

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 21 SEPTEMBER 1910

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QUEENSLAND PARLIAMENTARY DEBATES.

Legislative Council and Legislative Assembly.

SECOND SESSION OF THE EIGHTEENTH PARLIAMENT,

APPOINTED TO MEET

AT BRISBANE ON THE TWELFTH DAY OF JULY, IN THE FIRST YEAR OF THE REIGN OF
HIS MAJESTY KING GEORGE V., IN THE YEAR OF OUR LORD 1910.

[VOLUME 2 OF 1910.]

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 21 SEPTEMBER, 1910.

The DEPUTY SPEAKER (W. D. Armstrong, Esq., *Lockyer*) took the chair at half-past 3 o'clock.

PAPERS.

The following papers, laid on the table, were ordered to be printed:—

Report of the visiting medical officer of the Diamantina Hospital for Chronic Diseases, for the year ended on the 30th of June, 1910.

Report upon the working of the Queensland Government Savings Bank for the year ended on the 30th June, 1910.

QUESTIONS.

ROYALTY ON TIMBER.

Mr. TOLMIE (*Drayton and Toowoomba*), in the absence of Mr. Thorn, asked the Secretary for Public Lands—

What was the amount of royalty on timber paid to the department for the three years ended 30th June, 1910, by each of the following timber merchants:—A. and D. Munro; Filshie, Broadfoot, and Co.; Blinco Brothers, E. W. Pechey, and E. Emmerson?

The SECRETARY FOR PUBLIC LANDS (Hon. D. F. Denham, *Oxley*) replied—

A. and D. Munro, £2,189 8s. 2d.; Filshie, Broadfoot, and Co., £3,355 6s. 7d.; Blinco Brothers, £723 16s. 8d.; executors of E. W. Pechey, £1,936 12s. 9d.; Emmerson and Co., £351 1s. 2d.

PROSERPINE CENTRAL SUGAR-MILL.

Mr. THEODORE (*Woothakata*) asked the Treasurer—

1. Is it a practice with the management of the Proserpine Central Mill to make arbitrary deductions off the weight of the cane supplied by the farmers?

2. Does the management of the Proserpine Central Mill take fair average samples of the farmers' cane for analysis, or are only a few picked canes of rank growth used as a basis to determine the sugar contents of the cane supplied?

3. Are the Proserpine farmers allowed to check the methods employed by the Proserpine Central Mill to determine the sugar contents of the cane delivered?

The TREASURER (Hon. A. G. C. Hawthorn, *Enoggera*) replied—

1. No.

2. Fair average samples of the farmers' cane are taken for analysis.

3. It is not customary for the farmer to check the methods employed by the Proserpine Central Mill, or other mills, to determine the sugar contents of the cane delivered. The mill selects fair samples of cane throughout the different fields, and when the crushing season starts, whenever practicable, the ripest canes, for obvious reasons, are put through first. The cane is not paid for by analysis, but by weight, at Proserpine.

NEW POLLING-PLACES AT RECENT REFERENDUM.

Mr. NEVITT (*Carpentaria*) asked the Home Secretary—

At what number of places in each State electorate was a poll taken at the recent referendum that were not polling-places at last State election held on 2nd October, 1909?

The HOME SECRETARY (Hon. J. G. Appel, *Albert*) replied—

Albert	...	...	...	2
Aubigny	...	...	...	3
Balonne	...	...	...	1
Barcoo	...	...	...	Nil
Bowen	...	...	...	Nil
Brisbane North	...	...	...	2
Brisbane South	...	...	...	1
Bulimba	...	...	...	1
Bulloo	...	...	...	Nil
Bundaberg	...	...	...	Nil
Bundamba	...	...	...	Nil
Burke	...	...	...	Nil
Burnett	...	...	...	4
Burrum	...	...	...	1
Cairns	...	...	...	1
Cambooya	...	...	...	4
Carnarvon	...	...	...	3
Carpentaria	...	...	...	2
Charters Towers	...	...	...	1
Clermont	...	...	...	Nil
Cook	...	...	...	1
Croydon	...	...	...	1
Cunningham	...	...	...	1
Dalby	...	...	...	4
Drayton and Toowoomba	...	...	...	1
Enoggera	...	...	...	1
Fassfern	...	...	...	Nil
Fitzroy	...	...	...	2
Flinders	...	...	...	5
Fortitude Valley	...	...	...	3
Gregory	...	...	...	1
Gympie	...	...	...	Nil
Herbert	...	...	...	8
Ipswich	...	...	...	Nil
Kennedy	...	...	...	3
Leichhardt	...	...	...	5
Lockyer	...	...	...	1
Logan	...	...	...	2
Mackay	...	...	...	2
Maranoa	...	...	...	Nil
Maryborough	...	...	...	Nil
Mitchell	...	...	...	1
Moreton	...	...	...	1
Murilla	...	...	...	3
Musgrave	...	...	...	4
Normanby	...	...	...	2
Nundah	...	...	...	Nil
Oxley	...	...	...	1
Port Curtis	...	...	...	3
Rockhampton	...	...	...	3
Rockhampton North	...	...	...	Nil
Rosewood	...	...	...	2
Stauley	...	...	...	5
Toombul	...	...	...	5
Toowong	...	...	...	1
Townsville	4
Warrego	1
Warwick	Nil
Wide Bay	2
Woolloongabba	Nil
Woothakata	3

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TRAM FATALITY AT PETRIE'S BIGHT.

Mr. McLACHLAN (*Fortitude Valley*) asked the Home Secretary—

1. Has his attention been called to the tram accident which happened at Petrie's Bight on Thursday last, whereby a man lost his life when stepping off a moving tram?

2. Will he, under the powers conferred on him by the Tramways Act, and in view of the deplorable accident referred to, compel the Brisbane Tramway Company to place gates or other protection on their cars for the safety of the travelling public?

The HOME SECRETARY replied—

1. Yes, but not officially. Reports of accidents in connection with trams are reported to the Department of Public Works under Regulation No. 20 of the Electric Light and Power Act of 1896.

2. The matter of protection to passengers alighting from trams was inquired into some time ago by the Hon. A. G. C. Hawthorn, when Home Secretary, and reported upon by the Commissioner of Police. The latter was of opinion that wickets or gates were not

practicable, and framed a regulation, which is now in force, making it a punishable offence to alight from any tramcar until such tramcar has stopped.

OVERSEA PATIENTS AT DIAMANTINA HOSPITAL.

Mr. LAND (*Balonne*) asked the Home Secretary—

How many oversea patients have been admitted to the Diamantina Hospital during the past eighteen months?

The HOME SECRETARY replied—
Eight.

ORDER TO WHICH NO RETURN YET MADE.

Mr. ALLEN (*Bulloo*): I desire to ask the Home Secretary—

If he can tell us when the return for which I moved in connection with the wages paid to orphan boys on farms will be available?

The HOME SECRETARY replied—

Instructions have been given to have the return prepared without any delay. I have no doubt that no delay will be caused by the officials concerned.

Mr. ALLEN: Well, give them a hustle.

ELECTORAL DISTRICTS BILL

PROPOSED INSTRUCTION TO COMMITTEE.

Mr. MAUGHAN (*Ipswich*): Mr. Deputy Speaker,—With the leave of the House, I beg to move that it be an instruction to the Committee on the Electoral Districts Bill of 1910 that the Committee has power to insert a provision reducing the residence qualification of the electors of Queensland to six months' residence.

The DEPUTY SPEAKER: Is it the pleasure of the House that the hon. member has leave to move this motion without notice?

OPPOSITION MEMBERS: Hear, hear!

GOVERNMENT MEMBERS: No, no!

The PREMIER: We are not dealing with the electoral law now. We will deal with that later on.

Mr. MAUGHAN: Then I beg to give notice that I will move it to-morrow.

Mr. LESINA: You will be too late to-morrow.

Mr. MANN: We will stonewall the Bill to-day.

The PREMIER: Oh, yes; I know you will.

Mr. MANN: Why should we not have a different qualification? Six months' residence is the qualification under the Federal law, and that is much more important than this.

The DEPUTY SPEAKER: Order, order!

COMMITTEE.

(Mr. K. M. Grant, *Rockhampton*, in the chair.)

On clause 1—"Short title"—

Mr. HARDACRE (*Leichhardt*) said that the clause was merely a verbal one, and was of no importance. It merely fixed the title of the Bill, so that it might be allowed to pass.

Mr. MURPHY (*Croydon*) thought the title of the Bill ought to be, "A Bill to try and dish the Labour party."

OPPOSITION MEMBERS: Hear, hear!

Mr. MURPHY: Because they were all agreed that that was the object in view in introducing the measure.

The PREMIER: Such a Bill would be quite unnecessary.

Mr. MURPHY: The Premier need not be so "cocky." He had had a caucus of his party all the morning, and he got none the best of it. They told him that they would not agree to his hospital proposals. (Government laughter.)

The ACTING CHAIRMAN: Order!
Clause put and passed.

On clause 2, as follows:—

From and after the end of this present Parliament, the Electoral Districts Act of 1887 and the Electoral Districts Act of 1892 shall be repealed.

Mr. HARDACRE: This clause was very much like the one just passed. It was of no importance, and might be allowed to go without much discussion. There was a great deal in what had been said by the hon. member for Croydon. Everybody in the country knew—at any rate, those who were behind the scenes knew—that the Government introduced the Bill for the purpose of trying to destroy their political opponents.

Mr. MURPHY: They have been boasting about it.

The HOME SECRETARY: Our purpose is to give every elector an equal right.

Mr. HARDACRE: It was rather remarkable that a Redistribution of Seats Bill had been on the programme of various Governments for years past. It had been on the programme of the Premier for about three years, but when he was being supported by the Labour party he made no attempt to introduce it. It was only after repeated elections had convinced him of the growing power of the Labour party in the State and the Commonwealth, and when he was supported by the old Conservative party, whom he himself had called "the traditional enemies of democracy" when the Labour party sat with him on the other side—it was only when he left the progressive party—

The PREMIER: No; when the retrogressive party left me.

Mr. HARDACRE: It was only when he left the reform party and allied himself with the "traditional enemies of democracy," on whose side was the wealth of the country and the power of the Press—

The PREMIER: This is a second-reading speech. It has nothing to do with this clause.

Mr. HARDACRE: It was only when he allied himself with those forces that he brought in this Bill for the purpose of wiping out a number of his opponents, who represented sparsely populated districts. He (Mr. Hardacre) did not know that it would not have been better to amend the title of the Bill as suggested by the hon. member for Croydon, and he was sorry that he had not moved an amendment on the previous clause with that object.

The TREASURER: What would you have called it?

The HOME SECRETARY: A Bill for the representation of kangaroos and emus.

Mr. HARDACRE: In proposing to repeal the existing Acts they were not really going to try and give better representation to the people of Queensland. The Bill would merely give better representation to the district surrounding Brisbane, where the mass of the population was centred, to the disadvantage of the people in the outlying districts, and

ultimately to the detriment of the legislative and administrative well-being of the whole community.

Mr. MACARTNEY: Does it not propose what your party have been advocating for years?

Mr. HARDACRE: No. They had always advocated "one man one vote," and they were also in favour of "one vote one value."

The HOME SECRETARY: That is the underlying principle of the Bill.

Mr. HARDACRE: It would not give "one vote one value."

The PREMIER: The present question is whether certain Acts shall be repealed.

Mr. HARDACRE: The Bill was one which would largely disfranchise the people resident in the outlying districts of the State.

* Mr. MANN (*Cairns*): Whatever might be the object the Government had in view in bringing down the Bill, there could be no doubt that anomalies had grown up which made it necessary that they should have a Redistribution of Seats Bill. The purpose for which the Government had introduced the measure might be open to argument; but there could be no doubt that there had been as great inequalities in regard to representation years ago as there were to-day. A Bill had been drafted and was in the hands of the Morgan-Kidston Cabinet, but the then Treasurer, Mr. Kidston, refused to allow it to be introduced because, under it, three seats in the Central district would have been wiped out. That was the reason why the Bill was not brought down sooner.

OPPOSITION MEMBERS: Ah, ah! Cabinet secrets!

Mr. MANN: They might say "Better late than never." The Bill had now been brought down.

An OPPOSITION MEMBER: Not the same Bill.

Mr. MANN: He did not know whether it was the same Bill, but it had been brought down, possibly, as the hon. member for Croydon said, with the object of dishing the Labour party; but it would not dish the Labour party. This was a Bill for dishing the Conservatives. Under the Bill they would see a Labour Government in the House in the near future. The Conservative party, or whatever they liked to call themselves, would become stronger in the country districts, but the Labour party must inevitably get possession of the towns. For himself he welcomed the Bill, if provisions were made in it to safeguard the interests of the outlying centres—the rural districts—and allow them a fair share of representation, and members representing country districts should urge that necessity upon the Government. The Bill would not hurt him a bit, but he did not believe in seeing country districts penalised, either in the North, Centre, or West. In his opinion this Bill was going to concentrate all the voting power in the cities, and for that reason it was a bad Bill, but it would not hurt the Labour party.

Mr. HAMILTON (*Gregory*) agreed with other members that this was not a Bill to make better representation in Parliament; it was a Bill which was going to concentrate all political power within a radius of 100 miles of Brisbane.

OPPOSITION MEMBERS: Hear, hear!

Mr. HAMILTON: No matter whether country districts were represented by Labour members or by the present supporters of the

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Government, it was going to be a centralisation of power. It was news to him that there had been a Bill prepared by the Morgan-Kidston Government, as intimated by the hon. member for Cairns. He knew that a few years ago there was one prepared by the Philp Government. Speaking from memory, he thought the margin was larger than what was allowed under this Electoral Districts Bill, and yet it worked out that it was going to reduce country representation and create additional electorates around Brisbane, and that was the way the whole thing was going to pan out now. It seemed to him that it was only lately that the Premier had been so anxious to bring in a Bill on these lines.

The PREMIER: Not the Premier—the Home Secretary. (Laughter.)

Mr. HAMILTON: Neither the Home Secretary nor any other Minister did anything without asking the sanction of the Premier. He saw some hon. member ask a question of a Minister last night, and he looked at the Premier, who gave him a nod before he got up to answer. There was not a Minister who was game to answer a question without asking the Premier.

Mr. MURPHY: Except the Treasurer. (Laughter.)

Mr. HAMILTON: The Government must not think because they were going to wipe out some of the country seats, that they were going to wipe out those members altogether. They would only concentrate their attention on some of the Government seats—Kidstonian seats in particular; and he had no doubt that they would have some of their scalps hanging at their belts after the Act came into operation.

Mr. LAND (*Balonne*): He had no doubt that there was a necessity for a redistribution of seats, but he would like to remind Government supporters—and especially the Queen-street supporters—that by creating more centralisation in Brisbane than there had been in the past, they were only cutting the ground from under their feet—in fact, they were only cutting their own throats.

The PREMIER: Assist them—I am sure you will. (Laughter.)

Mr. LAND: The reason they had separated from New South Wales was because of the centralisation which took place, and since then they had federated. Many men in the House had worked hard and voted for federation, and one of the most prominent in that direction was the hon. member for Brisbane North, who said he had regretted it ever since.

Hon. E. B. FORREST: He says so still.

Mr. LAND: They made a mistake; but now they had got federation, the little scheme they had in their mind's eye came undone, like some other schemes. The greatest objection he had to the Bill was the centralisation in it. They had a difficulty in getting anything like a fair deal in the country in connection with any of the departments, and the fares and freights on the railways were a great handicap. A man sometimes had to wait a year or two if he wanted to get a piece of land, and it was all through not having sufficient representation in the country districts. He felt certain that under the Bill there would be greater representation in Brisbane than there had been in the past, and that would work very seriously against the interests of Queensland. There was a lot of people who thought that Brisbane was Queensland.

[*Mr. Hamilton.*]

Mr. COTTELL: A great many people of your way of thinking imagine that the country is Queensland.

Mr. LAND: He thought that the Government would find out that they had made the greatest mistake in their life—he hoped they would at the next election.

Mr. MURPHY: As a unificationist, he gladly welcomed the wiping out of all the States, and the abolition not only of the Legislative Council of Queensland but also of the Legislative Assembly.

The PREMIER: You can move an amendment to that effect in the next clause.

Mr. MURPHY: Possibly we may do it. (Laughter.) The Premier, a couple of elections ago, was going round the country telling the electors, "If you do not send me back to power; if you let Mr. Philp get on the Treasury benches again, there will be no representation of the country districts. Let the Conservatives get back to power, and you will see where the country districts will be in Queensland." They knew the Conservatives were back in power now, as, since the coalition, the hon. senior member for Townsville had controlled the present Government, and this Electoral Districts Bill was being brought in to please that hon. gentleman and his conservative friends. People who lived in the far-away parts of Queensland, and spent their lives in trying to open up those isolated places, should have fair representation. The Premier, the Secretary for Mines, and the Treasurer were always standing up in the

[4 p.m.] House and saying, "We must have immigration; we must people the waste parts of Australia in order to keep the Japanese or some other coloured alien from taking possession of it." And when they dealt with a Bill such as that under consideration, they said those people were not entitled to any consideration at all. They had received very little consideration from any Government up to the present time.

Mr. ALLEN: The Home Secretary says we are giving representation to emus and kangaroos.

The HOME SECRETARY: I was quoting Senator McGregor.

Mr. MURPHY: It would be remembered that shearers and the men who lived in the North, and the miners who opened up the great resources of this country, used to be referred to as "The dingoes of civilisation." So far as repealing the present Acts was concerned, it simply meant that the Premier, at his caucus meeting that morning, received an assurance from his party that he would be seen through on the measure, so all the Opposition could do was to make a kind of formal protest, and have a division or two just to show how things stood. That Bill would go through much easier than the Hospitals Bill, and much easier than the Licensing Bill. The present Bill was a Government measure, and every member of the Government party had to come into the House and support the Premier. The Premier knew it was a conservative measure, or thought it was—

The HOME SECRETARY: The representation of democracy, a conservative Bill!

Mr. MURPHY: Why did not the Premier, who had been in power since 1904, consider the representation of democracy before the 13th April last, when his party got wiped out by the Labour party throughout Australia? In New South Wales, Mr. Wade introduced a second ballot to try and stop the Labour

party securing a majority in the coming contests in that State, and it was because the Premier and his conservative friends were afraid of the growing power of the Labour party—were afraid that at the next election they would be wiped out—that the Bill was introduced.

The PREMIER: Apparently your party has not had a caucus meeting.

Mr. MURPHY said the party to which he belonged was the only free party in the House. (Laughter.) They did not require a caucus, as they were absolutely independent, and could vote as they liked.

The PREMIER: Have you asked permission to make that statement?

Mr. MURPHY: He had not asked permission to make that statement. Did not the Premier ask permission from his party that morning to introduce the Hospitals Bill, and did not they refuse that permission? (Government laughter.) Members of the House and members of the Government party knew, just as well as members of the Opposition, that the people of Queensland recognised that the desire of the Government to pass a Redistribution of Seats Bill was not to try and give better representation to the people, but in order to hang on to the Treasury benches.

Mr. PAYNE (*Mitchell*): Clause 2 of the Bill wiped out the Electoral Districts Acts of 1887 and 1892. As had already been stated, the Bill would undoubtedly centralise the power in and around Brisbane, and under the system of one vote one value it was pretty hard to get away from that. If the Government were not careful to give the country districts a fair deal under the Bill, they would do more than anything else he knew of to bring about unification or separation. Some people looked upon the motion brought forward by the hon. member for Barcoo as being just a matter of form. He (Mr. Payne) would inform the House that there was a growing feeling in the North and Centre in favour of separation. It had already been stated that the isolated districts were at a disadvantage compared to the districts in and around the metropolitan area, and it was not necessary for him to remind the Government that, taking the country districts as a whole, they were of considerably less trouble to the Government than the electorates in and around Brisbane. They did not have deputations from the country districts every day, as it were, demanding this and demanding that. The country districts had been the pioneers and backbone of all success, and during the time he had been in the House, the present and all previous Governments had sadly neglected those districts. If the Bill meant that those districts were to be penalised further, then they were doing more than anything he knew of to stimulate the agitation that was already in existence in reference to separation and unification. He trusted, whatever was done, the country districts would receive an extra amount of consideration, as they were away from the Government, as it were, and away from the different departments. If the Government were wise they would give those districts honest consideration.

Mr. HARDACRE thought the Committee ought to postpone consideration of clause 2 until they had dealt with the other provisions of the Bill. Clause 2 was a very important one, as it repealed all the former Acts, and they were making a radical departure from all

previous methods of introducing a Redistribution of Seats Bill. Upon every other occasion when an Electoral Bill had been before Parliament, the new electoral districts were actually named in the Bill itself, and were not left to a commission, so that Parliament could be satisfied before they agreed to pass the Bill. For that reason, the Committee should be satisfied with the other provisions of the Bill before repealing the present Acts, and he, therefore, formally moved that the consideration of clause 2 be postponed until after the consideration of clause 11.

Mr. MURPHY: There was no doubt that this was one of the most important clauses in the Bill. When Redistribution of Seats Bills were introduced on previous occasions, considerably more information was given to the Committee than was imparted to members on this occasion, and he hoped that the Minister would give due consideration to the proposal of the hon. member for Leichhardt, and allow the clause to stand over till they had dealt with the other provisions of the Bill.

Mr. O'SULLIVAN (*Kennedy*) supported the amendment. He did not think it wise to place such power in the hands of the Ministry as would be given to them if they were allowed to appoint commissioners to divide the State into electoral districts. While he did not want to give country electorates an undue proportion of representation, he was of opinion that districts remote from the metropolis were entitled to every consideration. When the present Premier was fighting the senior member for Townsville and the Labour party some time ago, he made a speech in the Kennedy electorate in which he stated emphatically that he would have nothing to do with a Redistribution of Seats Bill. The hon. gentleman also stated on that occasion that he did not think the time had arrived for the introduction of such a measure, and that it would not arrive for some time to come. This measure would place the preponderance of political power in the hands of the large centres of population. Many members seemed to think that Brisbane was Queensland. Even at the recent gathering of members of local authorities there was evidence of the existence of such a feeling, which was found in the fact that some of the delegates to that conference wanted St. Helena, an island in the south-eastern corner of Queensland, proclaimed a national park. If this measure was passed, a great injustice would be done to the remote districts of the State, as the result would be to place the preponderance of political power in the hands of electors in the larger centres of population. He hoped that the Committee would agree to the amendment.

Question—That clause 2 be postponed till after the consideration of clause 11 (*Mr. Hardacre's amendment*)—put and negatived.

* Mr. NEVITT (*Carpentaria*): In his speech on the second reading of the Bill the Home Secretary stated that he (Mr. Nevitt) had quoted certain figures in connection with electoral representation in Great Britain, with the view of showing that as there were anomalies there it was natural to expect that there should be anomalies in Queensland. That was not his purpose in quoting the figures. His purpose was to show that it was absolutely impossible to get one vote one value. In no part of the world had they ever attempted to secure one vote one value on the basis laid down by the Home Secretary. In the figures referred to it was shown that there was a great difference between the values of votes in

Mr. Nevitt.]

different electorates. For instance, the number of electors in Romford, in Essex, was thirteen and three-quarter times more than the number in Montgomery, in Wales.

The HOME SECRETARY: Those are remnants of the rotten borough system.

Mr. NEVITT: They were not remnants of the rotten borough system. The people of Great Britain recognised that it was necessary to give greater political power to electorates far removed from the seat of government than was given to those near the seat of government. If Brisbane was not represented in the House by a single member, it would not lose anything as far as public expenditure was concerned.

The HOME SECRETARY: You say that after the remarks that have fallen from members on that side as to the "octopus," Brisbane?

Mr. NEVITT: What he said was quite correct. The effect of passing this measure would be to increase the political power of Brisbane and the electorates in the immediate vicinity of the metropolis, as compared with the power possessed by the outlying districts of the State. The area of the district he represented was one-tenth of the whole area of Queensland, and if the Bill became law that area would have to be extended to one-sixth the area of the State in order to get a sufficient number of electors for the quota. Under the present representation that district had not got a fair deal in the past, and under the proposed alteration the conflict of interests would be greater than at present. There were two ports and two inland towns in the district—one a pastoral town and the other a mineral town; and that position would be aggravated under the Bill. On coming to the clause allowing for the difference of one-fourth, his party proposed to move an amendment. The Premier said, on the second reading, that no democrat could oppose the Bill.

The PREMIER asked the Acting Chairman's ruling as to whether the hon. member was in order in referring to what was said on the second reading.

The ACTING CHAIRMAN: The hon. member is trying to give reasons why these Acts should not be repealed, but he is trenching very closely on the Standing Order.

Mr. NEVITT said he had nearly completed his remarks. Though the Premier was leader of the House, he was not Chairman of Committees. He took exception to the Premier trying to bully any member of the Committee; and he would not be bullied by the hon. gentleman.

Mr. COTTELL rose to a point of order. Was the hon. member for Carpentaria in order in talking about the Premier bullying the Committee?

The ACTING CHAIRMAN: There is no point of order.

Mr. NEVITT: He was pleased that the Chairman had seen fit to rule as he had done. He would reserve any further remarks until a future occasion.

Mr. ALLEN thought it would be foolish to accept the clause as it stood. There might be a dissolution at any time, and if this clause were passed they would be at sixes and sevens. Clause 12 provided that—

The provisional rolls shall be published in such manner and to such extent as the Minister directs.

And the 2nd subsection said—

If by reason of the dissolution of this present Parliament a general election becomes necessary—

[Mr. Nevitt.

The PREMIER asked whether the hon. member for Bulloo was in order.

The ACTING CHAIRMAN: The hon. member is not in order in anticipating the debate on clause 12.

Mr. ALLEN said it did not affect his argument very much. The operations of the new Act would only be brought into force on the 30th of June, and he contended that everything would not be in proper order until the end of the year. He moved the omission of the words, "end of this present Parliament," with the view of inserting "thirty-first of December, 1911."

Mr. HARDACRE: There was a good deal in the contention of the hon. member for Bulloo. He took it that the object of the amendment was to preserve the present electoral districts and the present electoral rolls until they had substituted the new electoral districts and rolls. Parliament might be dissolved in a month from now, and they would be thrown into chaos.

The PREMIER: We could repeal this Bill before we adjourned.

Mr. HARDACRE: Parliament might be dissolved to-morrow without their consent.

The PREMIER: If the Governor dissolved Parliament without consulting us, that would be his lookout.

Mr. HARDACRE: He thought it would be wise to provide that the old districts should not be repealed until the new districts had been proclaimed. If hon. members would look at clause 11, they would see that after the commission had completed its labours, thereupon the names and boundaries of the electoral districts should be proclaimed. The proper thing to say would be that after the boundaries of

[4.30 p.m.] the new electoral districts have been completed, then the Electoral Districts Acts of 1887 and 1892 should be repealed. The old electoral districts should not be repealed until the new districts had come into existence.

The PREMIER: You cannot repeal them even then. They must last until the end of this Parliament.

Mr. HARDACRE: That was so if Parliament lasted longer than the labours of the commissioners. The point he made was that Parliament might be dissolved before the commission had completed their labours.

Mr. MURPHY: There might be a burst up in the Government party over the Hospitals Bill.

Mr. HARDACRE: If they repealed these two Acts, and Parliament was dissolved in a month, the position would be that the old electoral districts would have disappeared and the new electoral districts would not yet have come into existence. The commission could not complete their labours until June next, at the very earliest, as they had to present their report to Parliament in June next. It was a wrong thing to do anything that would take away the power of Parliament for that of the Cabinet. They had no right to give the Cabinet full right of possession for nine months from now. If the state of the parties in the House was not satisfactory, and work could not be done, then it was a right thing that Parliament might be dissolved at any moment. But if they passed the clause as printed, and the old electoral districts were repealed before the new ones came into force, it would be

giving undue power to the occupants of the Treasury benches. He suggested that the amendment be amended to provide that the old electoral districts remain until the new districts were drawn up. It would be better to make the repeal of the Acts named take effect after the new boundaries were drawn up, instead of having a fixed date.

Mr. LESINA wished to hear an explanation of the clause from the Minister in charge of the Bill, which would probably save time. Otherwise the discussion would go on and on, like Tennyson's brook, "for ever." He was getting in a fog himself over the clause.

The PREMIER: No wonder.

Mr. LESINA: If the clause did not mean what it said, it must mean something else, and the sooner they discovered it the better, because it would make it clear to their understanding. He hoped that the Minister would explain precisely what the clause really meant. Did it mean that the Acts of 1887 and 1892 would remain on the statute-book until the end of this Parliament, whether Parliament ended at the time appointed or whether it ended suddenly? Did it mean that any end that overtook this Parliament would be the period fixed for the repeal of the Acts mentioned? Did anyone understand it? If the Government passed this legislation and got the country into a knot when a general election came on, that would be the fault of the Government, and members could not be held responsible.

The HOME SECRETARY: He thought the clause was sufficiently clear to be understood by every member of the House. After the end of this Parliament, whether it ceased by effluxion of time, or by a dissolution before the natural effluxion of time, the Acts referred to would be repealed.

Mr. LESINA: And the new districts might not be completed.

The HOME SECRETARY: The Bill made full provision in case there should be any by-election.

Mr. LESINA: What about a general election?

The HOME SECRETARY: Prior to the 30th of June, when the whole of the work of the commissioners would be completed, and the electoral rolls would be compiled, should Parliament terminate prior to that time he took it that the necessary provision would be made before the House went to the country.

Mr. LESINA: Who makes the provision?

The HOME SECRETARY: The only provision that could be made was the provision mentioned in the Bill, which required a certain time to elapse before a certain work was carried out. Should the present Parliament come to an end before the 30th of June next—

The PREMIER: Which is unlikely. (Opposition laughter.)

The HOME SECRETARY: Which was unlikely—he took it that the House would make provision for the circumstances which would arise in such a case. So far as they could, they had made all the necessary provisions, which would take a certain amount of time to bring about the result that was intended by the measure before the House. Beyond that he could not give any further

explanation. The matter was as plain and as simple as it was possible for the Parliamentary Draftsman to have made it.

Mr. MAY (*Flinders*): Provided that a dissolution took place within a month—and they never knew when such a contingency might arise—and the division of the State into electoral districts had not been completed by the commissioners, would the elections take place on the basis of the present electoral districts?

Mr. LAND: No.

Mr. MAY: Then some amendment should be inserted in the clause, making provision for such an emergency. They should certainly go on the old basis until the commissioners had completed their work.

Mr. MANN: It was perfectly clear that no provision had been made in the clause for an extraordinary dissolution. The Home Secretary said that the House would deal with the question should the occasion arise; but, in the event of an extraordinary dissolution taking place, the House might be in such a temper that it was not likely to do any business, and there might be chaos. He remembered one such occasion, when the House refused to pass Supply, and they had no guarantee that the House would be willing to pass a Bill to deal with an extraordinary dissolution. Hon. members would rather try and force the Government to go to the country. The new districts would not have been proclaimed, but the old districts would have been repealed, and, if an election was held under the Act, it would be illegal. That was clearly what the Home Secretary gave them to understand would be the position. There was room for an amendment in the clause making provision for an extraordinary dissolution. He did not suppose the Government would come to grief over the Hospitals Bill, but they might come to grief over the allotment of portfolios. There was an empty portfolio, and there were three, if not four, aspirants to it—

Mr. LESINA: I know fifteen.

The ACTING CHAIRMAN: Order!

Mr. MANN: And it was quite possible they might have a dissolution. It would be all right if Parliament dissolved by effluxion of time, but they might have a dissolution at any time. It was quite possible that the Government might be defeated. As a matter of fact, if a little party of six on that side had agreed to a certain arrangement, the Premier would have been turned out of office before the last election, but they refused to accept the conditions.

The ACTING CHAIRMAN: Order, order! The hon. member must confine himself to the amendment.

Mr. MANN: It was just as well for the Premier that he was not allowed to finish what he was going to say, or he might have given the hon. gentleman some very interesting information. There was provision for a by-election, but there was none for coping with an extraordinary dissolution, and provision should be made for such a contingency.

Mr. MULLAN (*Charters Towers*): The Home Secretary had made an extraordinary admission. He had practically admitted that the Bill, as framed, lent itself to the possibility of creating political chaos within a few months.

The HOME SECRETARY: Not at all.

Mr. MULLAN: The Bill was based on the assumption that Parliament was going to live the allotted term of three years. The result

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of an earlier dissolution would mean chaos. They could easily imagine the Bill being assented to in a couple of months. Immediately it was assented to, the two Acts referred to in clause 2 would be repealed; and, if there should be an extraordinary dissolution before the new districts were proclaimed, it might not be possible to pass a Bill making provision for the election of the succeeding Parliament. They knew how impracticable it might be for Parliament to do anything of the kind.

Mr. MURPHY: Supposing there is only a majority of one?

Mr. MULLAN: As the hon. member for Cairns pointed out, on one occasion when an extraordinary dissolution took place, Parliament refused to grant Supply; and it might happen, under similar circumstances, that Parliament would refuse to make provision for the election of its successor.

The PREMIER: Who would be responsible?

Mr. MULLAN: Who would be responsible but the Cabinet for bungling in the drafting of this Bill?

The PREMIER: No; the person who dissolved Parliament.

Mr. MULLAN: The Home Secretary had admitted that the Bill did not provide for such an emergency; and, having made that admission, the duty devolved upon the Government of obviating the possibility of chaos by amending the clause. It should provide that two conditions should take place before the two existing Acts should be repealed. One was that they had reached the end of the present Parliament, whenever that might happen, and the other was that the new electoral districts should have been proclaimed before the present Acts were repealed. There would then be no possibility of a difficulty arising.

Mr. FORSYTH (*Moreton*): There was something in the arguments that had been raised. Supposing, for the sake of argument, that the Bill was passed this week, and that a dissolution took place within a month or six weeks, and before the commissioners could even touch the rolls. They would certainly be placed in a somewhat awkward position, because the present electoral districts would have been repealed. But what would happen? They would have to do one of two things in such a case. They would either have to include some clause in the Bill providing that, in the event of such a contingency taking place, the election should be held under the old Act; or they might provide that this Act should be repealed for the time being in case of a dissolution of Parliament, and they would then get back to the old Act. As far as one could judge, it was more than likely that everything would be all right, and that Parliament would continue for some considerable time.

Mr. J. M. HUNTER: Don't start prophesying.

Mr. FORSYTH: There was another point which had been raised. Supposing a dissolution took place within the next four or five months. By that time the provisional rolls might be ready, although they might not have been confirmed, and, according to the Act, they had power, in the event of a dissolution taking place, to use these provisional rolls before they were confirmed.

Mr. MULLAN: You would not have the districts.

Mr. FORSYTH: They might insert a provision that, in the event of a dissolution taking

[*Mr. Mullan.*

place before the commissioners had time to define boundaries, the new election should then come under the old Act.

Mr. J. M. HUNTER (*Maranoa*): He did not think they would be justified in passing the clause in its present form. They should make provision for all contingencies so far as they could see them. As the hon. member for Moreton had pointed out, it was fairly reasonable to think that this Parliament would live its full time, but they had seen fairer prospects than that suddenly blighted. A provision could be inserted in clause 2; simply stating that, in the event of a dissolution of Parliament taking place before the boundaries were defined, then that extraordinary election should take place under the Act of 1892. That would cover all of the contingencies that might arise. As to the possibility of Parliament making some provision in the event of a dissolution taking place, he thought that that was almost an unreasonable expectation. In connection with the two extraordinary elections which had taken place within the last two years, he did not think such a possibility could have been provided for, because Parliament was in a state of chaos, and no party could have arranged for the necessary machinery for the carrying on of a general election. This could all be obviated by the Home Secretary at once admitting that he had brought this measure in in an unprepared form.

The HOME SECRETARY: He does not admit that.

Mr. J. M. HUNTER: He thought the hon. gentleman would be compelled to admit it. He had admitted it in his speech; he did not say so openly, but there was no other construction to be put on what he did say, than that there was a lack of machinery to deal with possible contingencies such as had been mentioned. Any Government and any Minister made small mistakes at times, and it was an honourable thing for a Government to admit that they had made blunders occasionally. Provision could now be made to meet the dangers which underlaid the Bill in its present form. The Opposition had fully exposed the weakness of the measure, and if they were not strong enough to induce the Government to make the alteration necessary, the blame would rest with the Government should the contingencies arise which had been forecasted.

The PREMIER did not think there was anything in the contention of the hon. member for Bulloo, who had made this proposal, or in what had been said in support of it. The thing was a fancy—a problematical contingency—and nothing else.

Mr. HAMILTON: You are assuming too much. It is possible, anyhow.

The PREMIER: The Home Secretary had shown that other places, when altering their Electoral Districts Acts, acted just as we are doing.

The HOME SECRETARY: New Zealand.

The PREMIER: Other States had amended their Electoral Districts Acts quite recently, just in the same way as we were doing.

OPPOSITION MEMBERS: No, no!

The HOME SECRETARY: Yes; in two cases.

The PREMIER: And in 1887, the Parliament of Queensland amended their Electoral Districts Act.

Mr. BOUCHARD: They described the boundaries in the Act.

The PREMIER: The describing of the boundaries in the Bill, or their being made after the Bill was passed, did not affect this point.

Mr. HAMILTON: Yes; it does.

The PREMIER: Section 2 in that Act read exactly like clause 2 in this Bill—

From and after the end of the present Parliament, the Electoral Districts Act of 1887, and the Electoral Districts Act—

etc., should be repealed.

Mr. J. M. HUNTER: They probably made a blunder too.

The PREMIER: The same fanciful difficulty existed there.

Mr. HARDACRE AND OTHER OPPOSITION MEMBERS: No, no!

The PREMIER: That Parliament might have been dissolved before the new districts described in the Bill came into operation—just in the same way as this Parliament might be dissolved. Like the men in the other States, when dealing with the ordinary business of legislation, they were not concerned with fanciful contingencies which might arise. What was the difficulty? If an extraordinary situation should arise necessitating an election, were hon. members afraid that they would get into such a hole that they could not deal with it?

Mr. LENNON: We are afraid that you might get in. (Laughter.)

Mr. LENNON: Would they not take care, before they went to the country, that this clause, which prevented them being elected again, was repealed?

Mr. MAY: Why not simplify matters by inserting a small clause?

The PREMIER: It was not at all necessary. The objection was a mere fanciful one and had nothing whatever to do with the clause.

Mr. HAMILTON: When the question was first brought forward by the hon. member for Bulloo, the Premier would not listen to it, but after a member of his

[5 p.m.] own party recognised there was some force in the arguments put forward, the Premier hurriedly got a copy of the Act. The Premier said it was only a fanciful objection, but it might become real if there was a dissolution in the near future. The hon. gentleman thought he was in office for life, but just as strong men, who had thought they were there for life, had been thrown out. The hon. gentleman had to hold caucus meetings very frequently—he had to call a caucus nearly every week—so he (the Premier) could not be so absolutely sure of his position. When the Commonwealth Parliament introduced their Electoral Act, the electoral boundaries were defined and attached as a schedule to the Act, and that plan had been adopted in Queensland previously; and in the Bill prepared by the Hon. R. Philp, although it was never presented to the House, all the maps and electorates were defined as a schedule to the Bill.

The PREMIER: That does not affect it.

Mr. HAMILTON: It did affect it very materially. If the boundaries of the new districts were defined as a schedule, then the clause would be all right, because the minute one was repealed the other would become operative. There was a good deal of logic in what the hon. member for Leichhardt had said—that the present Acts should not be

repealed until the boundaries of the new districts were defined and proclaimed. When that was done, then it was quite time enough for the present Acts to be repealed. If they were repealed, as proposed by the clause, and a dissolution took place six weeks hence, what a peculiar position they would be in. It was all very well to say that they could deal with the position whenever it cropped up. Those Acts would be repealed and the present constituencies and their boundaries would be repealed, and the commissioners would not have the new boundaries defined; and perhaps chaos would rule in this House, and it would be impossible to bring in a measure to rectify the mistake. It would be a mistake to pass the clause without making some provision for any contingency that might arise. It did not seem possible at the present time, but still it was quite possible. It was possible for a position of that sort to arise at any moment, and provision should be made for it now. Even if the Legislature, when it passed the Act in 1887, did make a mistake, that was no reason why they should perpetuate it. The mistake should be rectified. Whether the method proposed by the hon. member for Barcoo was the proper way, he was not prepared to say, but he thought there was something in the suggestion of the hon. member for Leichhardt, that the repealing of the present Acts should be contemporaneous with the proclamation defining the boundaries and the new districts.

Mr. LENNON thought it would be very desirable if the Premier, who appeared to be in charge of the Bill, would listen to reason. The Premier said members of the Opposition were looking for every kind of fanciful contingency. Nothing of the sort. It was the desire of members of the Opposition, as far as practicable, to provide for every possible contingency. That was a very desirable aim to have, and, instead of ridiculing the objections that had been pointed out, the Premier would have done well to have consulted the Parliamentary Draftsman to see if some slight alteration might be made by him to meet the difficulty. If the clause read, "After the proclamation of the new boundaries of electorates and the due preparation of the rolls," that the present Act should be repealed, that would meet the case. By a reference to subclause (2) of clause 12 of the Bill, it would be seen that a dissolution was provided for; but they would be in the position of Mahomet's coffin—they would have no electorates, and what would happen to the House? If the Hon. the Premier would accept his (Mr. Lennon's) previous suggestion to alter the wording of the clause, then it might be as well to bring in a new clause after clause 12 providing that, in the case of a dissolution—that was in case the existence of Parliament was terminated in some manner other than by the effluxion of time—they should have an election of the whole State as one electorate, and let the seventy-two members of Parliament go before the whole State of Queensland. He made the suggestion in all seriousness in the hope the members on the Government side would see the justice of it and adopt it.

Mr. PAYNE agreed with a great deal that had been said in reference to clause 2. It would not be a wise thing for the Government to wipe out the present Acts defining the electoral districts without providing something else. It had been stated by hon.

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gentlemen on the Treasury bench that there was no possibility of the Government going out of power for some considerable time. That might be so in the ordinary course of events, but it might possibly happen that next week an hon. member on the Treasury bench might die. Before clause 2 was passed a distinct provision should be made for an election, should the necessity arise at any time. It had been stated that provision could be made when the necessity arose, but how could they possibly get a body of men, when the House was in a state of chaos, to put their heads together to provide some means of going to the country? It was the duty of the Government to make provision in the Bill for an election while they could consider the matter coolly and calmly.

Mr. MAY thought the whole matter might be settled by the insertion of a small clause. He would not mind the clause being passed as printed, provided something else was added to it, and he would therefore move an amendment.

The ACTING CHAIRMAN: Order! There is an amendment before the House at the present time.

Mr. MURPHY thought the hon. member for Bulloo was to be complimented on the fact that he had noticed this big defect in the clause. But for that hon. member the Committee would probably have passed the clause, and if an extraordinary election took place, hon. members would have found themselves in a rather peculiar position. The Minister in charge of the Bill had not been able to explain the criticisms made by the hon. member for Bulloo and other hon. members on that side of the House. When the hon. member for Moreton expressed agreement with the view set forth by members on the Opposition side of the House, the Premier rose and tried to explain the matter. The hon. gentleman talked about members discussing fanciful contingencies, and said that if there was a dissolution members would make things right, so that they could go to the country and be re-elected. But there might be a dissolution at any time. In 1908, when the Philpites and Kidstonites coalesced, the Premier stood up in the House and waved his hand, saying, "There is no possibility of defeat; we shall see this Parliament out." But members of the Opposition fought him, and made him go to the country; and that might happen again at any time. It was no fanciful objection that was raised by members, but a real and serious objection, which ought to be provided against. It was all very well to say that members would make things right to go to the country, but supposing there were thirty-six members on one side and thirty-five on the other, and those thirty-five refused to allow any clause in this Bill to be repealed, what would happen? Why, they might prevent an election taking place. The Home Secretary would do well if he rose at once and told the Committee that he had instructed the Parliamentary Draftsman to prepare a clause which would put things absolutely straight and remove all doubt. Members had made mistakes in passing other Acts, and it was a matter for regret that some of them had not looked into those Acts more closely before agreeing to them. He was sure that if members had studied the Workers' Compensation Act carefully, they would not have allowed that provision to pass which only allowed £1 a week to a man injured in an accident. They were under the

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impression at the time that in such a case a man would get one-half his wages. The only thing the Home Secretary had made clear in this matter was that the Government had blundered in the preparation of the Bill, and he would act wisely if he now took steps to remedy that blunder. If he would not take any notice of the Opposition, surely he would listen to the hon. member for Moreton, who was the financial expert of the Government.

Mr. HARDACRE: The amendment of the hon. member for Bulloo was to omit the words "end of the present Parliament" with the view of inserting "thirty-first day of December, 1911." For the words proposed to be inserted he should like to substitute the words "proclamation of the new electoral boundaries under this Act," which would make the clause read—

From and after the proclamation of the new electoral boundaries under this Act, the Electoral Districts Act of 1887 and the Electoral Districts Act of 1892 shall be repealed.

He thought that the Minister might very well accept that amendment, as it would improve the Bill. A number of members had recognised that the drafting of the Bill was faulty, and had suggested that a new clause should be inserted to obviate the difficulty. His proposed amendment would provide all that was required without inserting a new clause, as it simply meant that automatically and concurrently with the coming into existence of the new electoral boundaries the existing Acts should be repealed. He thought that was a fair and proper amendment to make. This matter was one which should be discussed on higher grounds than those of party politics. From a constitutional point of view they ought to provide for contingencies which might arise. They all knew that, constitutionally, the sole prerogative of dissolving Parliament was in the hands of His Excellency the Governor, and they had no right, looking at the matter from a constitutional point of view, to tie the hands of the Governor in the exercise of his prerogative of dissolution. Members had admitted that there was no provision in the Bill to meet the case of a dissolution before the new electoral boundaries were determined, and had said that if such a contingency arose they could pass a new Act. Why not deal with that contingency now? Look at the position the Governor would be in if they wiped out all the electoral districts and did not bring into existence new electoral districts providing for the representation of the people in Parliament! Under those circumstances it would be practically impossible for the Governor to dissolve the Assembly, because there would be no provision for the election of a new Assembly.

The ACTING CHAIRMAN: Order! This is the second time the hon. member has spoken on this question, and his time has expired.

Mr. HARDACRE: In view of those circumstances, he thought the Minister should amend the clause.

The ACTING CHAIRMAN: Order! The hon. member has spoken.

Mr. HARDACRE: I have resumed my seat, and am now making another speech.

Mr. MACARTNEY asked whether the hon. member for Leichhardt was in order in making two speeches in succession?

The ACTING CHAIRMAN: The hon. member sat down after making his first speech and then immediately rose again. There was no one else standing at the time.

The HOME SECRETARY: I had risen.

The ACTING CHAIRMAN: I only saw the hon. member for Leichhardt. (Laughter.)

Mr. HARDACRE: The Governor would be placed in a very unfair position. He might consider it would be in the interests of the country to dissolve Parliament, but he might say, "I cannot dissolve Parliament now, because there is no machinery for the election of a new Parliament. My hands are tied by the necessity of asking the Ministry of the day to pass a new Act."

The PREMIER: Just as the Governor's hands were tied in 1887.

Mr. HARDACRE: In 1887 they did what he wanted to do now—they provided that concurrently with the coming into existence of the new districts the old districts should disappear. They should not make it incumbent on the Governor to ask the Ministry of the day to pass a new Act. On the high grounds of constitutional procedure and the rights of the Governor and of Parliament, they ought to provide that the old Acts should not be repealed until they had the machinery for the election of a new Parliament.

The HOME SECRETARY: After listening to members opposite he was of opinion that they were simply raising an "Aunt Sally" to shy at. (Opposition dissent.) They talked about the chaos that would ensue if the clause were passed as drafted. He maintained that it had been properly drafted, and it was in accordance with precedents in connection with redistribution measures recently passed in New South Wales, Victoria, and New Zealand. In none of those cases was it considered necessary to make such a provision as had been suggested. What a state of chaos there would be if the suggested amendment of the hon. member for Leichhardt were adopted! Suppose in the month of March a Parliament was elected under the old Acts, and on the 30th June the proposed enactment became law and new electoral districts were provided for, what districts would members represent? They would have been elected for districts which were no longer in existence. The policy of the measure was to give more equal rights to electors; and they could not do better than follow the precedents to which he had referred.

* Mr. MANN: The Home Secretary, with a good deal of sound and fury, had tried to cover up the blunder which had been committed in regard to this clause.

The HOME SECRETARY: No blunder at all.

Mr. MANN: There was a blunder, and the hon. member for Moreton, one of the keenest critics on the Government side, admitted that the contention raised by the hon. member for Bulloo was correct. Everybody must admit that the Bill was badly drafted. The only excuse for not accepting the amendment was that an extraordinary general election was a remote contingency. When the Premier laid down his ultimatum to Lord Chelmsford he informed his party that he had left him no loophole, and that he defied him to grant a dissolution to Premier Philp. But the unexpected happened. Lord Chelmsford refused to be bound by the hon. gentleman, and gave Mr. Philp a dissolution and Supply. The Premier now wanted to hold a bludgeon over the heads of members by telling them that no dissolution could be given, and that if by any manner of means the Opposition should get over to the other side they could remain in

power even if they were in the minority. It was merely a threat to drill his followers into submission.

Mr. MURPHY: That is why that clause is put there.

Mr. MANN: There was nothing derogatory whatever to the Government in admitting that, through an oversight, a mistake had occurred, and then rectifying the mistake. The Government would not lose any prestige by it. The

Courier would not come out with [5.30 p.m.] any headlines about "Another Blunder" or "Another Slip"—(Opposition laughter)—so that no one in the country would know anything about it. The fact remained that a blunder had been made, and the country would see it much more clearly if there happened to be a dissolution. There were a number of members on the Government side who were looking for portfolios, and no one knew what would happen.

The ACTING CHAIRMAN: Order, order!

Mr. MANN: The Home Secretary stated that other States had drafted their Bills in the same way with the self-same clause in it. But if other States blundered, was that any reason why they should perpetuate the blunder? Two wrongs did not make a right. Just because New Zealand and New South Wales had the same clause in their Bills it did not follow that their draftsman drafted an absolutely correct Bill. When the Bible was first printed a reward was offered of £1 for every error discovered in it, but some errors were discovered after the Bible was printed, so that there might easily be errors in Bills. He hoped the amendment would be accepted.

The ACTING CHAIRMAN: Order, order!

Mr. MURPHY: Your time is up.

Mr. MACARTNEY (*Brisbane North*): It looked as if there was a reward offered for discovering mistakes, and hon. members opposite were anxious to earn it. He thought at first that there was something in the point raised, but after hearing all that had been said, and on looking carefully through the Bill, he saw that it was practically giving effect to the policy which the Bill was intended to cover. (Hear, hear!) The clause was exactly the same as the section in the 1887 Act, and he understood from the Minister that it was the same in the New Zealand and New South Wales Acts. There was a difference between this Bill and the Queensland Act of 1887 in that that Act itself defined the electoral boundaries.

Mr. HARDACRE: Hear, hear! That makes all the difference.

The HOME SECRETARY: But the boundaries are not defined in the New Zealand and New South Wales Acts.

Mr. MACARTNEY: The policy of the Bill was to delegate to commissioners—and very conveniently and properly so, too—power to define the electoral boundaries, and necessarily that would take a considerable time. The Bill gave them until the 30th of June next. If the hon. gentlemen opposite thought there was anything serious in the points which they raised, they should shorten the dates set out in later clauses. There was no doubt that the present system of electoral boundaries was not a fair representation of Queensland, and why should they perpetuate it for years to come? The Bill carried out the policy that was intended by the Government, although hon. members opposite might suggest a change in dates if they were serious in their contention.

Mr. J. M. HUNTER: You admit straight away that a contingency might arise when you suggest narrowing the dates.

Mr. Macartney.]

Mr. MACARTNEY: The contingency was a very remote one indeed. If matters did not go on as they were, then hon. gentlemen opposite, or some gentlemen that hon. members opposite were prepared to support, would occupy the Treasury benches, and they could not do any harm in the few months that would ensue before a general election. If the Government were defeated, there would be a new Government. So far as he could see, the contingency members opposite were addressing themselves to was a very remote one, and, as the hon. member for Moreton said, if the contingency did arise, Parliament—if it were necessary—could find some way to meet that.

* Mr. MANN: He had only spoken once on the amendment when he was pulled up by the Acting Chairman before his time, as he should have been allowed ten minutes.

The ACTING CHAIRMAN: Order! The hon. gentleman spoke twice on the amendment.

Mr. MANN: I did not.

GOVERNMENT MEMBERS: Order!

The ACTING CHAIRMAN: The hon. gentleman must accept my assertion that he spoke twice. He followed Mr. May and was succeeded by Mr. Mullan on the first occasion, and on the second occasion he followed the Home Secretary. If the hon. member desires to speak now, this will be his third time.

Mr. MANN: It showed that something was necessary, as no provision was made in the Bill for an extraordinary general election taking place. The only argument advanced by the Government in favour of the clause being left as it stood was that similar Acts in other States were drafted in the same way. That was not always a correct guide to follow. For instance, in the English Workers' Compensation Act it was provided that a workman had to fall a distance of 30 feet before he got compensation for an accident, and other countries passing a Workers' Compensation Act would not copy that clause because it gave no protection to the workman who met with an accident, and who did not fall a distance of 30 feet. The clause made no provision for an extraordinary general election. The Home Secretary should get down from his high horse and move the amendment himself, because, rightly or wrongly, the Government had taken up the attitude that no amendment would be received from the Opposition side of the House. He did not wish to move an amendment, because it would not be accepted, but he hoped the hon. member for Moreton or the hon. member for Brisbane South would move it, and then it would be accepted. The Home Secretary would do a graceful act if he got up and admitted the mistake and made it right, and then no harm would be done, as they would only be providing for what might occur. It was quite possible that anything might take place. They knew what had happened in past years. The Premier came in with a following of forty-four on one occasion, and it was only a few months when most of that following disappeared. The Premier got another party together which he called a "solid, progressive, homogeneous party," but they disappeared like snow before the sun. Again, they had known the Government majority to be reduced to one, and if such a thing happened again, then under the provisions of this Bill a Bill could be put through by the Government, with the aid of the gag and guillotine, for the purpose of trying to stave off an election. It would be a bad Bill, and would only represent the opinions of the thirty-six mem-

bers who passed it. Instead of putting through a Bill when the members were at each other's throats, the Government should pass it at a time when it would be the reflex of the opinion of all the members of the House.

Mr. O'SULLIVAN: The loose way in which the Bill was drafted to meet the contingency which had been pointed out by hon. members on his side went to prove that the Government had not been animated by a democratic spirit when they introduced it. If the contingency which had been referred to arose, political chaos would result, and they might have a political dictator in power for some time to come. A simple proviso would make it clear that, in the event of a dissolution taking place before the commissioners had finished their work, the election should be conducted under the Act of 1892.

The HOME SECRETARY: And perpetuate the old bad order of things.

Mr. O'SULLIVAN: They had seen so many hitches in Queensland during a short space of time that they should be careful to provide for every contingency. For the Home Secretary to argue that, because neither this State nor that State had any such provision, it was not necessary to take it into consideration, was to apply the old Chinese argument that they should never excel their forefathers. They must never do anything good for themselves, but must always copy the old methods. Nobody ever listened to a more foolish argument. The speech of the junior member for Brisbane North, Mr. Macartney, went to prove that the hon. member believed in his heart that the hon. member for Bulloo was right in raising the question. Hon. members opposite refused to listen to a straightforward attempt on the part of the Opposition to provide against any contingency that might occur previous to the boundaries being defined by the commissioners. As had been pointed out by the hon. member for Leichhardt, the boundaries fixed by the existing Acts had been defined before the Bills were passed. The Opposition were asking for the amendment in the interests of clean procedure at elections. No doubt the Government thought that they were in a strong position. They were afraid of Labourism being too strong for them; and, when anything like this was pointed out to them, the Hon. the Premier shouted out to his followers, like the shepherd boy, "Wolf, wolf! The Labour party are on to me, and, if you don't come to my assistance, they will dish us." That sort of thing had been going on for so long, however, that the country did not take the slightest notice of it, although the Hon. the Premier might frighten his slavish following by resorting to such tactics. The hon. gentleman should take warning from the approaching fate of his colleague, the Premier of New South Wales.

Mr. McLACHLAN thought it was a matter for congratulation that the hon. member for Bulloo had pointed out a palpable discrepancy in the Bill. It would have been a pity if the Bill had been allowed to pass without its being noticed. There had been several admissions from members on the Government side that the clause was faultily drafted. The hon. member for Moreton pointed out very conclusively that the arguments used by members of the Opposition with regard to what would happen in the event of an extraordinary dissolution were well founded. The Home Secretary admitted the same thing in his first speech, although in his second he endeavoured

[*Mr. Macartney.*]

to cloud the issue by saying that before the dissolution took place Parliament could pass special legislation. It was reasonable to assume that, in the event of the House having a dissolution forced upon it, there was little likelihood of its passing legislation for the conduct of the election which must follow. It was the duty of Parliament to pass legislation which would either not require amendment at an early date or would require but little amendment. Year after year they devoted a great deal of their time to amending measures which had been rushed through not long before. This session there was quite a number of such amending Bills on the Government programme. Now that their attention had been called to this obvious defect in the clause, they should take the opportunity of amending it, so that they would not need to pass special legislation in the event of a certain contingency transpiring before the commissioners had concluded their work. Of course, the Premier might be of the opinion that there was no likelihood of a dissolution before Parliament expired by effluxion of time. He might possibly have an assurance from his followers that they were prepared to support him during the whole term of this Parliament; but there seemed to be something in the contention of the Opposition when they found the hon. member for Moreton finding fault with the clause, when they found the hon. member for Brisbane South, Mr. Bouchard, by interjection, disapproving of the clause as it was drafted, and saying that it required some amendment; when they found the Home Secretary admitting that the contingency alluded to might arise, but they could get over the difficulty by passing special legislation; and when they found the junior member for Brisbane North, Mr. Macartney, expressing the opinion that there was something in the arguments used by the Opposition, and when he said that he recognised at the commencement of the discussion that it was necessary to amend the clause in the direction indicated.

The HOME SECRETARY: I did not understand that.

Mr. McLACHLAN: But he said that on listening to the discussion and reading up the Act that he was of opinion that an amendment was necessary, and suggested that it might be brought about by shortening the dates.

The HOME SECRETARY: Hon. members on that side have suggested amendments to lengthen the term.

Mr. McLACHLAN: Although the hon. junior member for Brisbane North was not prepared to support the amendment as moved from this side, he admitted that contingencies might arise under which some alteration or amendment would be necessary. The point he (Mr. McLachlan) made was: That in the discussion that had taken place, and in the speeches that had been made by hon. members on the other side of the House, the admission was made that a contingency might arise under which they might be in the position of having to repeal our Electoral Districts Act, while they might have a dissolution before the proclamation was brought into force proclaiming new districts, and they would be in the position of not having any electoral districts at all. The amendment suggested by the hon. member for Leichhardt would perhaps meet the case much better than that of the hon. member for Bulloo, whose amendment, he thought, would better find a place in clause 11 or 12. He trusted that the Minister would see his way to accept

the amendment, or else get the Parliamentary Draftsman to draft a clause which would prevent the necessity, at a later stage, of having to introduce legislation to meet the contingency which he was prepared to admit might possibly arise.

Mr. ALLEN: He failed to see why the Premier should get up and call his objections to the clause fanciful. Anyone who did not agree with the hon. gentleman was, in his opinion, nothing but a faddist.

The PREMIER: Sometimes not even that.

Mr. ALLEN: There were some things which were worse than being a faddist at times. Then they had the Home Secretary getting up and making a great cry about chaos, and insinuating that the real reasons of the objections on this side were with the object of killing the Bill.

The HOME SECRETARY: Hear, hear!

Mr. ALLEN: He might tell the Home Secretary that there was not a great deal of fear in his political heart over this Redistribution of Seats Bill. There was a danger of chaos eventuating if they accepted the measure in its present form. It was all very well for hon. members to say that there was not much likelihood of a dissolution. He was one of those who hoped there would be no dissolution in the near future; he had had quite enough of elections for awhile, but one never knew what might happen. If the clause was passed as at present worded, we would be without electoral districts and electoral rolls for six or nine months, and that meant that there would be no hope of the Governor being able to grant a dissolution if he should deem it wise to do so. The conditions of New South Wales and New Zealand were not at all similar.

The HOME SECRETARY: New Zealand is always quoted.

Mr. ALLEN: In Queensland they had had elections every eighteen months, while in New Zealand and New South Wales they had been running there three years. If it was a hard-and-fast rule that this Parliament must last three years, he was quite prepared to admit that there would be nothing in his amendment, and he would not have proposed it; but this Parliament might be dissolved at any minute. After the passing of this Bill they would have no electoral districts, and it would be impossible for six or nine months to have an election unless—and this was where chaos would come in—they had the districts hurriedly carved out, and the rolls got together in a hurry. Would the Minister say that work which was done hurriedly was always well done? Did he think if the redistribution of seats scheme was to be hurried forward, owing to an approaching election, that the work would be done well? Even if that particular part of the scheme were done properly, did he think that the rolls would be in proper order? It was possible that members would be sent here elected on rolls badly prepared for districts which were very badly defined, and be here for three years.

The ACTING CHAIRMAN: Order! The hon. member's time is up.

Mr. COLLINS thought the discussion would have been averted if the Minister had shown a little reasonableness in accepting amendments from this side. Surely they did not claim that they had got all the wisdom on that side?

The PREMIER: Yes. (Laughter.)

Mr. Collins.]

Mr. COLLINS: A large number of electors did not think so. It appeared to him that there was a good deal of common sense in the amendment of the hon. member for Bulloo. The Opposition were there to protect the rights of the people, to see that they were not encroached upon.

Mr. COSSER: What are we here for?

Mr. COLLINS: To do likewise. The hon. gentleman might be prepared to give away his rights, but they were not prepared to do so. They did not wish to see any harm done in the event of a dissolution taking place before the boundaries were defined. The Home Secretary quoted precedents, but he (Mr. Collins) remembered that on one occasion the Hon. the Premier said that strong men made precedents. He did not know that they should be guided by the dead hand of the past. They had got just as much intelligence, and ought to have a little more than the people who have gone, and if they did wrong in New South Wales, Victoria, or New Zealand in passing a Bill that was badly drafted, that was no reason why they should do that. They should try to improve on that, and the Home Secretary had been badly advised by the Premier in not accepting the amendment. The whole of the discussion would not have lasted ten minutes if the Home Secretary had shown a little common sense. (Government laughter.)

The TREASURER: Let you have your own way.

Mr. COLLINS: To his mind it would facilitate business, and they would make much greater progress if the Government gave that side of the House a little of their own way. Surely they recognised that they were in no way perfect, and they all knew imperfect men could not make perfect laws.

When they reached the high state [7 p.m.] of perfection that the Treasurer assumed, they would not require laws at all. In the history of the past, to some extent, they might judge of the future, and the unexpected might happen even in the State of Queensland, and the amendment had been moved in case the unexpected did happen. A crisis might arise at any time, and, if a crisis did arise, they wished to be in a position to say they had provided for that crisis. The best arguments that had been advanced in favour of the amendment had come from the hon. member for Moreton and also from the hon. member for Brisbane North, Mr. Macartney. Although he (Mr. Macartney) did not say straight out he believed in the amendment, he proved it was desirable that some such amendment should be made.

Mr. MACARTNEY: I tell you now I do not believe in it.

Mr. COLLINS: The Home Secretary himself admitted that the clause did not provide for a contingency arising, such as a dissolution.

The HOME SECRETARY: I gave my reasons why there should be no alteration in the Bill as it stood.

Mr. COLLINS: Which were very weak reasons. It was something like the perplexed philosopher. He (Mr. Collins) hoped the Government would use a little of that common sense that hon. members had been told should exist.

Mr. WINSTANLEY (*Charters Towers*): He had no desire to waste the time of the House, nor did he think hon. members on

that side wished to waste time. It was not only unfair but worse than unfair for the Premier to insinuate every time an amendment was moved on that side of the House, or anything said that he did not approve of, that that side of the House was wasting time. He (Mr. Winstanley) did not think time or anything else would be allowed to stand in the way of the Premier. Certainly he would have no consideration for the time of the House if he thought by taking it away he could get his own way. Members had a perfect right, particularly as they were limited to five minutes in speaking, to take up that time in showing that there was something in the amendment. When the amendment was moved, the Home Secretary was simply baffled, and had no reply. He said he had no explanation to give. He simply got up and read the clause and said it was based on the previous Act.

The HOME SECRETARY: I said it was so absolutely simple that I could not understand members not understanding it.

Mr. WINSTANLEY: The hon. gentleman could not say anything until he had been outside the bar of the House to fortify himself, and then the explanation he gave was a very lame one—one that would not satisfy anybody, and it did not even satisfy the hon. gentleman himself. Hon. members on the Government side saw perfectly clearly that such a contingency as had been pointed out might arise. That had been admitted. The Home Secretary pointed out that a precedent had been established in a previous Act, but, as had been pointed out over and over again, in those previous Acts the boundaries were laid down.

The HOME SECRETARY: I pointed out instances where the same course was followed as is followed on the present occasion.

Mr. WINSTANLEY: It did not necessarily follow, because those precedents had been established, that the Committee should follow them, and because they got clear and did not get into a bog that it would necessarily follow that the Committee would do the same. The idea that prevailed in the minds of hon. members opposite was similar to the idea that prevailed in the minds of men long ago—"That no good thing could come out of Nazareth"—and no matter what blunders the Government might make, and no matter what amendments were suggested by the Opposition members, they would not be accepted—their stupidity and their obstinacy would prevent them accepting anything. Some such contingency as had been mentioned might arise much more easily than some hon. members seemed to imagine. Sometimes even Premiers died, just like ordinary everyday people, and one could easily imagine what sort of a *mêlée* Government members would be in if Providence called the Premier to his reward.

Mr. LENNON: What—his reward? (Opposition laughter.)

Mr. WINSTANLEY: Yes; to his reward. He (Mr. Winstanley) wanted to be generous. If such took place, a contingency such as had been pointed out would immediately come about, and the House would find itself in a state of chaos, with hon. members representing no electorates, and no electorates which they could represent. The amendment might very easily have been accepted, so that when the present electoral boundaries ceased, the others should come into force automati-

[*Mr. Collins.*]

cally. The amendment could have been accepted without detriment to the Bill or to the gentleman in charge of the Bill, and if it had been accepted in the first place the Committee would have been half-way through the Bill.

Mr. J. M. HUNTER was sorry the Home Secretary had not seen fit to accept the amendment. Having resisted the appeal to reason for so long, he (Mr. Hunter) supposed the hon. gentleman was immune to anything of that sort by that time, and it was simply a matter of the power that sat behind him whether the Bill became law in its present form or not. He did not think the Opposition had shown any unreasonableness in making a stand against the passing of the measure in that form. The hon. gentleman assured members of the Opposition that the suggestion they had to make, that the existing law should remain in force until circumstances were brought about as provided in clause 11 for the proclamation of the new electoral divisions, would be perpetuating the same old evil. Allowing that that was so, what did the hon. gentleman's scheme perpetuate? In the first place, chaos must prevail, or else the Government would re-enact the very measure that members of the Opposition proposed to insert—that was back to the old divisions and old electorates and re-enact them. The explanation given by the Home Secretary could not be said in any sense to be an explanation. There was no justification for the clause as it stood. Even the hon. member for Brisbane North—though he indulged in a little special pleading, and said he had somewhat changed his mind after further consideration—stated that the contingency mentioned by hon. members sitting on the Opposition side of the House was not an unlikely one, and that the difficulty could, perhaps, be met by bringing the dates closer together. Was that not an admission that there was some need for amendment in the clause? The Opposition might be charged with wasting time in discussing this matter, but it was a serious enough matter to justify them in spending time over its discussion. The whole discussion would have been easily avoided if the Minister had only recognised the necessity for some amendment, and had shown a "sweet reasonableness" in dealing with the matter.

Mr. MURPHY: He certainly expected that after the Home Secretary had enjoyed his after-dinner cigar he would have met the Committee in a reasonable spirit. The hon. gentleman had told the Committee that this clause was drafted on the lines of the New Zealand and New South Wales Acts. Would the hon. gentleman quote any provisions from either of those Acts which was similar to the one under discussion?

The HOME SECRETARY: I said there was no clause in those Acts making provision for the matter suggested by hon. members opposite.

Mr. MURPHY: The hon. gentleman was entirely wrong, because in the New South Wales Act there was a provision similar to that which members of the Opposition desired to have inserted in this Bill. All that members contended for was that it should be made perfectly clear that it would not be left to the House to make arrangements on the eve of a dissolution for carrying out the election. The Home Secretary told them that mistakes were not likely to occur. He (Mr. Murphy) might mention one case in which a mistake did occur in New South Wales, and that was in connection with the Gambling

Act. That measure was badly drafted, and was rushed through Parliament by the Government with the aid of their very brutal majority, who would listen to no reason or argument, and the result was that when the Act came into operation people were able to run sweeps in New South Wales. All over the State ls. sweeps were freely advertised and carried on—all the result of faulty legislation—and Parliament was then asked to amend the Act in order to stop sweeps. A case like that was a sufficient answer to the Home Secretary's contention that the Parliamentary Draftsman could not err. Legislation had also been rushed through the Queensland Parliament, containing grave errors which had necessitated amendment after amendment of the Act. If the Hon. the Premier had any courtesy about him, he would meet the Opposition in this matter, and introduce an amendment which would make the matter perfectly clear. He was very pleased indeed to think that the Acting Chairman was not going to permit the Premier to bulldoze him.

The ACTING CHAIRMAN: Order! The hon. member's time is up.

Mr. ALLEN: When the Home Secretary refused to accept the amendment, he stated that a clause similar to the one under discussion appeared in previous Electoral Bills. But those previous Bills were totally different in character from the present Bill, inasmuch as they did not deprive the people of Queensland of their power over Parliament for nine months. As soon as those Bills were passed they became law, and members could go to the country; but under this Bill there would be no electoral districts for nine months. The Governor, therefore, would not be able to send members to the country, because there would be no electorates to send them to, and that meant that the Hon. the Premier would be the supreme ruler of Queensland for nine months, without any check on him. But even if there was a similar provision in previous Bills, that would be no justification for inserting it in this Bill, and making members responsible to no particular constituencies. The Bill was one of the most gigantic legislative frauds ever brought into the Chamber. If his amendment were accepted, instead of members being responsible to no one, they would be responsible to the people who elected them. The Premier was good at raising the flag of home rule, yet the party opposite were proposing to place members out of reach of the people for nine months. It was said that there was not likely to be a dissolution for some time; but there was no use in members sheltering themselves behind present prospects. They might have the Premier sitting in the Opposition corner with three or four of his followers.

Mr. O'SULLIVAN: One would have thought the Home Secretary would have seen fit to provide against the chaos that might follow if the clause were passed as it stood. In the kingdom of the blind the one-eyed man was king, and the Home Secretary, in trying to refute the logical position of the position was taking a one-eyed view of the whole thing. It showed the slavish position occupied by members opposite when they were prepared to let this go by default—a glaring constitutional mistake. He would have thought that some of them would have the courage of their convictions. When a logical proposal like this was treated with contumely, it would prove to the country that the status

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of the Government was going down. The Government were not actuated by a democratic spirit in this matter; and, so far as they were concerned, democracy was only a sham. The result of rejecting this amendment would be not only to disfranchise the far-out districts but also to lock up the legislative machinery of Queensland so that no dissolution could come about.

Mr. MURPHY: He would like to take advantage of his remaining five minutes. Some member had said he did not want to waste time; but he thought time was never wasted when an Opposition was putting up a fight for what it believed to be right. (Hear, hear!) In this instance the Government had introduced a Bill which was faulty in the drafting, and the Home Secretary said it was on the lines of the Acts passed in New South Wales and New Zealand. Members of the Opposition had challenged the hon. gentleman to show in either of those Acts where a clause similar to this was included, but the hon. gentleman had not done so. He (Mr. Murphy) had those Acts before him, and he failed to find a similar clause in either of them. They wanted the Government to make things so clear that in the event of a dissolution there would be no trouble in carrying out a general election. The Government declined to do so; they simply depended on the majority behind them carrying anything they proposed, whether right or wrong. There was no necessity for clause 2. In New Zealand and New South Wales they made provision for the repeal of the old Acts and the bringing into force of the new Acts simultaneously, and that was what ought to be done here. He had a grave suspicion of the Government, and he believed the clause was absolutely loaded. There had been other measures with loaded provisions. The whole object of

[7.30 p.m.] the Government was to try and continue in office, and they had to be careful about any clauses which they introduced and tried to get through as quickly as possible.

The ACTING CHAIRMAN put the question—That the words proposed to be omitted stand part of the clause—and declared “The ‘Noes’ have it.”

[7.30 p.m.]

Hon. R. PHILP: Divide!

Mr. MURPHY called attention to the fact that a member of the Government called for a division.

The PREMIER: Who did?

Mr. MURPHY: I understand that the senior member for Townsville called for a division.

OPPOSITION MEMBERS: No, no!

Mr. MURPHY: Then we have won it.

The ACTING CHAIRMAN: The question is that clause 2 stand part of the Bill. As many as are of that opinion say “Aye.”

GOVERNMENT MEMBERS: “Aye.”

The ACTING CHAIRMAN: On the contrary “No.”

OPPOSITION MEMBERS: No, no!

The ACTING CHAIRMAN: The “Ayes” have it.

Mr. LENNON: Divide!

The ACTING CHAIRMAN: Ring the bell.

[Mr. O'Sullivan.

While the division bell was ringing,

Mr. MURPHY: Mr. Grant,—I understand that by your decision in saying that the “Noes” had it in the case of the amendment, you created a blank in clause 2.

OPPOSITION MEMBERS: Hear, hear!

The ACTING CHAIRMAN: Yes.

OPPOSITION MEMBERS: Of course you did.

Mr. LENNON: You gave it to the “Noes.”

The ACTING CHAIRMAN: Order! I put the amendment—“That the words proposed to be omitted stand part of the clause,” and I gave it that the “Noes” had it.

The PREMIER: That is quite right—that the “Noes” had it.

Mr. LENNON: Mr. Grant, point of order—

The ACTING CHAIRMAN: Order! I understand a blank was created unintentionally.

OPPOSITION MEMBERS: “Ah!” and laughter.

The ACTING CHAIRMAN: Thinking that the resolution was carried on the voices, I thought that that left the clause as it stood in the Bill.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MURPHY: If you have made an error, surely to goodness you are not going to make us abide by it.

The ACTING CHAIRMAN: Order, order! I will put the amendment again.

OPPOSITION MEMBERS: No, no! and disorder.

Mr. LENNON: Do you admit that you created a blank?

The ACTING CHAIRMAN: Yes.

Mr. LENNON: Then the Committee could not pass clause 2 with a blank in it.

Mr. MAUGHAN: There is no division.

Mr. LENNON: It would be perfectly absurd to put clause 2 with a blank in it. As there was a blank in the clause, it would only be reasonable and just to allow another amendment to be proposed to fill that blank without having an absurdity.

Mr. MURPHY: I draw your attention to the fact that when I said that the hon. member for Townsville called for a division he denied it.

Hon. R. PHILP: I did not.

Mr. MURPHY: Recommit the Bill. That is what you will have to do.

The ACTING CHAIRMAN: Order, order!

After a pause, during which the ACTING CHAIRMAN consulted with the Clerk of the House and the Premier and Home Secretary.

Mr. MANN asked what was the question before the Committee.

The ACTING CHAIRMAN: When I found that I had created a blank I stopped the ringing of the bell—stopped the division.

Mr. MAUGHAN: It was not really a division.

Mr. LENNON: No. The bar of the House was not closed.

The ACTING CHAIRMAN: I put the question, and I gave it to the “Noes,” thinking that the greatest cry came from the “Noes.” I did not hear the “Ayes” at all.

OPPOSITION MEMBERS: Hear, hear!

The ACTING CHAIRMAN: There seems to be a misunderstanding entirely in regard to the division, and I heard someone call out "Divide!"

Mr. MURPHY: If the Acting Chairman recollected, he (Mr. Murphy) got up and called his attention to it at the time. A division was called for, and the Government, thinking they were in the right, absolutely refused to go on with the division.

The PREMIER: No, no!

OPPOSITION MEMBERS: Yes, yes!

Mr. WINSTANLEY: The Government were caught napping.

The ACTING CHAIRMAN: There is no division now.

The PREMIER and Mr. MAUGHAN rising simultaneously,

Mr. MAUGHAN: Mr. Grant,—I rise to a point of order.

Hon. R. PHILP (to Mr. Maughan): Sit down.

Mr. MAUGHAN (to Hon. R. Philp): You are not the master of this House. Make no mistake about that.

Hon. R. PHILP: Nor you.

The ACTING CHAIRMAN: I call upon the Premier.

The PREMIER: It was quite clear to members that a mistake had been made. (Hear, hear!) Whether the mistake was made by the Acting Chairman or by the members of the Committee did not really very much matter. A mistake had been made, and the simple way to remedy the mistake was to put the question again. (Opposition laughter and cries of "No, no!")

Mr. MURPHY: We were "had" once before.

Mr. MULLAN: The proper way to do it is to recommit the Bill.

The PREMIER: Members of the Committee would then clearly understand what they were doing. However members of the Committee might differ from each other, yet they wanted to get a clear decision recorded of the will of the Committee.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: Every member would admit that a mistake had been made.

Mr. BRESLIN: You were all asleep.

The PREMIER: As a mistake had been made, the Acting Chairman could hardly refuse to put the matter again to the Committee.

Mr. MULLAN: You would refuse to put it again yourself if you could put us in a hole.

Mr. J. M. HUNTER: It is a chapter of mistakes.

The PREMIER: Any man in the chair might make a mistake.

Mr. LENNON: It is not the Acting Chairman.

The PREMIER: It was the Acting Chairman. The Acting Chairman did not put clause 2 as amended. He just put clause 2 because he did not think that clause had been amended. If he had thought that it had been amended, he would have put the question as "clause 2 as amended."

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: Clearly when the thing happened it was a misunderstanding on the part of the Acting Chairman. How would

hon. members opposite speak of the Government if we were attempting to take unfair advantage of a mere mistake?

Mr. HARDACRE: You did it before.

The PREMIER: They would say that we carried it with our brute majority. There was only one sensible thing to do, and he moved that the question of the amendment be again stated to the Committee.

GOVERNMENT MEMBERS: Hear, hear!

Mr. LENNON (rising): Mr. Grant—

The PREMIER: He wanted the motion put before anyone else spoke.

OPPOSITION MEMBERS: "No," and loud laughter.

The PREMIER: Unless the hon. gentleman is going to second it.

Mr. LENNON: He was not going to do any such thing.

OPPOSITION MEMBERS: Hear, hear!

Mr. MURPHY: We will see him hanged first.

The PREMIER: Then you should let the question be put.

Mr. LENNON: The motion moved by the leader of the Government was a perfectly preposterous one. The question was put to the Committee by the Acting Chairman—"That the words proposed to be omitted stand part of the clause," and the Acting Chairman gave his decision in a clear, firm voice that the question was in favour of the "Noes."

OPPOSITION MEMBERS: Hear, hear!

Mr. LENNON: As far as that side of the Committee was concerned, they did not care a rap for the Premier. They claimed their rights under the Standing Orders. The Acting Chairman had given his decision in their favour, and a blank had been created. There was only one way of rectifying the matter, and that was to fill up the blank. He was surprised at the Premier trying to force his opinions down their throats in a matter of that sort. It was entirely without precedent, and he challenged the hon. gentleman to quote a precedent. The senior member for Townsville called "Divide!" although the Acting Chairman did not hear him, and the Acting Chairman gave his decision in favour of the "Noes." But even if the Acting Chairman had heard the hon. member call for a division, they could claim the hon. member's vote. When they had so much domination and domineering from the Premier in connection with the Standing Orders, that they had fought unsuccessfully against, it was time the Acting Chairman should preserve something like decent order. For the Premier, after what they had gone through recently, to cram his opinions down their throats was a disgrace to the Committee.

HON. R. PHILP: By way of personal explanation, he wished to state that he was in the Chamber when the question was put. The Acting Chairman declared that the "Noes" had it, and he (Mr. Philp) called "Divide!" But he was not in charge of the Bill. The Home Secretary was in charge of the Bill, and he should have called "Divide!" but the hon. gentleman not having done so, he (Mr. Philp) allowed the question to be put. He did not deny having called for a division. What happened was this: The hon. member for Croydon said that a member of the Government called "Divide!" and he (Mr. Philp) said he was not a member of the Government.

Hon. R. Philp.]

Mr. MURPHY: Whether the senior member for Townsville called "Divide!" or not had nothing to do with the question at the present moment. The Acting Chairman had given his decision, and the Premier came along with a suggestion that, although the question had been decided against the Government, it should be put over again. Supposing that was allowed, if at any time the Opposition happened to defeat any proposition of the Government, as soon as the Premier had got his majority together, he might rise and move that the question be again put, and carry it. He was going to ask the Acting Chairman for his ruling upon the question.

Mr. HARDACRE: He has already given his ruling.

Mr. MURPHY: He was going to ask for a ruling upon the Premier's motion.

Mr. HARDACRE: He cannot move it.

Mr. MURPHY: He was very pleased to know that he could not move it. All he knew was that the Premier had moved it.

Mr. HARDACRE: No.

The ACTING CHAIRMAN: The Premier has moved a motion.

Mr. MURPHY: He understood the Premier to move that the question be again put, and he wished to point out that, if the Acting Chairman accepted such a motion, the position would be ridiculous. They might carry an amendment at a time when some of the Premier's party were away, and, when they came in again, the hon. gentleman might propose that the question should be again put, and carry it. All that the hon. gentleman had to do on the present occasion was to recommit the Bill, and they should insist on the hon. gentleman adhering to the regular parliamentary procedure.

An OPPOSITION MEMBER: Let him fill in the blank.

Mr. MURPHY: The hon. gentleman looked very blank just now. He had no objection to the blank being filled so long as there were enough to carry it. They could learn from the hon. gentleman whether the words with which he proposed to fill the blank were acceptable to them or not, and they could discuss the question and take a vote upon it. They had better hear what the Minister in charge of the Bill had to propose. If the Premier had his way, he would ride roughshod over them. It did not matter how often he was beaten, he would say, "I am going to put it into the Bill in spite of Parliament." Now, they were not going to stand that from the hon. gentleman. If he was looking for a row, he could get it.

The PREMIER: All right. I will not ask that my motion be put. The Home Secretary will move an amendment.

GOVERNMENT MEMBERS: Hear, hear!

OPPOSITION MEMBERS: Oh, oh!

The ACTING CHAIRMAN: The question now is—That the clause, as amended by the omission of the words "the end of this present Parliament" stand part of the Bill.

Mr. THEODORE: I rise to a point of order.

The ACTING CHAIRMAN: The Premier has withdrawn his motion.

OPPOSITION MEMBERS: No, no!

The ACTING CHAIRMAN: Is it the pleasure of the Committee that the motion be withdrawn? The Premier moved—"That the

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question be again submitted." That was not put by me from the chair. The question now is—That the clause as amended by the omission of the words, "the end of this present Parliament" stand part of the Bill.

OPPOSITION MEMBERS: No, no!

Mr. HARDACRE rose to a point of order. After the Acting Chairman had put the question an hon. member called "Divide!" and the bells were rung. Then the Premier wanted to go back on that. He contended that they could not go back on what had been done. The hon. gentleman had to abide by the decision of the Acting Chairman, and they were not going to allow him to go back on it.

The ACTING CHAIRMAN: The position is that a blank has been created. I gave my decision in favour of the "Noes." That is where I made the mistake—putting the clause after it had been amended. A blank has been created, and the hon. member for Bulloo gave notice that he would move that it be filled up by the insertion of the words "31st December, 1911." The question now is—That the words proposed to be inserted be so inserted.

Mr. LENNON would like to point out that the object of creating a blank was to fill up that blank afterwards by the insertion of other words.

The PREMIER: That is exactly what the Acting Chairman said.

Mr. LENNON: But you want to make it part of the Bill, I understand.

The ACTING CHAIRMAN: The question is—That the words proposed to be inserted be so inserted.

Mr. MANN: I would like to know what the words proposed to be inserted really are.

The ACTING CHAIRMAN: The words proposed to be inserted by the hon. member for Bulloo are "31st December, 1911."

Mr. MANN: He understood that the hon. member for Bulloo had withdrawn his amendment in favour of the amendment suggested by the hon. member for Leichhardt.

The ACTING CHAIRMAN: No; the amendment has not been withdrawn.

Mr. MANN: He had just heard the Premier dictating across the Chamber to the Acting Chairman.

The ACTING CHAIRMAN: Order! He is not dictating to me. We have created a blank in this clause, and the hon. member for Bulloo, in creating that blank, desired to put certain words in—namely, "31st December, 1911." The question before the Committee is whether those words shall be inserted.

Mr. MANN: Yes; and he (Mr. Mann) was speaking to that, and he was resenting the Premier dictating to the Acting Chairman across the Chamber. He did not think it should be done.

The ACTING CHAIRMAN: Order, order!

Mr. MANN: The amendment was not as good as they desired, still it was much better than the clause originally drafted, and, failing a better amendment, he trusted the Committee would accept it, because it would give time to allow of some provision being made if there should be an extraordinary election. He trusted that the Premier would

see the error of his ways, and accept the amendment, or else move one which would meet the case.

Mr. NEVITT: For cool cheek, recommend him to the leader of the Government. The manner in which he had got up to-night—in fact, he had been doing it all day—

The PREMIER: Order! Speak to the amendment.

Mr. NEVITT: The Premier said a mistake had been made, and he turned round and wanted to put it on the Acting Chairman.

The ACTING CHAIRMAN: Order! The hon. member must deal with the amendment before the Committee, which is the insertion of the words proposed by the hon. member for Bulloo.

Mr. NEVITT: If he was out of order, he would like to know how the Premier got his words in. He maintained that he had just as much right as the Premier, and if the Premier made a statement on the floor of the House, he maintained that he had a right to reply to it.

The ACTING CHAIRMAN: I have put the question distinctly several times. The question before the Committee is the insertion of the words proposed by the hon. member for Bulloo, and members must now confine themselves to the discussion of the amendment. During the misconception that arose with regard to the voting, latitude was allowable, but now that the question is clearly put, members must confine themselves to it.

Mr. NEVITT: The hon. member for Bulloo's amendment was before the Committee at the time the Premier made use of the words he uttered. The question was that a blank should be created, and until the blank was created the hon. member for Bulloo's amendment was before the Committee, and the Premier then made use of those remarks.

The ACTING CHAIRMAN: The hon. member must confine himself strictly to the question before the House—the insertion of those words.

Mr. NEVITT: The Acting Chairman ruled, then, that a man on the other side of the House could make use of any expression he liked but no member on this side could reply to it.

The ACTING CHAIRMAN: Order! Hon. members know that in the temporary position I am occupying, I have been fair to all sides—

HONOURABLE MEMBERS: Hear, hear!

The ACTING CHAIRMAN: And the hon. member must obey my ruling when I say he must now confine himself to the question before the Committee, which is the insertion of the words proposed by the hon. member for Bulloo.

Mr. HARDACRE contended that the position was that the whole clause was put, and the hon. member for Herbert, Mr. Lennon, called "Divide!"

The ACTING CHAIRMAN: Order! I have already explained that the clause was put wrongly by myself. We created a blank, and therefore I thought it would be a good opportunity for the blank to be filled in. I was wrong in putting the clause as I did, but now the whole case has been explained to the Committee, and we have put the

question orderly, every member knows that the question before the Committee is the insertion of the words proposed by the hon. member for Bulloo, and I cannot, therefore, allow any more discussion on the point.

HONOURABLE MEMBERS: Hear, hear!

Mr. ALLEN: With the permission of the Committee, he desired to withdraw his amendment, as he had reason to believe—

OPPOSITION MEMBERS: Don't give reasons; withdraw it.

Mr. ALLEN: He had every reason to believe that another amendment would be brought forward later on from this side of the House.

The ACTING CHAIRMAN: Is it the pleasure of the Committee that the amendment be withdrawn?

HONOURABLE MEMBERS: Hear, hear!

Amendment withdrawn accordingly.

The HOME SECRETARY moved the insertion, in lieu of "From and after the end of this present Parliament" of the words "From and after the next dissolution of Parliament."

Mr. LENNON rose to a point of order. He contended that that resolution had already been defeated.

OPPOSITION MEMBERS: Hear, hear!

Mr. LENNON: What difference was there between "the end of this present Parliament" and "the next dissolution of Parliament"?

The ACTING CHAIRMAN: I rule that this amendment is in order. Clause 2 says the end of the present Parliament. Parliament may last for the three years, but a dissolution may happen in three months.

* Mr. MANN moved that the Acting Chairman's ruling be disagreed with, and referred to Standing Order No. 71, which said—

A question or amendment shall not be proposed which is the same in substance as any question which, during the same session, has been resolved in the affirmative or negative.

The Acting Chairman had said that he was a fair Chairman, and gave both sides of the House a fair deal—

Hon. E. B. FORREST: So he does. (Hear, hear!)

Mr. MANN: And gave his decision independent of any party leanings he might have. He claimed that the Standing Order which he had read was sufficient to guide the Acting Chairman in this matter. He would ask the Acting Chairman to explain what was the difference in substance or in meaning between the words, "From and after the end of this present Parliament" and "From and after the dissolution of this Parliament." "The end" and "the dissolution" meant the same thing. They had heard the Hon. the Treasurer the other night labour the question of the meaning of "expenditure." Perhaps he might have been right to a certain extent in his reasoning, but he (Mr. Mann)

[8 p.m.] claimed that it would require a sophist to explain away the Standing Order. It was as clear as daylight that the end of Parliament was a dissolution, and that a dissolution was the end of Parliament, and he claimed that the Acting Chairman must rule the amendment moved by the Home Secretary out of order.

Mr. LENNON was sorry to say he entirely disagreed with the ruling of the Acting Chairman in this matter, and he had intended

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moving a similar motion to that moved by the hon. member for Cairns. He was loth to do so, but if the Acting Chairman considered the matter seriously for one moment he must admit that the terms were synonymous. Parliament was dissolved by certain action instanter—on the spot—and in the other case it died by degrees—by effluxion of time; but Parliament was dissolved in both cases, and he contended that the ruling was wrong, and he would have to press the motion to a division.

Mr. MURPHY reminded the Acting Chairman of a ruling which the Chairman of Committees, Mr. Armstrong, gave on several occasions during the last session of Parliament. In connection with certain railway proposals, members of the Opposition proposed that a minimum rate of wage should be inserted in those proposals. Mr. Grant would recollect that on the first occasion the Government were strong enough to defeat the proposal; and on every other railway proposal that was introduced that session, when members of the Opposition endeavoured to move the insertion of a similar clause to that which had been defeated, the Chairman of Committees ruled that it was the same in substance, even though the rate of wage was different, and he absolutely refused to accept it. As the hon. member for Cairns pointed out, Standing Order 71 was very conclusive on that point, and it was on that Standing Order that Mr. Armstrong based his ruling last session. Standing Order 71 was headed "Same Question not to be proposed," and provided that no question or amendment should be proposed which is the same in substance to any question which had been resolved in the affirmative or negative. The proposal of the Home Secretary was the same in substance to the proposal which had just been defeated.

A GOVERNMENT MEMBER: You did not think that a moment ago.

Mr. MURPHY: He did not, and confessed it. "To err is human; to forgive divine." He made a mistake, and he might have gone on under that mistake had not the member for North Brisbane pointed out that it was the same in substance. He (Mr. Murphy) therefore had a look at it, and saw that, like most of the measures proposed by the Government, it was loaded, and consequently they had to oppose it. The Acting Chairman had ruled that the proposal was in order, and hon. members were perfectly justified in voting for the motion that the ruling be disagreed to.

The ACTING CHAIRMAN: Order, order!

Mr. O'SULLIVAN: He was sorry to have to disagree with the ruling given by the Acting Chairman, as the proposal was synonymous with the words in the clause before the blank was created. It appeared to him as synonymous in its meaning as if a man died a natural death or if he committed suicide—it was just the same so far as life or death was concerned. If Parliament continued until it expired by effluxion of time, it died a natural death; and if Parliament dissolved by its own act, then it practically committed political suicide. Of all the twisty and tricky things, commend him to the Home Secretary for a lawyer's way of doing it. The Home Secretary was so delighted when the Acting Chairman ruled the amendment in order that he could not retain himself, and had to laugh. It was not a fair thing to treat the Committee in such a flippant manner. Unfortunately, he could not see his way to uphold the ruling given by the Acting Chairman, and he (Mr.

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O'Sullivan) was sorry to think that the Acting Chairman had allowed himself to read into the proposal a different meaning to that put on it by every reasonable man in the Chamber.

Mr. ALLEN was very sorry he was compelled to vote in favour of the motion. If the Acting Chairman paused for a moment he could only come to one decision, and that was, although different words were used, the proposed new words had practically the same meaning as the words deleted. If the ruling was upheld and a discussion took place on the proposed amendment, the same arguments would be used as were used on the proposed omission of the words. It appeared to him that the Home Secretary, in proposing the amendment, was sparring for time, and the Opposition, as they consistently opposed the clause, must continue to fight against the proposed new words, which were practically the same as the words omitted a few moments ago. He (Mr. Allen) sincerely regretted having to vote against the ruling of the Acting Chairman, because on nearly every occasion he had been well satisfied with the rulings given, and he knew the Acting Chairman did his best to be fair to both sides, but he had made a very grave mistake on this occasion.

Mr. J. M. HUNTER: The evidence of fair play which the Acting Chairman had shown in times past caused a good deal of regret on the part of every hon. member at having to oppose his ruling on this occasion, and he (Mr. Hunter) thought—if he might make the suggestion—the Home Secretary would be acting a generous part were he to withdraw his amendment so that an amendment which would be in order might be submitted to fill the blank which had been caused. When the blank was created, the Government, seizing the opportunity, stole a march on a member on the Opposition side of the House who had an amendment ready, and submitted their proposal. There was no difference between the "end of Parliament" and the "dissolution of Parliament." Both terms meant the instantaneous death of Parliament. He trusted the Home Secretary would not force the question to a division, because, if he did, he (Mr. Hunter) would be compelled, though with very much regret, to vote for the motion disagreeing with the Acting Chairman's ruling.

Mr. HAMILTON thought that owing to the amount of talk which had been going on the Acting Chairman had given a hurried ruling, and that in his cooler moments he would see that the amendment was the same in substance as the words which had just been deleted from the clause. It would take the cleverest lawyer all his time to convince any court that the two expressions were not the same in substance. A dissolution was the "end of Parliament." It was not a nice thing to have to disagree with the ruling of the Speaker or Chairman, but, however painful it might be, if members thought the ruling of the Acting Chairman was wrong it was their duty to vote against it. Possibly the majority of members would support the Acting Chairman, but whether they did so or not, no right-thinking person would agree with the ruling.

The ACTING CHAIRMAN: After the discussion which has taken place on this matter, I am of opinion that the amendment goes very close to the wind, and I rule it out of order.

OPPOSITION MEMBERS: Hear, hear!

The HOME SECRETARY moved that after the words "from and after," there be inserted

the words, "the passing of this Act, except for the purpose of filling up any vacancy arising in the representation of any electoral district during the existence of this Legislative Assembly." The clause would then read—

From and after the passing of this Act, except for the purpose of filling up any vacancy arising in the representation of any electoral district during the existence of this Legislative Assembly, the Electoral Districts Act of 1887 and the Electoral Districts Act of 1892 shall be repealed.

Mr. MURPHY did not think the amendment met the difficulty. It simply dealt with by-elections.

The PREMIER: No; it fixes the date when the Act comes into operation.

Mr. MURPHY: Will you, Mr. Grant, kindly read the amendment again?

The ACTING CHAIRMAN thereupon read the proposed amendment. The question is that the words proposed to be inserted be so inserted.

Mr. O'SULLIVAN: It appeared to him that the amendment applied only to by-elections. What members had been contending for was that provision should be made to meet the case of a dissolution of Parliament before the date when it would expire by effluxion of time. He should, therefore, oppose the amendment.

Mr. HARDACRE said he was going to raise a point of order. The amendment now proposed was exactly the same in substance as the proposal which had been defeated. It said absolutely the same thing, but in a roundabout way, and with more verbiage and tautology. The Committee had rejected the proposal in the clause that the existing Electoral Acts should be repealed as from the "end of this present Parliament," and the Home proposal in the clause that the existing Electoral Acts should not be repealed so far as the filling up of any vacancy arising in the representation during the existence of the present Assembly was concerned. That was exactly the proposition which the Committee had rejected. The Standing Orders distinctly said that an amendment should not be moved which was the same in substance as a question already decided in the same session; and on page 286 of "May," tenth edition, he found this—

It is a rule in both Houses, which is essential to the due performance of their duties, that no question or Bill shall be offered that is substantially the same as one on which their judgment has already been expressed in the current session.

And further on—

A mere alteration of the words of a question without any substantial change in its object will not be sufficient to evade this rule. On the 7th July, 1840, Mr. Speaker called attention to a motion for a Bill to relieve dissenters from the payment of church rates, before he proposed the question from the chair.

It was not a proper thing to try and evade the rule by the roundabout process adopted by the Home Secretary.

The ACTING CHAIRMAN: I may point out to the hon. member that the words defeated gave a currency to the Bill, the words being "after the end of this Parliament," but by the proposed amendment the Bill comes into operation immediately after it is passed.

Mr. MACARTNEY did not think the proceedings could be regarded as creditable. The position they were in was the result of a mis-

understanding which might have been corrected in a few moments; but they had been brought into that position by a strict adherence to the Standing Orders. The position, he thought, was hardly creditable to their common sense. He thought it must be admitted that the amendment now proposed was substantially different from the one that was negated. The words negated provided for a repeal of the two Acts mentioned as from the end of the present Parliament; the present amendment provided that they should be repealed immediately from the passing of this Act except for the purposes of a by-election. That was substantially a different amendment, and he thought the ruling of the Acting Chairman was absolutely correct.

Mr. HAMILTON: He agreed with the hon. member for Brisbane North that this position had been created by sticking as closely as possible to the Standing Orders. The Government had allowed a blank to be created; and now they found it almost impossible to fill up the blank without bringing in an amendment which was the same in substance as the original clause. The Acts were not supposed to be repealed as far as filling up a vacancy was concerned, but as far as a general election was concerned they were supposed to be repealed.

Mr. HARDACRE: When he spoke before he had not considered the word "vacancy," which he now took to mean a by-election. He had therefore changed his opinion on the point.

Mr. MURPHY: He was not going to express an opinion as to whether the proposal of the Home Secretary was in order or not; he simply wanted to point out that they had not been talking about a by-election at all, but about a dissolution of Parliament.

An HONOURABLE MEMBER: Move your amendment.

Mr. MURPHY: If he moved an amendment, the result would be that it would be defeated by the majority opposite. It was for the Government to bring down Bills in proper form, and it was for the Opposition to criticise them, and the Government should find a way of remedying anything that was wrong. This proposal might be in order.

Mr. HARDACRE: Yes; but it is a silly thing.

Mr. MURPHY: If it was a silly thing, they wanted to get it out of the way. For the last couple of hours they had been asking the Government to fix up the clause so that, in the event of an extraordinary dissolution of Parliament, an election could be held; but the Premier, the Home Secretary, the Parliamentary Draftsman, and all the lawyers on the other side could not fix it up. If they would promise to accept it, he would fix up an amendment in five minutes. So far as a dissolution was concerned under the Bill, he found himself in the position of having to look for another constituency, and he

[8.30 p.m.] was going to look for an easy one.

The Home Secretary, after consultation with the Premier, the Treasurer, the Parliamentary Draftsman, the clerks of the Home Secretary's Office, and the hon. member for Brisbane North, ought to be able to give members a simple remedy for the defects which they had been pointing out in the clause for the last two hours. They wanted to make the clause so that any sensible man could understand it, and do away with the defects in the event of a dissolution. Suppose they got enough followers to burst up the Government party and a dissolution followed, what would

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they do? They would have no electorates to go to, nothing fixed up, no rolls, and everything would be chaos. (Laughter.) Owing to his kindly disposition, he had given time for the Premier and Home Secretary to draft an amendment to insert into the blank which the Opposition had created, much to the consternation of the Government. Now that the Premier had taken a hand in it, he hoped he would give them a good sensible Scotch suggestion—(laughter)—one that they would not be able to cavil at. (Laughter.) They wanted something that was free of legal phrases with their “whereas” and “whereof” and “whereat.” (Laughter.) As the Acting Chairman was looking at the clock, he would sit down.

The HOME SECRETARY: With the permission of the Committee—Opposition (laughter)—he wished to make his amendment more comprehensive, and to save members of the present Assembly who might be affected by the wording of his amendment as made in the first instance. He proposed to alter the clause so that it would read—

From and after the passing of this Act, except for purpose of the representation in this Parliament of existing electoral districts and the filling up of any vacancy arising in the representation of any electoral district during the existence of this Parliament, the Electoral Districts Act of 1887 and the Electoral Districts Act of 1892 shall be repealed.

GOVERNMENT MEMBERS: Hear, hear! That is clear enough.

Mr. WINSTANLEY: It is confusion worse confounded.

Mr. HARDACRE: You want to extend it now.

The ACTING CHAIRMAN: This amendment is to be substituted for the other one?

The HOME SECRETARY: Yes.

Mr. LENNON: Before they entered on a discussion of the amendment, he thought it would be wise, if they had no legal representative on the Government side of the House competent to draft an amendment, that they should have the Attorney-General brought there and consulted on the matter.

Mr. MURPHY: Why not bring Barlow?

Mr. LENNON: He called attention to the fact that if there was anything wanted to show the necessity of having the Attorney-General holding a seat in the Assembly it was the confusion and waste of time that had gone on that evening drafting amendments.

The ACTING CHAIRMAN: The members are cognisant of the amendment, as copies of it have been handed round.

Mr. WINSTANLEY: We have not got that one.

The ACTING CHAIRMAN: The Clerk wrote out a number of copies of the Home Secretary's amendment, and they were distributed amongst members. The Home Secretary desires to alter his amendment.

Mr. MANN rose to a point of order. There was an amendment already before the Committee.

The ACTING CHAIRMAN: Order, order!

Mr. MANN: There was another amendment before the Committee that they had not yet finished with.

The ACTING CHAIRMAN: But the Home Secretary asked leave to substitute this one in its place.

Mr. MANN: But he has not got leave yet.

The ACTING CHAIRMAN: I was just going to ask the Committee if they would give

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him leave. Is it the will of the Committee that the Home Secretary's amendment should be altered by the insertion of these words?

GOVERNMENT MEMBERS: Hear, hear!

Mr. HARDACRE: No, no!

Mr. MANN: Before the Committee agreed to that, he reminded the Acting Chairman that they were dealing with the original amendment of the Home Secretary. The wisest course to pursue was to postpone consideration of the amendment until to-morrow, and in the meantime the amendment could be printed and circulated amongst members. In the interests of good legislation they should have the amendment printed and circulated amongst members so that they could understand it. They could not consider it properly that evening because, when they had an amendment before them, the Home Secretary came along with a fresh one as soon as they pointed out the holes in his armour. He (Mr. Mann) did not believe in patchwork legislation. He believed in doing their work properly and not having to bring down amending Bills later on. A great deal of the confusion that arose in the country over various Acts of Parliament was due to the fact that they were badly drafted; mistakes crept in such as had crept in that evening. Hastily drafted amendments were inserted without sufficient consideration, and then the measures were found to be defective after they were passed. Would it hurt the dignity of the Government if they admitted that the clause required consideration, and if the Home Secretary got his amendment printed and circulated, and it came on for further consideration to-morrow? There had been no less than three amendments brought in during the last three-quarters of an hour. Members on the other side were quite prepared to accept each one of them, and, as soon as Opposition members pointed out that they were not in order or that they did not meet what was wanted, the Government hastily drafted another. For the credit of the Government, they should agree to postpone the clause until to-morrow.

Mr. O'SULLIVAN said that the amendment left the position precisely as it was in the original clause. It proposed that in the case of by-elections the elections should be contested under the existing Acts. That was just what was proposed in the clause as it stood in the Bill. If the Home Secretary would look at the question from the broad democratic point of view from which it was regarded by members of the Opposition, he would draft his amendment so that it would deal with the case of a dissolution, and provide that the elections should in that case also be conducted on the basis of the existing Acts. They did not want to have a dictatorship for six or nine months. If a want of confidence motion was carried, and parties were practically evenly balanced, the gentleman who was commissioned to form a Government would not be in a position to pass legislation that would tide them over the elections that would follow on a dissolution. Members on this side were anxious that there should be no ambiguity, and that the country should be amply protected in the event of a dissolution: but the Home Secretary's amendment was simply a repetition of the original clause in other words, and the hon. gentleman knew it.

The HOME SECRETARY: I do not.

Mr. O'SULLIVAN: There was no difference between the two. If the hon. gentleman

and the Government had any reasonable acumen, they would have accepted the amendment that had been foreshadowed by the Opposition, and the matter would have been settled before tea time.

Mr. MURPHY thought the Government were to be congratulated upon the fact that they were splendidly carrying out the good old policy of "How not to do it." During the last half hour the Home Secretary had submitted three different proposals to get them out of the difficulty in which they found themselves through the hon. gentleman's mistake in not calling for a division. Why should not the Home Secretary, with the permission of the Premier, take the advice tendered by the hon. member for Cairns and postpone the consideration of the clause until to-morrow? It rarely happened that they found themselves so tied up as they were at present, and nobody on the Government side seemed capable of extricating them from the difficulty. What were they going to do? Were they to have more amendments, and was there to be no finality about it? The most sensible thing the Government could do was to permit the consideration of this clause to stand over till to-morrow. That would enable them to call all their legal experts together to draft a clause. He did not profess to know much about law, any more than he had had to pay a few legal accounts in his time. Possibly, if the Government called a meeting of their legal experts together to-morrow, by the time they got another clause in they would not understand it at all. (Laughter.) He suggested that the Home Secretary might solicit the services of the Minister for Education, who could take the Bill to the Education Department to-morrow, and place it before his officers, and he felt certain that they would draft a proviso in plain and easily understood language which they would be able to deal with, and the clause would go through to-morrow without any further opposition. But if they were going to continue to bring amendment after amendment, they would get into that position directly that they would have amendments on the brain. He must confess that he did not understand much about the amendment, and he was sure the Home Secretary knew very little about it.

The ACTING CHAIRMAN: Order! The hon. member's time is up.

Mr. MULLAN was quite ready to concede that the amendment as it stood was not substantially the same as the other, because it provided for the representation in this Parliament of the present members, and also for contingencies that might cause vacancies. It was unwise to provide in this particular place for the contingencies, and in this particular way. If they accepted it as it stood, it meant that in order to be prepared for the contingency of an extraordinary election they would have to keep two sets of machinery in operation.

The HOME SECRETARY: It is all provided for in the Bill.

Mr. MULLAN: Was it advisable to have that proviso? He did not think it was.

The HOME SECRETARY: Yes; absolutely necessary.

Mr. MULLAN: It was remarkable that the hon. gentleman should find that out.

The HOME SECRETARY: I pointed it out on the second reading.

Mr. MULLAN: It was not provided for.

The HOME SECRETARY: The machinery is provided later on in the Bill.

Mr. MULLAN: If it went through in its present form, the Acts of 1887 and 1892 would be used for the purpose of extraordinary elections. Although this Bill was assented to, and the new districts might be proclaimed next June, for an additional sixteen months they would have to duplicate the electoral machinery throughout the State in the way of keeping separate rolls for the old districts. Immediately this Act came into operation, it should be available in the case of an extraordinary vacancy, thus avoiding the necessity for the extraordinary expenditure which would be involved by the duplication of the electoral machinery. The amendment as it stood made it very much worse than it was before so far as provision for an extraordinary vacancy was concerned.

The HOME SECRETARY: Clause 14 in the Bill makes full provision.

Mr. MULLAN: The Home Secretary would be well advised in temporarily withdrawing clause 2, and proceeding with clause 3. He could have his proposed amendment printed and distributed, because it was very difficult to get the hang of the amendment, covered up as it was in legal verbiage for the purpose of confusing members.

The HOME SECRETARY: I do not think so.

Mr. MULLAN: If that course were adopted, they might to-morrow do in two minutes what it would take two hours to do now. The Government would suffer no loss of dignity. The hostile attitude of the Government had been largely responsible for the delay which had taken place. The Premier had straight away accused the Opposition of stonewalling and delaying the business of the House, but the function of an Opposition was to show the weak points in a Bill. The best way to overcome the difficulty was to postpone clause 2 till to-morrow, as he had suggested, and proceed with the other clauses of the Bill.

Mr. ALLEN: Although he was not a lawyer, or even an old member of the House, he contended that this proposal was an insult to the intelligence of the Assembly. The Government might just as well admit that they had had a rebuff that afternoon. The amendment he had proposed was contemplated to meet the circumstances which would arise in the event of an extraordinary dissolution. The Home Secretary, although that amendment was carried against him, had made no effort to meet the desire of the House, but came along with this fancy amendment, which was notable for its very inelegant English. It would be hard for any schoolboy to frame anything more awkward than this amendment. (Government laughter.) The Home Secretary might laugh, but in his opinion it was a very serious matter that such clauses were being attempted to be placed on the statute-books. They had defeated the original proposal because the Committee desired

[9 p.m.] to make some provision for circumstances that would arise in the event of an extraordinary dissolution. Was the Home Secretary proposing any radical alteration in the proposed amendment? Absolutely none at all. There was a change in wording, but absolutely no

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alteration in meaning—it was simply an amendment to gull the Assembly; and he contended that it was out of order.

The ACTING CHAIRMAN: Order, order! The hon. member's time has expired.

Mr. MURPHY again urged the Home Secretary to withdraw the proposal and consider the matter to-morrow. Hon. members had been elected for three years, and the Government were trying to get rid of them by bringing in a Bill which would wipe out all members of Parliament, and constitutionally they would not be in a position to draw their salaries. He would like to impress that phase of the question on the notice of the Premier and Home Secretary. It did not matter so much to him (Mr. Murphy), because his salary was only a small one, but if the Bill were passed the Home Secretary would have to provide all the machinery necessary for another election, and hon. members would have to go to the country two years before their time. That might be a very easy method of wiping out the Premier at the present time. He (Mr. Murphy) was sure the hon. member for North Rockhampton would give the matter serious consideration when it was pointed out that unless some machinery was provided for the protection of hon. members of the Assembly, as soon as the Bill was passed by the Legislative Council, the Parliament of Queensland would be practically abolished. As a unificationist, he had no objection to the Legislative Assembly and Legislative Council of Queensland being abolished.

Mr. ALLEN: But you do not want a dictator.

Mr. MURPHY: He did not want a dictator. He thought the Home Secretary should give the Committee an assurance that hon. members were not to lose their political positions as soon as the Bill was passed.

The HOME SECRETARY: That is the reason of my amendment.

Mr. MURPHY: The Home Secretary now told them that what he (Mr. Murphy) had pointed out was the reason for bringing down the amendment. They could now charge the Government with introducing a Redistribution of Seats Bill for the sole purpose of wiping out Parliament and making the Premier the dictator of Queensland. Did the Premier want to be placed in a position to be able to turn his thumbs down and dismiss the Duma? The Committee should have an assurance from the Home Secretary that if they agreed to the amendment, in the event of a dissolution of Parliament, there would be machinery, without the passage of further legislation, to enable an election to be taken, and that if the Committee passed the Bill as printed, hon. members would be in a position to hold their seats until the expiration of Parliament, unless there was an extraordinary dissolution. Would the Home Secretary give them that assurance?

The ACTING CHAIRMAN: Order, order! The hon. member's time has expired.

Mr. MANN thought it would be wise to rule the whole of the amendment of the Home Secretary out of order. The reason he suggested that was because if railway pro-

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posals were introduced during the present session, he would move that the men receive a minimum rate of 8s. a day, and if that amendment was defeated he would immediately get up and move that the pay be 16s. for two days, and, further, that the pay be 96 pence for eight hours' work. The Acting Chairman in allowing motions practically the same in substance to come before him was opening a wide doorway for further trouble. Some time earlier in the session he (Mr. Mann) tried to do the same thing as the Home Secretary was doing, and the Acting Chairman said he was trying to get his words before the Chamber by a subterfuge; and the Home Secretary, by a subterfuge, was trying to get in practically the same amendment which the Acting Chairman had declared the Committee had decided against. He thought that, in the interest of good government and of fair play, the Acting Chairman, having once given a ruling, should adhere to that ruling and declare the present amendment out of order.

The ACTING CHAIRMAN: Order! The hon. member must address himself to the question before the Committee.

Mr. MANN: The trouble was that they could not discuss the amendment, because members had not been supplied with copies of it. He could only surmise what the Government were trying to do by this amendment.

The ACTING CHAIRMAN: Order! The hon. member's time is up.

Mr. MANN: As no other member had risen, he would resume his remarks. The difficulty with members was that they did not know what the amendment was. One amendment was proposed by the Home Secretary, and after it had been clearly shown by discussion that it was not in order, it was ruled out of order. Now, the hon. gentleman had moved an amendment which was the same in substance as the words which had been rejected by the Committee. Having regard to the whole circumstances, he would suggest to the Home Secretary that he should withdraw clause 2, and proceed with the other provisions of the Bill. In the meantime, he could have a proper amendment drafted, and the new amendment could be submitted to-morrow. If that amendment provided for an extraordinary general election, it would pass without much discussion, but so long as the Home Secretary kept up his present attitude, members of the Opposition must strongly protest against it, as the course he was pursuing was contrary to the Standing Orders. He hoped the hon. gentleman would accept his suggestion to postpone the consideration of this clause till to-morrow.

Mr. NEVITT thought it was a pity that the Minister had not accepted the suggestion made by the hon. member for Leichhardt earlier in the evening to postpone the consideration of this clause. Had the hon. gentleman done that, the Bill might have been passed now, with the exception of clause 2. The original clause and the amendment before the Committee were practically the same, as both made provision for holding by-elections under the existing Electoral Acts.

The ACTING CHAIRMAN: Order! Is the hon. member raising a point of order or is he discussing the amendment?

Mr. NEVITT: He was discussing the amendment. The first part of the amendment certainly altered the meaning of the clause, but the second part restored it to its original form, inasmuch as it provided that by-elections should be held under the provisions of the Electoral District Acts of 1887 and 1892, but made no provision for an extraordinary dissolution of the Assembly. He thought that after devoting nearly five hours to this matter—

The PREMIER: We might go to a division.

Mr. NEVITT: That it was time the Premier got a little "sweet reasonableness." If the hon. gentleman adopted a more reasonable attitude towards members of the Opposition, the business of the House would be conducted in a different manner from that in which it was being conducted. It did not matter what amendment emanated from the Opposition, it was rejected by the Government, be it ever so reasonable. That was not the way to facilitate business, and he hoped the hon. gentleman would adopt a different attitude.

Mr. ALLEN: He still contended that the amendment was an attempt to get behind the decision which had been given by the Committee in the earlier part of the evening. By their votes members had expressed a wish that some provision should be made to meet the circumstances which would arise in the event of an extraordinary dissolution. But, instead of doing that, by quibbling and by putting together some awkwardly-arranged English phrases, the Government endeavoured to restore the clause to the form in which it was introduced. If any Minister could show him the difference between the original clause and the amendment now before the Committee, he would at once confess that he was very dense; but he contended that there was absolutely no difference between them. The Premier and the Home Secretary were flouting the wishes of the Committee, and instead of improving the Bill they were making it worse. Though he did not want a dissolution in January, he would be inclined to vote for one just to see how things would go. If they got together all the inelegant amendments proposed on the spur of the moment during the existence of that Assembly, the one now proposed by the Home Secretary would head the list.

Mr. O'SULLIVAN: The reason why he was anxious to defeat this amendment was because he wanted to have another amendment put into the clause. In the event of a dissolution, there would have to be a block election by the whole of the constituencies, and he did not want that to occur. When the Water and Sewerage Board was elected there was a large number of informal votes, owing to the large number of candidates. In this block vote there would be seventy-two vacancies and probably more than double that number of candidates; and an elector would be all day striking out the names of candidates for whom he did not wish to vote. That would be the position if they did not defeat this amendment and incorporate an amendment that would insure an election being taken under the old Acts which this was about to repeal. If the suggestion made on this side had been accepted, his opposition to the clause would have ceased. His anxiety was to have things fixed up so that there would be no ambiguity if a dissolution should come along.

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Why did not hon. members opposite get up and speak either for or against the amendment? Why did they sit there in silence?

Mr. CORSER: We want to do useful work.

Mr. O'SULLIVAN: The senior member for Maryborough plumed himself on doing his duty to Queensland; but hon. members opposite were not doing their duty to Queensland by sitting there silent.

Mr. COLLINS: Though the Home Secretary claimed that this amendment was not the same as the one previously moved, he could not see where the difference came in. He agreed with the hon. member for Kennedy that some members on the Government side should get up and reply to the arguments used on the Opposition side; and he thought the Home Secretary would be well advised if he would take a little advice from the Opposition side; but, like most lawyers, the hon. gentleman seemed to despise the advice of laymen. The wording of the amendment was different, but the effect was the same.

The HOME SECRETARY: The effect is different.

Mr. COLLINS: Why, then, did not the hon. gentleman get up and show how it was different? He would like the hon. gentleman to get up and reply to the criticisms of members of the Opposition, and show they were wrong, if he could do so. He had pointed out on previous occasions that the tendency was to do away with the democratic form of government step by step, and take away from the people of Queensland their rights, and he wanted to do all he could to prevent that. If the Government had put into the clause a reasonable amendment, they need not have been talking on this question for the last four or five hours. Hon. members on the Government side were not doing their duty to Queensland by remaining silent. Why did they not give members the benefit [9.30 p.m.] of that great intelligence which they claimed that they possessed, and point out where the Opposition were wrong? They remained silent until the division bell rang, and then most of them voted without listening to any of the arguments offered. He hoped the Home Secretary would allow the clause to stand over till some future time, and go on with the other clauses.

A GOVERNMENT MEMBER: He ought to.

Mr. COLLINS: He was glad to get that interjection from the Government side, as it showed that one member opposite agreed with him.

Mr. HAMILTON pointed out that if the matter came to a division and was carried they would be in exactly the same position as they were previously. The Minister in charge of the Bill was responsible for the waste of time that evening. When the mistake was made and the blank created, the Government should have accepted the amendment of the hon. member for Leichhardt. The Government had other constitutional methods of altering it. They could have recommitted the clause, or they could get their friends in another place to make the alterations they desired in the Bill; but, on account of the stubbornness and pig-headedness of the Minister, who would not accept an amendment from the Opposition side, he made confusion worse confounded by inserting provision after provision which was the same in substance as the one that had been defeated.

Mr. Hamilton.]

Question—That the words proposed to be inserted (*Mr. Appel's amendment*) be so inserted—put; and the Committee divided:—

AYES, 25.

Mr. Appel	Mr. Kidston
„ Barnes, G. P.	„ Macartney
„ Barnes, W. H.	„ Morgan
„ Brennan	„ Petrie
„ Bridges	„ Philp
„ Corser	„ Roberts
„ Cottell	„ Somerset
„ Forrest	„ Stodart
„ Forsyth	„ Swayne
„ Gunn	„ Tolmie
„ Hawthorn	„ Walker
„ Hunter, D.	„ Wienholt
„ Keogh	

Tellers: Mr. Cottell and Mr. Wienholt.

NOES, 17.

Mr. Allen	Mr. Maughan
„ Breslin	„ Mulcahy
„ Collins	„ Mullan
„ Foley	„ Nevitt
„ Hamilton	„ O'Sullivan
„ Hardacre	„ Payne
„ Hunter, J. M.	„ Theodore
„ Land	„ Winstanley
„ Lennon	

Tellers: Mr. Allen and Mr. Breslin.

PAIRS.

Ayes—Mr. Booker, Mr. Thorn, Mr. Paget, Mr. Denham, and Mr. Grayson.

Noes—Mr. Blair, Mr. Douglas, Mr. Lesina, Mr. Mann, and Mr. Murphy.

Resolved in the affirmative.

Clause 2, as amended, put and passed.

On clause 3—“Number of members of Assembly”—

Mr. ALLEN: They heard a great deal about reducing the number of members, but the Minister in charge of the Bill would be doing a wise thing and would keep up Queensland's prestige by increasing the number of members. (Hear, hear!) Under the proposed redistribution they were to have seventy-two members, and that would mean that they would have less members in the country districts and more in the towns.

Mr. LENNON: You would not be any better off with the larger number, under the same quota.

Mr. ALLEN: He thought they would.

Clause put and passed.

On clause 4, as follows:—

As soon as may be after the passing of this Act, three electoral commissioners (herein referred to as “the commissioners”) shall be appointed by the Governor in Council by commission under his hand and seal.

Each commissioner shall receive such salary and allowances as the Governor in Council thinks fit.

If before the division of the State into electoral districts is finally made as herein provided any commissioner dies, or for any cause becomes incapable of acting, another commissioner shall in like manner be appointed in his room.

Mr. THEODORE: The principle of the clause was fairly reasonable so far as it went. It was safer to allow the boundaries to be arranged by commissioners than to leave it to Parliament. If they left it to Parliament, it practically meant that the boundaries would be fixed by the Cabinet; and, if they were prejudiced at all, they would be prejudiced in favour of their own party. But Parliament should have some guarantee that the commissioners who were appointed were men in whom both sides would have confidence, and that they would not be men who would jerry-mander the electorates in the interests of the

[*Mr. B. F. S. Allen.*

Government. Parliament should have an opportunity of criticising the appointments and rectifying any mistakes that might be made; and, in order to give Parliament an opportunity of reviewing the appointments that would be made, he moved the insertion in line 5, after the word “commissioners,” of the words, “who have been approved by a resolution of the Legislative Assembly.” They might be excused if they distrusted the Government in the matter. He hoped the Home Secretary would accept the amendment, as it was a very reasonable one.

The HOME SECRETARY did not propose to accept the amendment, as it would be doing away with the responsibility of the Government in connection with the appointment of the commissioners. What position would the commissioners be in if the approval of Parliament had to be obtained to their appointment?

An OPPOSITION MEMBER: They would be amenable to Parliament.

The HOME SECRETARY: The Executive would be failing in their duty if they relegated the responsibility of appointing the commissioners to Parliament.

Mr. LAND: You want to put the Executive above Parliament.

The HOME SECRETARY: In the discussion which ensued in New South Wales on the Redistribution of Seats Bill, where the course was followed that was proposed in this Bill, the Premier, in reply to Opposition members who desired to bring about the same end that was sought to be attained by the amendment just moved, refused to allow the House to appoint the commissioners on the ground that it would be taking from the Government, to a certain extent, their responsibility. The Opposition saw that his contention was correct, and agreed that the nominations ought to be made by the Government. That was the position he took up as Minister in charge of the Bill.

Mr. MURPHY thought the amendment was a very reasonable one. The hon. member for Woothakata did not propose to take from the Government the right to nominate the commissioners. All he asked was that Parliament should have an opportunity of ratifying their appointment. The hon. member wanted to see that the men who were appointed were reputable men—men in whom members on both sides could place their trust. For instance, the Executive might select certain gentlemen connected with the People's Progress League; they might appoint Mr. Robinson, the friend of the hon. member for Woolloongabba; or they might take any political dead-beats who were hanging on to the Government party and make them commissioners. All that the mover of the amendment desired was that Parliament should know who were selected to carry out this important work. Surely there was nothing objectionable in that. The proposal was one that any progressive, democratic Government would grant in a moment. The amendment did not propose to take away the right of nomination from the Government. It only proposed that the people of Queensland and the country districts should be safeguarded by seeing that the men who were selected were competent to carry out the work. Why should they relegate that power to the Executive? The Executive were trying to obtain all power, and members of Parliament were only pawns on the political chessboard.

Mr. COTTELL: Speak for yourself.

Mr. MURPHY: Would the hon. member for Toowong deny that the Premier picked him up and moved him from one spot to another every time? He said to the hon. member, "You have to do this," or "You have to do that."

The ACTING CHAIRMAN: Order! I would ask the hon. member to confine his remarks to the amendment before the Committee.

Mr. MURPHY: Yes. He would admit that he was taken somewhat off the track by the interjection of the hon. member for Toowong, but it was seldom that he got off the track. (Laughter.) This amendment did not, as the Home Secretary tried to make out, want to take any power from the Executive at all. If the Committee were to decide that Parliament should ratify the appointment of the commissioners, what would actually happen? When the names were submitted to the House, and the division bell rang, members on the other side would come up and vote for them.

Mr. COTTELL: Why all this trouble, then?

Mr. MURPHY: It was to point out to the country what the Government proposed to do in the matter. The Opposition recognised that the better way to bring about this redistribution scheme was by commissioners, as it would be absolutely impossible to fix the boundaries in Parliament, but they had a right to know whom the Government intended to appoint as commissioners. There was nothing unfair in asking the Government, and no doubt the Home Secretary could tell them, who were the gentlemen who were going to be appointed as commissioners.

Mr. J. M. HUNTER: Could you not give us an idea yourself?

Mr. MURPHY: Just at the present time he was not in the confidence of the Government. (Laughter.) The Premier might have two or three friends that he wanted to give a good billet to; but why should they submit to the Premier selecting three political dead-beats—three hangers on of the People's Progressive League? He thought that he himself could select three men in the Government service who would give a fair deal. It was only fair that the Premier or the Minister in charge of the Bill should give the House some information as to who were likely to be appointed commissioners. He regretted that the Home Secretary had been so doggedly obstinate as not to accept the proposal.

The PREMIER: The hon. member for Woothakata had said he rather approved of the method adopted of appointing commissioners by the Executive, because, he said, if the House appointed them they knew quite well that that would just be appointment by the Government. Hon. members opposite were continually telling hon. members on this side of the House that they had no souls of their own, and had just got to do what the Premier told them. What better would they be if they got the amendment carried, if all the members on this side had to do what the Premier told them?

Mr. MAY: We would have publicity.

The PREMIER: He would only point out that once they appointed commissioners, they could not blame the Government afterwards.

Mr. LENNON: There are so many other things that we can blame you for that we do not want that one.

The PREMIER: If the Executive appointed commissioners, then they were responsible to the House for the fair carrying out of their

Executive power; but if the House appointed them in the first instance, whatever the Government did afterwards, they washed their hands of the matter—the House could not blame them. It was very amusing to hear hon. members who were sitting in opposition give as a reason for altering the principle of the Bill that they could not trust the Government to appoint the commissioners. What an extraordinary thing it would be if an Opposition could trust the Government! No Opposition ever trusted the Government while they were in opposition; and, even if it trusted the Government implicitly, it surely would not be such a fool of an Opposition as to admit that it trusted any Government. The reason given for suggesting a radical amendment of the whole principle of the Bill was absurd, because everyone knew that hon. members on the other side did not trust the Government. But then everybody also knew that it was the Government which was drafting this Bill, and the Government trusted themselves, and believing that a majority of the House trusted them they drafted the Bill on this principle. And how could the Government accept an amendment which meant that the House had no confidence in the Government?

Mr. HARDACRE: Why should not the Government accept it?

The PREMIER: The Government could not accept the amendment without stultifying themselves?

Mr. MAY: No; you put yourselves in a higher position—the people will think more of you. (Laughter.)

The PREMIER: The Government had adopted this method because they thought the principle of making the Executive responsible for the appointment of the commissioners was, on the whole, the best method. It was likely to give better commissioners than the plan of having the names carried through by a majority of the House, because afterwards the Government would have no responsibility.

Mr. LENNON: A good reason why you should accept the amendment, because it will relieve you of all responsibility.

The PREMIER: No; the Government were not relieved of responsibility. If the Governor in Council made an appointment which turned out badly, members would be quite justified in blaming Ministers for making a bad appointment; but, if they accepted this amendment, the House could not say a word to the Government afterwards, no matter what took place, as they would have appointed their own commissioners. He thought it was the best plan that the power of appointing fair and impartial commissioners should [10 p.m.] rest upon the Executive, and that they should be responsible to the House afterwards. That was why the Bill was drafted as it was, and that was why he did not consider it was reasonable to accept the amendment.

Mr. LENNON: If members on that side of the House could feel that the Government would appoint fair and impartial men, they would not have moved the amendment, but they were apprehensive that the Government was not so strictly impartial as the Premier would have them believe. The hon. gentleman had tried to show that members of the Opposition sought the right of appointing the commissioners. They did not want to nominate anybody, or suggest anybody, but they wanted the right to reject men who were known to be partial and biased. The Premier had given a very good reason why the

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amendment should be accepted when he said that they could not blame the Government afterwards. It showed how very magnanimous they were when they were willing to take the responsibility. That was not the spirit that actuated the Opposition in moving the amendment. They wanted the people in the country to feel that the men who comprised the commission—who had the carrying out of such delicate work—should be strong and impartial men. The fact that the Government knew the names would have to be submitted for the approval of the House would make them proceed circumspectly—they would go to work with great care and give the matter full consideration. If the Government laid down that they could not accept any amendment from that side, it would be a waste of time to move them but for the fact that they wanted to show the people of the country that they had some sense on that side of the House, and that, although they could not mould the legislation, they sought to improve it as far as possible. He again appealed to the Premier to accept this very reasonable amendment.

Mr. O'SULLIVAN thought the amendment was a very reasonable one, and it would be wise for the House to have the power of rejecting members of the commission. If the Government had the appointment of the commission, it would practically be a star-chamber method of bringing about a revision of the electorates of Queensland. That was not a very nice position to take up, and he thought that side of the House should look with suspicion on anything emanating from the leader of the Government, as they had had so many instances of his faithlessness. The very fact of him refusing to accept the amendment was another proof of his want of that democratic spirit that he so loudly proclaimed throughout the length and breadth of Queensland. If the commissioners went to work with the full approval of the House, they would be in a somewhat similar position to the Auditor-General—they would know they had the full confidence of Parliament, and they would proceed with their work in a fairer and better spirit than if they were working to satisfy the political bias of the Ministry that appointed them. As was pointed out by the hon. member for Croydon, they might get political derelicts—men who had proved that they had no political stamina or honour, and such men might be button-holing the Ministry for some nice billet—for this position of dividing Queensland into the different electorates. The Premier made a point, or thought he made a point, when he said that nothing the Government did would meet with the approval of the Opposition. The Home Secretary pointed out, when he was objecting to the amendment, that the New South Wales Opposition did trust the then Government to appoint the commissioners for dividing the State into electorates. That was an instance of an Opposition who had confidence in the Government of that State, and gave them a free hand in appointing the commissioners, but that was very different from the position here. They had many examples of faithlessness on the part of the leader of the Government to democracy, and they objected to giving him plenary powers to conduct the business of the country. It would be far better, and would conduce to a more honourable way of proceeding about such a great work as the dividing of the State into electorates undoubtedly would be, if the House had

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the power of rejecting any person who had been proved to possess certain political bias. He hoped the Home Secretary would see the reasonableness of the amendment. Of course, the hon. gentleman plumed himself on being a democrat, but this was another instance where he was wanting in democracy—when he would not allow the House to have the power of ratifying the appointment of the commissioners about to define the boundaries of the electoral districts of Queensland.

Mr. J. M. HUNTER: This was one of the most vital clauses in the Bill, as it provided for the subdivision of Queensland into the different electorates, and whether it was subdivided rightly or wrongly rested with the commissioners appointed, and, therefore, it was only a fair request that the House should, at any rate, be allowed to ratify the appointments, even if the appointments were left in the hands of the Government. The weak point in the logic of the Premier was when he said it did not matter whether the appointments were made with the concurrence of the House or whether they were made outside of it, that the same thing would happen. The adoption of the amendment would have this advantage: That the Government, knowing that they had to submit the names of the commissioners to the House, would be very careful to nominate men of sterling character and proved ability. The fact that the appointments would be discussed in the House would have a deterrent effect on the Government, supposing they were desirous of doing that which members of the Opposition said they might do; and, should unsuitable appointments be made, the publicity given to them in the House would have an effect in the country at the next general election. That would be a very good safeguard against the appointment of commissioners friendly to the Government. But that was not the only advantage of having the appointments reviewed by the House. There was a possibility that a man appointed as a commissioner might not be competent to deal with this matter, and it would be a very serious thing for the State if commissioners were appointed who were not capable of making a fair division of the State for electoral purposes. Very large interests might receive serious injury through being overlooked in the arrangement of the various divisions. The commissioners should be men of sterling character, of large experience, and specially capable of dealing with this matter; and he did not see how any harm could result from having their appointment reviewed by the House.

Mr. MANN: He was in accord with the amendment. The Premier, in giving his reasons for refusing to accept the amendment, stated that the Executive would be responsible for the commissioners appointed. To a certain extent that was true, but it was also true that if the Government appointed as commissioners men who would act according to their wishes, they could get the electorates carved out as they liked, and so secure a majority of supporters in the House. It was suggested that Government nominees would be approved, no matter who they might be, but he did not think that, because many members had a saving sense of shame. As an instance of what might happen if they passed the clause as it stood, he might remind hon. members of what was done under the Water and Sewerage Bill. When that measure was passed hon.

members on both sides of the House understood that either Mr. Arthur Midson or Mr. Brady would be appointed chairman of the board. Had members known that the Government were going down to Melbourne for a man for that position—a man who, on his own admission, was only a second-rate man, seeing that he had accepted a lower salary than was fixed by the Bill—did they think that Government supporters would have given their approval to the proposal? Some members had suggested that the Government might appoint political derelicts as commissioners. He could mention half a dozen cases in which men had been appointed to positions of trust during the last eighteen months, though they lacked the necessary experience to qualify them for those positions. Those appointments had been made purely and solely for political reasons. For commissioners under this measure they wanted men of large experience, who had no political leanings or bias, and not men who would take a map of Queensland and a list of polling-places and pollings at an election to see how the voting had gone in years gone by. Such men might take away, say, Ross Isand from the Townsville electorate in order to make it a safe seat for a certain candidate, or Mount Perry from the Burnett in order to make it more safe for a particular candidate. Men of that type would not act in the best interest of the country, and should not be appointed. For their own protection, he claimed that the Government would act wisely in submitting the names of the commissioners to the House for approval. If the men nominated were men of outstanding ability their appointment would be approved, and that would be the end of it, for no member would cavil at their appointment. There were men in the public service who were above suspicion. For instance, in railway matters, everyone recognised that Mr. Thallon was the best possible man they could get to advise them, and nearly all the Under Secretaries and chief clerks were fair-minded men, who were above suspicion. There could be no harm in the Government submitting the names of the commissioners to the House, and saying, "Here are the names of the best three men we can find for the position, and we challenge the Opposition to say one word against them." If they were good men their appointment would be confirmed at once, for no member would be so foolish as to criticise men whose ability and integrity were apparent to the public outside.

The HOME SECRETARY: While listening to the objections raised by hon. members opposite he had turned up the second series of the "New South Wales Parliamentary Debates" for the session 1904, volume xiv., to see what position was taken up by Mr. McGowen, the leader of the Labour party in New South Wales, when a similar discussion took place in the Parliament of that State, and the Opposition were trying to get the Government to give the names of the commissioners they intended to appoint under a measure similar to that now before the Committee. He proposed now to quote from the record, at page 60, the remarks offered by Mr. McGowen on that occasion—

Mr. MCGOWEN: They were not appointed under the Bill. I consider that the Government should have the whole responsibility of this matter. It means more than that to them; it means that the next election will not take place on the new

basis. It means their political extinction, and it will besmirch their names as honest, upright politicians.

I simply state that when we redistributed the seats the commissioners were not named.

That was in connection with the redistribution of seats in the year 1893.

An HONOURABLE MEMBER: Their names were known.

Mr. MCGOWEN: If hon. members knew their names, they were not stated publicly in the House.

Their names never came before Parliament. If everybody knew them, they were known outside of Parliament, and the good taste of Parliament was manifested by their names not being brought before it.

It did not come before Parliament as a statement that this commission had been appointed. There was no debate in Parliament, such as took place yesterday, in regard to Judge Murray, when an hon. member said things which should have been left unsaid about that gentleman.

Mr. WOOD: It makes one feel very suspicious.

Hon. members would see how applicable were the following remarks:—

Mr. MCGOWEN: There are some people who are suspicious of everything. I never heard such tittle-tattle in my life as we have had in the House. A certain statement has been made, which I must answer. I have unjustly suffered from playing down to the gutter. I give the House my assurance that I do not know the names of the commissioners. I do not know the name of a man who is going to be appointed. When I made certain suggestions to the hon. member for Goulburn, I stated what I thought to be my idea of the composition of the commission; but I positively assure the House that I do not know the names of the commissioners.

Further, on page 61, he said—

I think the public will say, while we are haggling over the names of the commissioners, that it looks as if we were not prepared to leave to three independent commissioners the responsibility of dividing the State into ninety electorates. The commissioners ought to know no party; they ought to know the country only in this matter. I am prepared to leave it to any three commissioners whom the Government appoint, so long as the instruction is definitely conveyed to them that the same value must be given to a vote, no matter where it is cast.

That was the position taken up by the Government and the Government party to-day; and hon. members opposite knew perfectly well that the commissioners who would be appointed would be absolutely above reproach, and would honestly carry out the work which would be entrusted to them.

Mr. ALLEN: The hon. gentleman had quoted some remarks made by Mr. McGowen, but it was a pity he did not get that gentleman's opinion after the event. During the last recess he happened to be in New South Wales; and on a visit to Parliament House he was shown a map of their electoral districts. On that map were markings which showed the electorates to have been beautifully gerrymandered. The front of a crosscut saw was not in it for crookedness of boundaries. They went anywhere, in and out, so as to get all the Labour centres in made-sure electorates. Mr. McGowen might have had a great deal of trust in the Government at the time he made those remarks, and in his large-hearted way he might have condemned other members for having their suspicions about the Government; but he found out afterwards that those suspicions were justified. They wanted the

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appointments submitted to Parliament, so that they might be criticised. If the names submitted were the names of men of whom members could speak well, they would have absolute faith that those men would try and give a fair deal all round. He had no faith at all in the Premier, and he did not believe it was wise, on such an important matter, that the

Premier should be given power to [10.30 p.m.] name the commission. He regarded the Bill as a trick to dish the Labour party, but he did not think it would have the effect intended. There were other anomalies that were winked at, and he regarded this cry about anomalies—

The ACTING CHAIRMAN: Order! The hon. member must confine his remarks to the question before the Committee.

Mr. ALLEN: No matter what amendment was proposed from the Opposition side the Government would not accept it. The Premier just waved his hand and threw dust on every proposal that was made. He knew that the Premier, with his following, could ignore all of their reasons, but on second thoughts he should give it more consideration and agree to what the Opposition suggested. It would not be climbing down at all, and no one would be saying that the Premier was not prepared to take the full responsibility, because he had shown that he was prepared to do that by introducing this Bill. But if Parliament wanted to take that responsibility, then the Premier should be prepared to let Parliament take it. The Premier would have more say than anyone else when it came before Parliament, because he was the leader of the Government, and, in addition to that, he would be giving other members in the House a chance of discussing it. It would be better to let the recommendation come before Parliament, and give members a chance of approving or disapproving of it. The Premier and Home Secretary should not stand on their dignity and talk about not backing down. If they allowed the report of the commission to come before the House they would rise higher in the estimation of the people outside.

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

Question put and passed.

The House resumed. The ACTING CHAIRMAN reported progress, and the Committee obtained leave to sit again to-morrow.

STANDING ORDER No. 136A.

The PREMIER: I beg to give notice that to-morrow I will move that by Order of the House, in accordance with Standing Order No. 136A, the Electoral Districts Bill be reported on Tuesday, the 27th instant, and that the Mines Regulation Bill be reported on Wednesday, the 28th instant.

Mr. MANN: Good old gag again.

ADJOURNMENT.

The PREMIER: I beg to move that the House do now adjourn. The first business to-morrow will be the Committee stage of the Mines Regulation Bill.

Mr. MURPHY: "Gagger" Bill.

[*Mr. B. F. S. Allen.*]

Mr. LENNON: I think we ought to have some explanation from the Premier as to why he wishes to bring in such an absurdly drastic proposal as he has mentioned to-night.

Mr. MAUGHAN: Especially the Mines Regulation Bill.

Mr. LENNON: I consider that under the Standing Orders he has all the restrictive powers he wants, but he wants to have far more power and wants to gag through these measures in a way that is not creditable.

The DEPUTY SPEAKER: Order! The hon. member cannot discuss those matters now. The proper time to discuss them will be when they come before the House.

Mr. LENNON: I consider that he has been getting on very well.

Mr. MANN: I rise to a point of order. Is the Premier in order in giving notice of motion to-night to introduce these motions? Should he not do it to-morrow?

The DEPUTY SPEAKER: The Chief Secretary is proceeding in the proper manner. He is empowered to do it under Standing Order 136A. The question is that the House do now adjourn.

Mr. MURPHY: Mr. Deputy Speaker,—Before this House adjourns, I desire to enter my protest—

The DEPUTY SPEAKER: Order! There can be no debate on the question that the House do now adjourn. I must admit—and I am going to say so now—that during the short period I have occupied the chair as Deputy Speaker I have on several occasions allowed a debate to take place on this question. But I find, on looking into past records of the proceedings of the House, that Mr. Speaker Cowley, Mr. Speaker Norton, and Mr. Speaker Morgan particularly, have at all times laid down that on a motion "That the House do now adjourn" there shall be no general debate on that question—that the debate shall be confined to the leaders on both sides discussing the order of public business. I think that that practice is a good one. Although I confess that I have departed from it in the past, I hope that the House will support me in the future in following the practice laid down by the Speakers I have mentioned.

Mr. MURPHY: I would like to point out to you, courteously, that Standing Order No. 40 says—

Notice of motion shall not be received after the House has proceeded to the Orders of the Day, unless with the leave of the House.

The DEPUTY SPEAKER: Order! I have pointed out that the Chief Secretary is perfectly in order under Standing Order 136A. There can be no question about the procedure being correct. The question is that this House do now adjourn.

Mr. MURPHY: Before you put that motion, I would courteously point out to you that Mr. Speaker Bell has laid it down distinctly that there can be discussion on the motion for the adjournment of the House.

The DEPUTY SPEAKER: Order! I am not concerned with the rulings of Mr. Speaker Bell. I have given the House the rulings of Speakers who have preceded me in the chair, and I asked the House, if it thinks my action in connection with the matter wrong, to proceed by motion in the ordinary way, when occasion arises. I believe I am following the correct course—the course taken in the past;

and I have offered my apologies to the House for having allowed a wrong procedure—perhaps, through being new to the duties of the chair—in allowing discussion to take place; but I do not intend to allow it in future.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MURPHY: It is because you have been so courteous in apologising to the House in such a manly way that I do not propose to follow the usual custom of moving that your ruling be disagreed with. At the same time, considering that the real Speaker of the Assembly has permitted discussion to take place on the motion for the adjournment of the House, I think that during your temporary occupancy of the chair you might very well be guided by his practice.

Mr. O'SULLIVAN: I am very sorry that under your ruling I cannot speak; but I may be permitted to say a few words. The Premier has come down at this time of night to ask for powers from this House so drastic—

The DEPUTY SPEAKER: Order! I cannot permit any hon. member to anticipate the discussion on a motion which will appear on the business-paper for to-morrow.

Mr. O'SULLIVAN: All I wanted to say was that we should not be asked to adjourn at this hour when there is so much to do. We might have gone on for another hour. I protest against the adjournment.

Mr. MANN: I beg to give notice that to-morrow I will move that your ruling be disagreed with.

Question put and passed.

The House adjourned at eighteen minutes to 11 o'clock.