he does now and has done, only some other Minister comes and validates them—there is not the slightest cause for alarm. Under the present arrangement Mr. Wilson has to get Mr. Thynne to sign a document; if this Bill is passed Mr. Wilson will be able to sign the documents himself. If the Premier happens to be away and certain business has to be done, one of his colleagues undertakes it, but the Premier is held responsible. It really matters very little whether the Bill passes or not. I do not consider it one of great importance, nor did the Government consider it of sufficient importance to take a prominent place in the measures put forward by them. The leader of the Opposition did not consider it of very great importance. And I venture to say that if it had not been for the appointment—which has no earthly connection with the Bill, and the genesis of which was many months ago—of a member of the Upper House to fill a place in the Cabinet, not a word of what we have heard to-night would have been said.

Mr. COLLINS: Some hon. members say they can see neither the necessity nor the justification for the measure before the House. Possibly a good deal of harm may result from its operation, but it will certainly enable the Ministry to carry on their work with less inconvenience than has hitherto been the case. It appears to me that the responsibility of Ministers will remain unaffected by the measure, and I shall give it my support. The principle they propose to adopt may be open to abuse, but that is their business, and they should be allowed to manage their business in their own way.

Mr. ANNEAR: I am going to support the second reading of this Bill, which has been long required. By passing it, responsible Ministers will be able to travel a great deal more over the colony than they have done hitherto, and I contend that they ought to do so. I am disappointed that some hon. members who are more conversant with Constitutional law, and especially with the appointment of Ministers, have not addressed themselves to this important Bill. I should like to have heard the hon. member for Bulloo on the subject.

Mr. LEAHY: You will hear him when you sit down.

Mr. ANNEAR: I should like to have heard the hon. member, for I always listen with great respect to his opinions, because I look upon him as an authority on matters of this kind. I was very much pleased when I saw in the papers that

the Government had the foresight to appoint such an able man and distinguished colonist as Mr. George Gray—a gentleman who has held a position in another place for many years past—to the position of Minister without a portfolio. I have known that gentleman as long as any hon. member in this House; I have known him from a boy, and from that time up to the present he has worked his way up by his own ability, energy, and judgment to the high position which he now holds, and I feel sure that he will do good service in the councils of the country. The hon. member, Mr. Macdonald-Paterson, and the hon. member, Mr. Bell, would lead the House to believe that this appointment is an innovation, but I shall show hon. members that there is nothing new about it. It is a practice that has been in existence ever since Queensland has had responsible Government. I shall give to the House the names of members who have held the position of Minister without a portfolio. The first was the late Sir Maurice O'Connell, who held that position for three months; then Mr. J. G. Galloway held a similar position for three months; the late Dr. William Hobbs for nine months; the Hon. John Bramston for two years and seven months; the Hon. John Douglas for one month; the late George Raff for four months; Mr. Robert Ramsay for two years and ten months; Mr. R. B. Sheridan for one year and three months; Mr. W. Pattison for five months—

Mr. MACDONALD-PATERSON: They were members of the Assembly.

Mr. ANNEAR: Some of them were never members of the Assembly.

Mr. MACDONALD-PATERSON: The last two were.

Mr. ANNEAR: Sir Thomas McIlwraith held a similar position for three months, Sir James Garrick for four years, and the Hon. A. J. Thynne for five months. All those gentlemen have held the position of Minister without a portfolio under different Governments in this colony, so that it is clear that such appointments are not an innovation. Although I have been in this House for over fourteen years, it appears that I am a novice in politics, and especially in politicians who take part in the debates in this House. I must have had scales over my eyes for a long time, but they have been removed this evening. I am of opinion that a politician should be as consistent as any man engaged in any other work outside this House. I have tried to be consistent ever since I have been here, and I intend to continue to be consistent. I think I am doing my duty to the country in acting as a faithful supporter of the Government, whom I intend to support on this Bill. There is going to be no trimming about me. If I am going to support a Government I shall sit behind them, and when I can no longer support them I shall go over to the other side of the House. This measure will prove very useful; and I regret that the hon. member for Dalby, for whom I have the highest respect, should introduce into this House this evening a question that will not in any way redound to his credit or to the credit of the House itself. I consider that in this young and prosperous colony, which is going to become a great country, we are all Queenslanders. There should be no distinction of class or creed; we should all engage as Queenslanders in the one great work of building up this country and making it what we believe it will become—a colony worthy of our race.

Mr. LEAHY: The hon. member who has just sat down was good enough to ask me to give my opinion on this matter, and he did so in a very nice way. Of course the hon. member can speak nicely when he likes, and I think it would

have been much more to his advantage if he had continued to speak in the same nice manner to the end of his speech. I believe he always intends to do so, but, like myself, he is sometimes carried away by his impetuosity. I regret, and I am sure he will regret to-morrow and for many years to come, and that every hon. member regrets the attitude taken by the hon. member to-night. He gave us a lesson on what hon. members on this side of the House should do if they think of voting against the Government. There is no seat in this House that belongs to any member. By courtesy Ministers sit on the front bench. This House is not like the House of Commons, where a member may retain a seat which he has chosen before the reading of prayers. Here a member can sit where he likes, independent of the Ministry, and he can snap his fingers at them. The hon. member for Maryborough gave us a lecture on the duty and allegiance members are supposed to give to their chief, but what is the position with regard to himself? We all know the position he took up with regard to federation—how, giving expression to his opinions in that high falutin style which we have heard this evening, he claimed the hon. member for Dalby as his leader. Why did the hon. member desert him to-night? He deserted a leader he has a right to be proud of, and he had never a better right to be proud of him than after hearing the speech he made to-night—a speech that would have been cheered in the House of Commons, which is the first assembly of gentlemen in the world. I take this opportunity of complimenting the hon. member for Dalby. I say that since I have been in this Chamber I have certainly never heard a more concise, able, and lucid speech than his. I would go further, and say that I never heard a speech delivered in this Chamber or outside it that was delivered with finer effect or in finer taste. I may also say that I emphasise every word he said. Of course it is entirely a question of taste whether matters of the kind introduced by the hon. member for Dalby should be introduced. Everybody has a right to be the judge of his own actions in such a matter, but I saw nothing wrong in the speech, and I am certain that he was speaking from sincere conviction. When an hon. member representing a constituency feels strong emotions within him on a question of this kind, and there is a certain thing which has a right to be spoken, he would be a craven character if he did not express it, regardless of what Ministers and their supporters think about it. Nobody has championed the Government more than the hon. member for Dalby has, and for the Government to abuse him because he has the courage of his convictions and is not afraid to utter them is not worthy of hon. members, unless they wish their supporters to be mere sycophants.

Mr. KERR: He was accused of logrolling.

Mr. BELL: There is not the slightest warrant for any such statement.

Mr. LEAHY: I do not think the hon. member for Dalby can be accused of logrolling. He has sufficient talent to enable him to take a place in any Ministry. The remarks members of the Government have made reflecting upon the motives of the hon. member for Dalby were as clumsy and transparent as the motives for the appointment the hon. member for Dalby referred to, and which will only end in ridicule and failure. All thinking men are astonished at the want of tact and judgment which prompted them to make them.

Mr. MCGAHAN: No such thing.

Mr. LEAHY: The hon. member had better go to the Downs and see how the crops are.

Mr. MCGAHAN: Will the hon. member go and see how his "jumbucks" are.

Mr. LEAHY: I regret having to say this, but with regard to the denomination the hon. member for Dalby referred to, I can only say that he emphasised the feelings of that body, who think that this is a slap in the face to a body of men who are no better and no worse than any other body. So far as I am concerned I should not care if the whole bench of Ministers were Presbyterians or members of any other church in the world, so long as they govern the colony well. I do not think that a man's creed ought to have any consideration or be taken into account at all.

The HOME SECRETARY: Why refer to it?

Mr. LEAHY: I am not referring to it.

The HOME SECRETARY: You are backing up the man who did.

Mr. LEAHY: The hon. member for Dalby uttered his honest convictions. We do not often agree; we often fight in a fair way, and we respect each other even when we differ. I always admire the hon. member even when I differ from him, but he had honest opinions and he spoke them.

Mr. FITZGERALD: And they were correct, too.

Mr. LEAHY: He was criticised by the arch-destroyer of the Government, and was called a logroller, and I contend that those imputations were undeserved.

The HOME SECRETARY: They did not come from the Treasury bench.

Mr. LEAHY: They came from the Secretary for Public Instruction. Any hon. member who knows me knows that I do not shirk those matters. No man fights Ministers more than I do or gets less from them, unless as a matter of right. If I have a right I insist upon it, and I can fight my own battles either on the floor of this House or in the country. I am not afraid to say either inside the House or outside of it what I think. However, let us get back to what the hon. member for Maryborough is so anxious about—constitutional law. Of course every hon. member knows that constitutional law is a branch of the common law.

The HOME SECRETARY: Is it?

Mr. LEAHY: If the hon. gentleman does not know it I shall tell him.

The HOME SECRETARY: There is plenty of constitutional law which is not common law.

Mr. LEAHY: I am not talking about police court law. I am talking about constitutional law as distinguished from statute law. They are distinct and different things.

The HOME SECRETARY: No they are not. You do not know what you are talking about.

Mr. LEAHY: When we talk about constitutional law we distinguish it from statute law. I think it was the hon. member for Toowoomba who said that a member of the Executive was appointed for life.

Mr. GROOM: I did not say so. It was the hon. member for Lockyer.

Mr. LEAHY: I think the hon. member for Lockyer is right. The contention was raised by the best constitutional lawyers in Queensland in regard to the case of Sir Thomas McLivraith some time ago. He was appointed a member of the Executive and continued to hold that office although Ministries came and went, and he remained in that position until he resigned. But that is not the position of the hon. gentleman who was referred to by the hon. member for Dalby. That gentleman knows nothing about the Government of the country or the conduct of departmental business or Cabinet affairs. I do not think he knows the Standing Orders of either House, but the Cabinet is a different thing from the Executive. This new Minister is not a member of the Executive, he is a member of the Cabinet, and there is a great difference between the two. A member of the

Executive is like a member of the Privy Council, who does not give advice until he is asked; and I understand that a member of the Executive does not go to Cabinet meetings unless he is sent for to give advice. But this hon. gentleman goes to Cabinet meetings without being asked; he has practical functions, and may administer a department. How is this clumsy, transparent effort going to work if he does not administer a department? What will be the value of the Premier's scheme? It will be useless. But this gentleman is a member of the Cabinet. He generally knows what he is about, and, if he is a member of the Cabinet, he will have a full say without waiting to be invited, the same as any other Minister. Unfortunately we have no record of what takes place in Cabinet. Sir Erskine May says that we have not a single instance of what they do in Cabinet. It is a kind of freemasonry; no man can tell anything which takes place there even when he leaves the Cabinet. Its proceedings are even more sacred than those of cancanes. The hon. gentleman for whom this Bill has been brought in is going to be a member of this Cabinet, at all events.

The PREMIER: There is absolutely no connection between the two things. I already said so.

Mr. LEAHY: Does the hon. gentleman say that if this Bill has no connection with that hon. gentleman at the present time it may not have the closest connection with him to-morrow? Does the hon. gentleman wish to insult our intelligence? The Bill is quite clear.

The HOME SECRETARY: The only people whom it will affect are the portfolioed Ministers.

Mr. LEAHY: It will affect the Ministry, and it will affect their reputation very much. They are the only people whom it will affect. There was a time in the history of England when the representatives of the people insisted that not only when a Minister took office should he go before his constituents, but that he should also go before them when he changed from one office to another.

Mr. MACDONALD-PATERSON: They are going to do that again.

Mr. LEAHY: It would be a very good thing if they did it here. We would then have some system instead of this continuous Ministry. What I object to this continuity for is that it has reduced members who ought to have backbone into allowing Government to assume an autocratic position. They have no say whatever. This is the first night in the history of this Parliament for many years on which hon. members have risen to the position which they should occupy, and I am very glad to see it. It has been pointed out already what the result of passing the Bill will be. In dealing with a measure of this kind we must not point out what its apparent object is or what the Minister in charge of the Bill says it is going to do. What we have to consider is to give the widest stretch to the construction that may be put upon it—what is possible to be done under it. It has been pointed out by several hon. members that it will be possible under this measure for the whole of the members on the front Treasury bench to leave Brisbane and go away to Tasmania for six months, handing over the Government, as soon as the session is over, to men who were never heard of in political life before, who know nothing of political matters, and who, when Parliament meets again, will not be responsible to anyone for the way in which the Government of the country or the departments have been administered by them during the absence of the Ministers proper.

The HOME SECRETARY: That can be done now.

Mr. LEAHY: It is not done now.

The HOME SECRETARY: It is not likely to be done in either case.

Mr. LEAHY: Then what is the object of introducing the Bill? This Bill gives that a sanction. The first thing we will be asked if we pass the Bill is, Why did Parliament pass it unless it was intended to use it? Is it to lie dormant? The country would not put such a construction upon its passage. Knowing what a dead-and-alive body we have been in the past, the country would not believe that we had passed an Act of Parliament without intending it to be used. Either it is to be used, or the Premier should not have introduced it. I do not wish to give any more constitutional law to the hon. member for Maryborough. I have given him as much as he can digest on the present occasion, I think. I hope to see the hon. member, when the reign of common sense returns, return to the allegiance of his chief, the hon. member for Dalby, and that on some future occasion he will express his regret for having departed from that allegiance—for having turned from the teaching of the hon. member for Dalby which he has followed for so long with benefit to himself and advantage to the country.

The TREASURER: One would imagine from the violent speeches which have been made on both sides of the House that this was a deep-laid scheme on the part of the Government. The Bill has been prepared for some time past. It was only when the late Premier went home and left the Hon. Mr. Wilson in charge of his department that it was found that Mr. Wilson could not sign documents, as he was a Minister without portfolio. It was at his request mainly that the late Premier took the matter up. Mr. Wilson had arranged to do the late Premier's departmental work while he was away. The Hon. Mr. Thynne was Postmaster-General and Secretary for Agriculture, and was unable to act in addition as Attorney-General, and Mr. Wilson did the bulk of the work, but could not sign important documents. It was simply to prevent any such difficulty arising in the future that this Bill was introduced. I can assure the House that it has nothing whatever to do with the appointment of the Hon. Mr. Gray as a Minister without portfolio.

Mr. LEAHY: Are you ashamed of it already?

The TREASURER: We are not ashamed of the appointment. One would imagine that there never had been Ministers without portfolios before. The father of the House, the hon. member for Toowoomba, tried to mislead this House when he told us that in 1883 the first Minister without portfolio was appointed. Why, the first Ministry we had in Queensland had no less than four Ministers without portfolio.

Mr. BELL: They were simply putting the Constitution into working order.

The TREASURER: In the first Herbert Ministry the Ministers without portfolio were Maurice Charles O'Connell, John James Galloway, William Hobbs, and John Bramston. That was from 1859 to 1866.

Mr. BELL: They were not simultaneous.

The TREASURER: No; not all of them. In the Macalister Ministry—of which the hon. member for Toowoomba was an illustrious follower—I find that the Hon. John Douglas was a Minister without portfolio. There were none in the second Herbert Ministry, but in the second Macalister Ministry the Hon. George Raff was a Minister without portfolio. Again, in the Palmer Ministry, Mr. Robert Ramsay was Minister without portfolio from 28th March, 1871, to 8th January, 1874.

The HOME SECRETARY: For two years and ten months.

Mr. MACDONALD-PATERSON: A scandal

The TREASURER: Again, in the Griffith Ministry—to which the hon. member who interjects that this is scandal belonged—there were two Ministers without portfolio. Is that a scandal? The two Ministers without portfolio in that Ministry were Mr. Sheridan and Sir James Garrick was the other.

The HOME SECRETARY: For four years he was out of the colony.

Mr. MACDONALD-PATERSON: He held the position when he was in London only nominally.

The TREASURER: In the last McIlwraith Ministry there were two Ministers without portfolio—the Hon. A. J. Thynne and the Hon. A. H. Barlow. They were in that position for a long time. In the Nelson Ministry the Hon. A. H. Barlow and the Hon. W. H. Wilson were Ministers without portfolio in the other House for a long time. I take it that if any Ministry should abuse the powers given by this Bill, then would be the time for this House to find fault. If any Government should do wrong under its provisions, they will be responsible. If we do wrong, this House or the country will tell us of it. I am rather astonished at the warmth of the speech of the hon. member for Dalby, and when he comes to reflect on what he has said, I am sure he will regret it. No man has a greater respect for the hon. member than I have; but his remarks meant that no Roman Catholic should be a member of the Ministry at all.

Mr. BELL: You are doing it unintentionally, but you are absolutely misconstruing my remarks.

Mr. LEAHY: He certainly did not say that.

Mr. BELL: Mr. Speaker,—I wish to make a personal explanation, if the hon. gentleman will pardon me for a moment. What I said was that the primary reason that brought about the late Cabinet appointment was the fact that the man appointed was a Roman Catholic, and I did not believe the Roman Catholics were going to be fooled by a transparent device of that kind.

The TREASURER: I deny the assertion. I say that Mr. Gray is as old and respected a citizen as any man in the colony. He is a shrewd business man, and his advice in the Cabinet will be of great assistance to the Government. It is not the intention of the Government as far as I know, to have more than one Minister in the Upper House. We have never had more than one portfolioed Minister there, and if the Government think they can get along with six Ministers in this House they save £1,000 a year. But I do not think that is the intention, or that the House will be met with less than the full complement of Ministers. I think there has been a little bit too much haste over this Bill.

Mr. MACDONALD-PATERSON: Yes, there has.

The TREASURER: I am astonished at the hon. member for North Brisbane talking about the party not having been consulted about the appointment that has been made.

Mr. MACDONALD-PATERSON: I did not do anything of the kind.

The TREASURER: I understood the hon. member to say so.

Mr. MACDONALD-PATERSON: I will make an explanation also in one sentence. I complained that the party, as had been arranged, had not been taken into the confidence of the Ministry with respect to the introduction of this Bill. I never spoke about the Minister at all.

The TREASURER: I understood he referred to the Minister.

The HOME SECRETARY: So did I.

The TREASURER: It was a matter of no importance whatever whether the Bill was brought forward or not. It was the present Postmaster-General, when acting without portfolio, who called attention to the want of such a

measure, and when the Attorney-General came from England he drafted the Bill. I regret very much that the discussion has led in the direction it has, because I do not think the appointment of Mr. Gray deserves the censure it has called forth. Mr. Gray is an honourable gentleman, as far as I know.

Mr. BELL: Hear, hear! I say that as lustily as anyone.

The TREASURER: He is a man of great knowledge of this country—perhaps greater than that of most men on this side. He has been a most successful man in business, and it is men of that character which any Government should be proud to call to their assistance in managing the affairs of the country. He is not a great speaker, but he has always taken an active part in politics. He has not been in the habit of going on the hustings and talking, but in every election he has taken an active part in assisting this side to be returned.

Mr. MACDONALD-PATERSON: And this is his reward.

The TREASURER: I remember the time when the hon. member for North Brisbane was rewarded.

Mr. MACDONALD-PATERSON: I refused a seat in the Cabinet three times.

The TREASURER: But still the hon. gentleman accepted. We all look for rewards.

Mr. MACDONALD-PATERSON: That was no reward to me.

The TREASURER: Some men are in the habit of saying that they are very sorry when they are appointed to these positions.

Mr. MACDONALD-PATERSON: I was very sorry I accepted.

The TREASURER: But very few men refuse the position of Minister. They are ever ready to say that they are sacrificing an enormous amount of money and a great deal of their time to take the position, but when they come in they generally keep their seats as long as possible. However, it is a matter of indifference to the Government whether this Bill is passed or not.

HONOURABLE MEMBERS: Oh, oh!

The TREASURER: To my mind it is. It is not an important measure; it is not vital in any way.

OPPOSITION MEMBERS: Oh, oh!

The TREASURER: If the House thinks it is, then let us go to the country. I will be as pleased as any man in the House.

MEMBERS of the Opposition: Hear, hear!

The TREASURER: I am not a bit afraid to go to the country.

Mr. McDONALD: The Premier is.

The TREASURER: The Premier is not. He is just as prepared to go to the country to-morrow as in six months' time. If there is a straightforward vote of want of confidence he is prepared to fight it, and if necessary go to the country. I maintain that that is the straightforward course to adopt instead of trying to challenge the Government by a side wind.

MEMBERS on the Government side: Hear, hear!

The TREASURER: Not by opposing a paltry Bill like this, which really has no meaning in it at all.

MEMBERS of the Opposition: Oh, oh!

The TREASURER: This Bill has never been discussed even by the Cabinet. It is like a number of other small, trumpery Bills. It is just about as important as the little Bill I tabled this afternoon in reference to the Townsville municipality. I can assure hon. members that they attach far too much importance to this measure. The country for the last thirty-nine

years has got on very well without such a measure, and it would get on just as well for another thirty-nine years without it.

An HONOURABLE MEMBER: It is a far-reaching Bill.

The TREASURER: It is no more far-reaching than the appointment of a Minister without portfolio in the Herbert Ministry.

Mr. MACDONALD-PATERSON: Why, at that time they could not even get justices of the peace.

The TREASURER: As far as I am concerned, whether the House throws out the Bill or not, it will not affect the Ministry. They are prepared to go to the country to-morrow if necessary, and I believe they would do better if they went at once than if they waited.

Mr. MACDONALD-PATERSON and Mr. LEAHY: What has that to do with it?

Mr. McDONALD: You are out of order in discussing the matter in the way you are doing.

The TREASURER: If I have trespassed I am sorry, but a lot of latitude has been allowed to members to-night.

Mr. McDONALD: The hon. member for Dalby did not get much.

The TREASURER: He went a great deal further than I did. However, if hon. members want to defeat the Bill let them do so at once.

Mr. CRIBB: I have listened carefully to the speeches of hon. members, and notwithstanding all that has been said I fail to see that there is any principle involved in this measure. It has been already explained that it simply validates what has been the practice in the past. It would certainly be a great convenience if Ministers without portfolios were able to relieve overburdened Ministers of portion of their departmental duties, and I see no reason why the practice should not be continued. Many of the objections which have been raised would be more properly dealt with in committee than on the second reading, but I do not think many of the arguments which have been used can be fairly levelled against the Bill at this stage. The hon. member for Lockyer and the hon. member for Bulloo seem to see danger in the Bill because it would enable gentlemen to become members of the Executive Council for life; but there is really no danger, because unless a member of the Executive Council was also a member of the Cabinet he would have no voice in the administration. In the same way, members of the Privy Council, unless they were gazetted members of the Cabinet in the old country, have no voice in the administration. I will just give an illustration. The Hon. G. W. Gray has been made a member of the Executive Council, and may be asked to administer a department, but if at any future time the hon. member for Bundaberg is called upon to form a new Cabinet it does not follow that because the Hon. G. W. Gray is now a member of the Executive Council the hon. member for Bundaberg will necessarily include him in his Cabinet. When gentlemen retire from their positions in the Cabinet they also retire from the Executive Council, so that there is no danger to be feared from a number of gentlemen becoming members of the Executive Council for life. The hon. member for Lockyer argued that members of Parliament on accepting office should go before their constituents for re-election. That was formerly the rule, but Parliament in its wisdom has passed an Act declaring it to be unnecessary, and, though it might be advisable in some particular cases for an appeal to be made, I think that as a general rule it is better that the law in that respect should remain as it stands. That, however, does not affect the principle of this Bill. Reference has been made to the appointment of the Hon. Mr. Gray. I

would regret that any appointment of any kind should be made on the ground of religion. I would not vote for a man because he was a Roman Catholic, nor would I vote against him because he was one. Still, we know there is a feeling in the colony that there is a line drawn between Protestants and Catholics, and while that feeling exists—a feeling whose existence I regret in common with many others—I do not think it is an improper thing to respect that feeling by including both denominations in the Cabinet.

The SPEAKER: Order! I think the hon. member's remarks are entirely foreign to the question.

Mr. CRIBB: I apologise, Mr. Speaker. I was only referring to some remarks made during the debate. I will only make one suggestion with regard to what the hon. member for Drayton and Toowoomba said about Ministers leaving their departments to be looked after by others while they were travelling about in other parts of the world, and that is this: Let the Bill pass its second reading, and in committee let an amendment be moved limiting the number of appointments that can be made under its provisions.

Mr. GRIMES: I do not share in the fear which seems to exist in the minds of some hon. members at the prospect of this Bill becoming law. I think it will be a very good measure, and it may be of great service in the administration of the affairs of the colony. I for one do not object to what are generally termed "outsiders" in the Ministry. "In the multitude of counsellors there is wisdom," where judgment has been exercised in the choice. I have often heard it regretted that there has been a paucity of men with mercantile knowledge in the various Governments of the day. One reason for that paucity is that mercantile men cannot afford to give up the whole of the time necessary to take the position of a Minister with a portfolio. But there may be those who can devote a portion of their time, and who are willing to do so if it is not too great a tax on their private pursuits. Where that is possible I see no objection to merchants occupying the position of Ministers of the Crown without portfolios, and I think every encouragement should be given to such men to lend their aid in the administration of affairs. I recognise that at times the duties of Ministers are very onerous, and come very hard upon them. There is a great necessity that they should have time for relaxation—that they should have opportunities of taking holidays. But at present if one Minister goes away a colleague has to do his work, so that while one is recuperating we are almost killing another. That state of things is not a proper one. It is far better that we should have one or two unpaid Ministers who should be really responsible while conducting the work of the various departments. I believe in members of the Government travelling about the colony, and round the other colonies. They gain knowledge, their views get expanded, and we reap the benefit afterwards. But a Minister cannot get away now for a holiday without appointing somebody to occupy his position, or without the affairs of his department being neglected. This Bill, if it becomes law, will facilitate those matters. I do not fear that Ministers are going to make an extravagant use of it, or that such fearful calamities will happen as have been foretold. I do not see why they should suspect that such a state of things will come about. They are not supposed to be eager to take advantage of every opening they have. With regard to a good many expressions we have heard to-night, the proverb "Suspicion haunts the guilty mind" comes in. They fear that such things may take place, because they themselves would not have

much compunction in taking advantage of them. I am prepared to vote for the second reading of the Bill, because not much harm will come of it, but a great deal of good.

Mr. McMASTER: I do not care to give a silent vote on the second reading of this Bill. Like the hon. member for Oxley, I cannot see the wonderful danger in it that has been predicted. It appears to me to be simply a Bill to legalise a practice that has been carried on since the foundation of the colony. It may have been a bad practice; if so, the sooner it is altered the better. The Premier has told us that the Bill is not a creation of this Government, that it was prepared by the late Premier and left to the Government as a legacy, and that they had deemed it necessary to bring it in so that no question of legality or illegality should arise over the actions of any other Ministry. I think the Government have acted wisely in doing so. It is hardly the proper thing to ask a responsible Minister to sign a document which, perhaps, he has not had time to peruse. In any case the practice should be legalised or done away with altogether. But it appears to me that some hon. members have thought this was a grand opportunity to give a broadside shot at the Government, and there is no doubt that the Dalby gun and the Bulloo gun have been well charged, and will be discharged at the Government to-night. One would almost come to the conclusion that those two hon. members were the only authorities in the House and knew more than any member of the Cabinet. They see such danger in the Bill that they come to the rescue. I regret that religion has been introduced. It is bad enough in electioneering, but it is much worse to bring it into this House. The hon. member for Dalby intimated that it was on account of religion that the appointment was made.

Mr. BELL: I unhesitatingly say so, and will say it on any platform in the country.

The SPEAKER: Order, order!

Mr. McMASTER: Every member of the House and every citizen of Brisbane knows that Mr. Gray is a practical, thoroughly good business man, and that he will be an acquisition to the Cabinet.

Mr. BELL: Hear, hear!

Mr. McMASTER: The hon. member says "Hear, hear!" What has he to complain of? I think I am correct in saying that if it had not been for the recent appointment there would not have been a word said against the Bill, and it would have passed its second reading without a question. I say again the whole of the objections urged against this measure are taken on account of the recent appointment. But there are many members in this House who believe that the appointment is a very good one, and those who know Mr. Gray as a thorough business man will come to the conclusion that he will be an acquisition and great assistance to the Cabinet in their deliberation on matters concerning the State. I do not think it is worth while saying anything further on the subject. We can perhaps see as far through the objections to this Bill as the hon. members who have made such a noise about it, but if the measure is thrown out I do not think it is at all likely that the Government will go to the country. They would not be so foolish to go to the country on such a matter.

The SPEAKER: Order! The hon. member is now going outside the question before the House.

Mr. McMASTER: I intend to support the Government on the second reading of this Bill. When it goes into committee, if it reaches that stage, those hon. members who are so strongly opposed to it will have an opportunity of showing how they think it ought to be amended, and

it is probable that if any really good amendments are brought forward they will be accepted by the Government. The whole secret of the opposition to the Bill is that members desire to get a shot at the Government and get them defeated, but I do not think that is at all likely to happen.

Mr. BRIDGES: As some hon. members say, I do not wish to give a silent vote on this question. I do give a silent vote on some occasions, but sometimes I think I ought to speak a little more than I do. When I found this Bill in my box and ran through its provisions I thought it would not take very long to deal with it, and I made up my mind to support the measure. I could see no harm in it; it looked an innocent little bantam, and I have not changed my opinion about it yet. Of course we have heard a good deal about the recent appointment, and naturally we all feel a little sore, because when there is a portfolio dangling about we all have our hopes.

HONOURABLE MEMBERS: Oh, oh! Hear, hear!

Mr. BRIDGES: I do not say that I should get it. Some hon. members have said that there are many of us who would like to be a member of the Cabinet without a portfolio. But no! Thanks, if that is what it is going to be. It is a portfolio or nothing. It has been suggested that we should have more portfolios and more Ministers, and that idea may be a good one, because then our chances would come oftener. I am inclined to think with some other hon. members that had this Bill been introduced by our late lamented Premier we should not have had much opposition to it, and that possibly it would have passed its second reading within half-an-hour. But things have changed. When I heard of Mr. Gray's appointment I thought the Government were men of sense. It has been said to-night that Mr. Gray does not know anything about the Standing Orders, but I do not see that that is any reason why he should not be in the Cabinet, and one of the advisers of the Governor. I have always heard of Mr. Gray, and he has always been known to me as a shrewd business man, and it is of more importance to the colony that the member of the Cabinet should be a shrewd business man and know the requirements of the country, than that he should know a great deal about the Standing Orders. There will no doubt be some one who will be able to put him right on that point, and I hope this colony will receive much benefit from his advice, although he does not understand the Standing Orders. A good deal of stress has been laid on the fear that Ministers may suddenly feel inclined to go for a trip, but that is begging the question. I do not think that anyone anticipates that such a thing will happen, but if they all went except one it would not make any difference, for that one would be equal to the emergency.

Mr. KEOGH: You had a nice trip once.

Mr. BRIDGES: I did not think that when I talked about trips hon. members opposite would forget that I once had a little trip. No doubt they are anxious to get over here so that their tripping may commence. I may say that I thoroughly enjoyed my trip, and I think it would be to the interest of the colony if Ministers did a little more in that line. Of course, I hope they will invite me, but whether they do or not, I am sure it is to the interest of the country that Ministers should become acquainted with the colony, and that the people should become acquainted with their Ministers. I admit that I have lost hope of getting into the Ministry on the present occasion. It seems to me that there is something wrong, but I shall bear it with a good grace, and vote for the second reading of this Bill.

Mr. BARTHOLOMEW: It is a very strange thing to find that the hon. member for Bulloo has this evening become the henchman of the hon. member for Dalby. The hon. member for Bulloo says the hon. member for Dalby's speech would have been received with cheers in the House of Commons, but I say that if a member stood up in the House of Commons and under cover of a Bill spoke on foreign matters he would not have received a cheer from that House. It is my intention to assist the Government to pass any measure initiated by our late Premier, who was also Attorney-General, and knew whether it was necessary that this measure should be passed by Parliament. We have had hon. members standing up and making attacks upon the Government for reasons well known to most hon. members. As has been explained, the Bill is only introduced to give Ministers power to endorse each other's work during absence from the colony, and, speaking for myself, I am prepared to support the second reading.

Mr. TOOTH: After listening to what has been said, I can only come to the conclusion that there are certain hon. members in the House who place their own interests before those of the colony generally. I think personal interest had a great deal to do with the remarks made by many hon. members. I certainly intend to vote for the second reading of the Bill, my principal reason being that it will give Ministers who have portfolios a little more time than they have at present to travel about the country. I am one of those who think that one of the greatest drawbacks to the good government of this colony is the fact that its capital, instead of being in a central position, is situated in one corner, and it is therefore impossible for Ministers to become well acquainted with the colony generally. I speak feelingly upon this matter, because I represent a district that scarcely ever sees a Minister. I admit that the other day I managed to "bag" the Secretary for Agriculture, but I had no sooner got him into the district than he had to return to Brisbane. It is only the districts within five or six hours' rail of Brisbane that are visited by Ministers, but I speak for the outlying districts where Ministers are seldom seen, and with whose wants Ministers are unacquainted, except from hearsay. For these reasons, if for no others, I shall support the Bill.

Mr. O'CONNELL: Although the only object of this Bill is to increase the convenience of working the departments, one would think from the arguments brought forward that it is a kind of "gunpowder plot." I do not see that a man's creed ought to be considered at all in the forming of a Cabinet, and so long as I have anything at all to do with public affairs I shall set my face against a man's religion having anything to do with any position he holds. The imputation that the appointment of the Hon. Mr. Gray was a sop to a certain section of the community will be resented by every member of that body. I am certain that the Roman Catholics are not so easily deluded that the inclusion of a member of their body in the Cabinet will make any great difference at a general election. A namesake of mine, of whom I am very proud to be a remote connection, said, when fighting for religious emancipation, that every man should have an equal right in the councils of the State; but putting that on one side, I do not see that there can be any evil results from this Bill. The hon. member for Bulloo said that if the Bill were not being introduced for any other purpose it must be introduced for the purpose of giving a Minister without portfolio the patronage of a department, but I altogether disagree with the hon. member. If the Government wished to give Mr. Gray any patronage, they could have done it without the

slightest trouble. On the retirement of the late Secretary for Lands they could have given him that portfolio, or at any rate they could have found him a portfolio when rearranging the portfolios recently. What is the good of saying this Bill is introduced to give that hon. gentleman the patronage of a department. It is nothing of the sort.

Mr. LEAHY: Have you been called upon to advise?

Mr. O'CONNELL: When I am I shall consult you. I shall support the second reading of the Bill. Up to a certain length I went with the hon. member in wishing for a different leader, but when I saw the party was prepared to accept—

The SPEAKER: Order!

Mr. O'CONNELL: I have said all I wished to say. I do not consider this a "gunpowder plot," and do not believe it will alter the Government of the country at all. Whether it is passed or not will not make the slightest difference to the administration of the departments, although its passage would be a great convenience to those Ministers who have portfolios.

Mr. FINNEY: I am under the impression that but for the appointment of Mr. Gray there would have been very little trouble over this Bill. That appointment has been drawn into the consideration of the measure, and has tended to embitter the debate. I see nothing in the Bill to frighten anyone. I take it that the sole object of the Bill is to facilitate work. If I understand it rightly, the Government has already power, and certainly plenty of precedents, for the appointment of Ministers without portfolio. It has been the custom ever since I came to the colony to make such appointments, and I have been here almost since the beginning of its existence. The only object of the Bill is that it enables these gentlemen, if they do the work of Ministers to complete their duties without having to go from one office to another in order to get a Minister with portfolio to sign the work they have already done. I can see no "gunpowder plot" in the Bill. I have a great respect for the hon. member for Bulloo, but I cannot go with the hon. member in what he said about Ministers going to Tasmania for six months' holiday. They can do that now, all that is necessary being to leave one or two of their number to complete the work which the delegates would do for the absent Ministers. What danger can there be to the State or to the people in giving men who are qualified to do the work power to complete that work? All that is wanted is simply an amendment in the law to enable them to complete the work they actually do. The hon. member for Dalby says this sanctions the appointment of non-portfolio members of the Government.

Mr. BELL: It recognises the principle.

Mr. FINNEY: But the principle is already recognised.

Mr. BELL: This Bill gives the non-portfolio members a greater status than they have ever had before.

Mr. FINNEY: I would be very sorry to do anything against the Constitution of the country, but I fail to see where there is any danger. I have listened to the debate, and the speeches seem to have run upon a point which is not included in the Bill at all. The Bill has nothing to do with the appointment of Mr. Gray. I am not going to discuss whether it is a good appointment or not. The Government are responsible for the appointment, and will have to be prepared to accept that responsibility if it is not satisfactory to the country. If the whole of the Ministry went off during the recess for a long holiday, as suggested by the hon. member for Bulloo, and the country wanted their services the only result

would be that they would be turned out; but there is no danger if the Bill passes of their doing anything of the sort. I can see no reason for opposing the second reading of the Bill. If it is wrong to appoint a Minister without portfolio, then we have been doing what is wrong all along. If it is not in accordance with the law, at all events it is in accordance with the practice that has been followed for many years. The position is like that of a business man who gets his letters, gives instructions, the letters are written out, and he simply puts his signature to them. If the principal is not there, the man who writes the letters may be empowered to sign the letters for him, and so long as the business is properly done there is no objection to it. If I thought there was any danger to be apprehended from the Bill, I would vote against it, but I can see no danger at all, and I have not the slightest doubt that I shall be quite justified in voting for it.

Mr. STEPHENSON: The "eloquent conspiracy of silence" which has replaced the ordinary tactics adopted by hon. members on the other side is exceedingly refreshing. This is my third session in this House, and I have never known an occasion on which these watchdogs of British liberty have been so remiss in their duty as they have been this evening. They are quite content to allow all the worrying of this unfortunate measure to be done by hon. members on this side. Some of those hon. members appear to be playing their game to perfection, and they are, of course, quite willing to allow them to do so. I am at a loss to understand why all the extraneous matter that has been introduced to-night in endeavouring to raise objections to the Bill should have been brought forward. It seems to me that the Bill is simple enough in its provisions; it is simple enough in its language; and it is simple enough in its meaning. But it suits the policy of some hon. members on this side, who appear to have been egged on by members on the other side—

MEMBERS of the Opposition: No.

Mr. STEPHENSON: To see some deep-laid scheme for the ruination of the colony in this unfortunate little measure which has been brought in by the Premier to-night, and which has now been worried for nearly four hours. For my part I am prepared to accept the explanation of the hon. gentleman who introduced it, and those other hon. gentlemen in the Ministry who have given us the reasons why this measure should be introduced. The hon. member for Dalby, while the hon. member for Toowoong was speaking, said this Bill proposed to introduce a principle which was not provided for by statute in any other colony.

Mr. BELL: No, I said it gave Ministers without portfolios a status that they had never had before.

Mr. STEPHENSON: The hon. member for Toowoong said that this practice of appointing Ministers without portfolios prevailed to a large extent in other colonies, and the interjection of the hon. member for Dalby—unless I am greatly mistaken—was that this Bill proposed to give the practice the authority of statute law, and that that was not the case in the other colonies. This practice has been shown to be an invariable custom which prevails to a much larger extent in other colonies than in Queensland, and I do not understand the objection to making legal what is not authorised at present. So far from the Government, therefore, deserving any condemnation they deserve commendation. I do not see that the liberties of the colony are likely to be in any way affected by the passing of this Bill. I think it will be generally admitted that in a climate like this is a Minister who has

worked assiduously throughout the hottest of the summer months richly deserves a holiday at the end of the session of Parliament, and this Bill proposes to make provision by which these gentlemen can obtain that well-deserved rest. That, if there were no other, would be a satisfactory reason for passing the measure. It is all very well for hon. members to raise these objections and point out that there is some hidden meaning in the action of the Government in appointing the Hon. Mr. Gray. That appointment was only made yesterday. I do not believe it was even contemplated much more than a week ago, and yet this measure, it has been asserted, was intended to be brought in by the late Premier, and could certainly have no reference to the appointment of Mr. Gray.

Mr. LEAHY: What are assertions worth?

Mr. STEPHENSON: Well, there are assertions and assertions, and I am not prepared to appraise their worth. But I venture to think if the hon. member for Bulloo made an assertion, which I said I did not believe, he would consider himself grossly offended.

Mr. LEAHY: I was not referring to you.

Mr. STEPHENSON: I have no more justification for doubting the assertion of the hon. the Premier and his colleagues than I should have for doubting an assertion of the hon. member for Bulloo.

Mr. LEAHY: I made an abstract statement only.

Mr. STEPHENSON: We will not discuss that further. For my part, I am quite prepared to support this measure cordially, and I cannot help expressing my astonishment at the vigorous manner in which hon. members, especially some of those sitting on this side, have, as I consider, gone out of their way to find reasons for endeavouring, as they think, to humiliate the Government.

Mr. HAMILTON: The hon. member who has just sat down inveighed against the watch-dogs of liberty opposite for not barking at this Bill, but the fact is that they are in full force to-night, and knowing the Government members are numerically weak they can see that if a division takes place to-night they will be in a majority and win a temporary victory. They know that if the House is adjourned by the Government to-night the result will be that next week the Government will get a sufficient number of their followers together to pass this Bill. For my own part I do not think the Bill is important enough for that, and as it is getting late I hope the Government will take a division. I know that if they do they will be beaten, but if they adjourn—

The SPEAKER: Order! The hon. member is out of order in entering into matters of that kind.

The PREMIER, in reply: I rise to say that I think there has been a great deal too much discussion on this Bill. Had I anticipated that there would have been so much time wasted over such an insignificant measure, I should have hesitated to propose it, because our days this session are numbered, and the Government want to devote what time there is at their disposal to much more solid and profitable work. The Bill which has been brought forward was part of the policy of the late Premier, and if hon. members vote against it they must reconcile it to their consciences that they vote against the policy of a gentleman whom they respected as their leader.

Mr. KIDSTON: That is a scandalous argument.

The SPEAKER: Order!

The PREMIER: I am extremely sorry that the merits of the Bill itself have not been discussed; but suspicions have been expressed concerning nefarious designs on the part of the Government. If hon. members reflected for a

moment they would see that the actions of the Government could not justly be so construed. If there had been any intention to make provision for the gentleman whose name has been mentioned, the Government—if they had had any doubts concerning the matter—would have expressed them to the House, or would not have presented the Bill which has led some hon. members to imagine that, through its passing, some special advantage or privilege was to be given to that hon. gentleman. I regret that, under the veil of the second reading of the measure, such narrow-minded feelings have been expressed concerning gentlemen who may hold different religious opinions to those of others in this Chamber.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: I am indeed sorry to see such narrow-minded feeling prevail. We ought to sink these things in this Chamber. To attribute to the Government the charge of having made an appointment for sectarian purposes is unworthy of hon. members.

The SPEAKER: Order! I would remind the hon. member that I called the hon. member for Dalby to order for pursuing that line of speech.

The TREASURER: He got in what he wanted to say all the same.

The PREMIER: I have felt very keenly that the opportunity for discussing this Bill has been abused. I can only say that I desire that we shall come to a decision one way or the other without further delay. The Bill is not a matter of importance to the Government, but being part of the legislation intended by the late Premier it was my duty to bring it forward, and I must say that I thought it would have met with a very different reception, especially at the hands of hon. members on this side of the Chamber.

Question—That the Bill be now read a second time—put; and the House divided:—

AYES, 27.

Messrs. Dickson, Foxton, Philp, Dalrymple, Murray, Grimes, Chataway, O'Connell, McMaster, Finney, Collins, Story, Stephenson, Stumm, Corfield, Vewell, Bartholomew, Stodart, Cribb, Hamilton, Lissner, Bridges, Lord, Tooth, Castling, McGahan, and Annear.

NOES, 34.

Messrs. Glassey, Cross, Maughan, Leahy, King, McDonnell, Keogh, Dunstford, Daniels, Jackson, Dawson, Kerr, Macdonald-Paterson, Jenkinson, McDonald, Turley, Stephens, Armstrong, Bell, Curtis, Drake, Biles, Groom, Moore, Petrie, Egarly, Dibley, W. Thorn, Sim, Browne, Kidston, Hardacre, Fitzgerald, and Stewart.

Resolved in the negative.

MEMBERS of the Opposition: Hear, hear!

TOWNSVILLE MUNICIPAL LOAN ACT REPEAL BILL.

FIRST READING.

The SECRETARY FOR MINES presented this Bill, and moved that it be read a first time.

Mr. McDONALD: Mr. Speaker, I think—

The SPEAKER: Order!

Mr. McDONALD: I am in order in speaking to the question.

The SPEAKER: No; the hon. member is not in order. Under our Standing Orders, leave having been given to an hon. member to introduce a Bill, there can be no debate or amendment on the motion for the first reading.

Question put and passed; and the second reading made an order for Tuesday next.

ADJOURNMENT.

The PREMIER: I move that the House do now adjourn. The business on Tuesday will be Supply.

Mr. GLASSEY: Notwithstanding the efforts of the Government to treat the matter lightly, I characterise the division just taken as one of the greatest importance, and certainly we have a

right to hear from the Premier, after such a manifestation of hostility, more particularly on the part of his own supporters, what he intends to do. Can the hon. gentleman, possibly, in the face of the hostile vote of a substantial majority, largely composed of members of his own side, intend to go on in the face of such manifest hostility? If he does, it is the Government's own look out, and it will be for the House to protect itself, and to compel them to take that position which they ought gracefully to do—namely, to wind up the business of the session, ask for a reasonable amount of Supply, and ask the electors whether they meet with their approval or not.

The PREMIER: I may say that I do not accept the division as any indication of the real feeling of the House. I am quite prepared to meet the hon. gentleman in fair fight, and if he chooses to table a motion of want of confidence I will abide by its decision. I challenge him to do it.

HONOURABLE MEMBERS: Hear, hear!

Mr. McDONALD: As the Premier has started throwing out challenges, I challenge him to show me one solitary instance in the history of Australian politics when a Premier, after he was defeated on the second reading of a Bill of this nature, had the audacity to carry on the business of the country. The division to-night was no catch division. It was taken in as full a House as there could possibly be. Thirty-four out of sixty-nine members—two seats being vacant by reason of the death of the members—voted on this side, and there is yourself, Sir, in the chair; and there are two members absent who would certainly have voted against the Government in this matter. One of them is the hon. member for Burke, Mr. Hoolan—

The SPEAKER: Order! I would remind the hon. member that it is not customary or parliamentary to assume that any hon. member will vote in any particular way.

Mr. McDONALD: I am not assuming anything, because that hon. member told me and a dozen other members of the Chamber what he was going to do. There is thus an absolute majority of the House at present against the Government; and yet in the face of that fact the Premier says he intends to carry on the business of the country. But apart from any political feeling, there is a certain feeling of honour attached to this House, and I say that under the circumstances, common decency should show the Government that the only course left open to them is to take the only honourable course left to them—ask for an ordinary adjournment and then come down and make a Ministerial statement. No business can possibly go on in the present state of affairs, and if the hon. gentleman has the country behind him, he need not fear to appeal to it. But as a matter of fact he knows he has not.

Mr. ANNEAR: He will not take his orders from you.

Mr. McDONALD: I am not asking him to take orders from me. I am stating what is absolutely correct, that the only course left to the Government is to go to the country immediately. If a motion of want of confidence was tabled we should first have an adjournment for a week, and then a debate for a week, and that would bring the election to Christmas week.

The PREMIER: No adjournment; go straight on.

Mr. McDONALD: That, as I said, is the only honourable course left to the hon. gentleman after the division has shown that he has no longer the confidence of the House.

Mr. TURLEY: The Premier stated before the division was taken, in an appeal to his supporters, that this was a part of the policy of the late Premier, which he had pledged himself to carry out. That being so, it became a part of the policy of the present Government for which they were responsible. Other business has been brought forward since the division was taken, though that division showed that even if the whole seventy-two members had been in their places there would have been an absolute majority against the Government on this measure, which is a portion of their policy. Can Ministers show any precedent where a Government after they have been defeated on a portion of their policy in this way have not immediately asked for an adjournment for a certain time, and the Premier has subsequently made a Ministerial statement to the House? In 1893, when a Bill, which was a portion of the policy of Sir Thomas McIlwraith, was submitted to this House, and was only carried by the casting vote of the Speaker, what did Sir Thomas McIlwraith do? He stood up in his place in the House and absolutely declined to carry on the business of the country on the casting vote of the Speaker.

The SECRETARY FOR PUBLIC INSTRUCTION: Do you admit him as an authority now?

Mr. TURLEY: We claim that he was more than the hon. gentleman is at the present time, for he had backbone enough to take the only honourable course open to him when he found that he had not an absolute majority to assist him in carrying on the business of the country. Seeing the precedent that had been set by men who have led members of the present Government before now, I certainly think they should be straightforward enough to follow those precedents. They cannot but recognise, as everyone in the community must recognise, that the measure on which they have been defeated is a portion of the policy left by the late Premier, whose duties and responsibilities they have taken up, and they ought certainly to ask for an adjournment for a time, and then come down and make a Ministerial statement telling us what they intend to do—whether they are prepared to carry on the business of the country or appeal to the electors. The division which has taken place is a fair test of the support their policy has in the House, and the only honourable course now open to them is the one which has been suggested.

Mr. HAMILTON: It is always understood that when the Government are defeated on a party question they should go to the country, but Governments are frequently beaten on questions which are not party questions, and no notice whatever is taken of such defeats. When a party question is before the House the whip is supposed to go round and persuade members of the party to support the Government on that question.

Mr. DANIELS: You didn't do that, did you?

Mr. HAMILTON: The hon. member for Cambooya poses as the funny man of his party, but I have noticed that he is the only man who laughs at his own jokes; all other members look melancholy. When a party question is before the House the whip is supposed to go round and endeavour to persuade members to support the Government, and I ask any hon. member present whether I endeavoured to persuade him to vote for this measure. Not one hon. member can say that I did, and I invite anyone to do so. It clearly shows that the Government did not attach sufficient importance to this matter to treat it as a party question.

Mr. DANIELS: The hon. member who has just sat down says that I laugh at my own jokes, but I do not think anyone will say there was any

joke in the division which has just been taken. Anybody who saw the Government whip running all over the place with an anxious look on his face, and sending telegrams and messages all over to get as much support for the Government as possible on that matter, can come to no other conclusion than that he worked all he knew for the Government. Appealing to you, Sir, as a fair and impartial Speaker, I would ask do you think the Premier can take any other course than—

The SPEAKER: Order!

Mr. DANIELS: At all events I do not think any right-minded man can come to any other conclusion than that there is only one course open to the Premier, and that is to go to the country, but, of course, if he has no respect for the Ministry or himself he will not do that, but will hang on to those benches with the £1,000 a year as long as he can. I am sorry to have to say that, but I really believe that it is true. The statement of the hon. gentleman himself, as we have heard from members of his party who attended that caucus meeting, is that if he went to the country he would not be returned. Yet, knowing that he has not the confidence of the country, he hangs on to the position. No matter what question is brought forward, if the Government are defeated on it they will say it is not a party question, but if they win on any question they will say it is a party question. I would advise the Premier—if he will take advice from a humble individual like myself—to consult his own dignity and sense of honour, ask for temporary Supply, and then go to the country. If he has the confidence of the people he will be returned with a majority; if he has not the confidence of the people then he has no right to be there, as he is simply holding office under false pretences. In any case the honourable course for him is to go to the country.

Mr. O'CONNELL: I think hon. members on the other side might easily settle the matter by moving a vote of want of confidence.

Mr. GLASSEY: You will allow us to take our own time.

Mr. DANIELS: Let us go to the people.

Mr. O'CONNELL: I believe the hon. member will have to face the people sooner than he likes, but the debate this evening will not result in anything. If the hon. member moves a vote of want of confidence, it will not be very long before we know whether we are going to the country or not.

Mr. GRIMES: I do not think the Government would be justified in accepting this vote as one of want of confidence, seeing that the matter was not looked upon as important. From the very first the Premier did not attach much importance to it, and did not seem to care whether the Bill were carried or not. The hon. member for Flinders talked about an honourable way of getting out of the difficulty, but the honourable course is for the leader of the Opposition to accept the challenge of the Premier and get a straight-out vote, in which case, if the Government are defeated, the Governor will know who to send for. In this case he would not know who to send for. Who was the prime mover in this opposition? If hon. members opposite are willing to keep as quiet during the discussion on a want of confidence motion as they have been this evening, we could dispose of the matter in one sitting, and it will be decided; but it is not a fair thing to look upon what was a catch vote to a great extent, as a defeat of the Government. It has never been so recognised during all the years I have been in the House.

Question put and passed.

The House adjourned at twenty-five minutes past 11 o'clock.