

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 14 OCTOBER 1919

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LEGISLATIVE ASSEMBLY.

TUESDAY, 14 OCTOBER, 1919.

The SPEAKER (Hon. W. Lennon, *Herbert*) took the chair at half-past 3 o'clock p.m.

PAPERS.

The following paper, laid on the table, was ordered to be printed:—

Statute of the University of Queensland, as of 9th October, 1919.

The following paper was laid on the table:—

Return to an Order relative to the influenza epidemic, made by the House on motion of Mr. Smith, on 30th September last.

QUESTIONS.

PURCHASE OF SPONGE CLOTHS AND COTTON WASTE.

Mr. ELPHINSTONE (*Oxley*) asked the Secretary for Railways—

“With reference to the purchase by his department of sponge cloths and cotton waste, at a cost of over £30,000, as compared with the estimate of £11,000, as disclosed in the Auditor-General’s report, can he furnish any information throwing any light on this grave discrepancy?”

The SECRETARY FOR RAILWAYS (Hon. J. A. Fihelly, *Paddington*) replied—

“I am informed that the figures quoted by the Auditor-General are not in accordance with facts, neither as regards the estimate nor actual cost.”

RETURNS TO ORDERS.

Mr. PETRIE (*Toombul*) asked the Acting Premier—

“When are the returns with regard to (a) released prisoners, (b) Government advertising, (c) fees to barristers and solicitors, (d) employees of Government outside the public service, ordered to be tabled by the House, likely to be made available for members?”

The ACTING PREMIER replied—

“As soon as complete information is available.”

NORTHERN RAILWAY DISPUTE—RETROSPECTIVE PAY.

Mr. SWAYNE (*Mirani*) asked the Acting Premier—

“1. Has any arrangement been come to between the Government and the Northern Railway employees with reference to the retrospective pay in dispute after the issue of the McCawley railway award in 1917?”

“2. If so—(a) by what means was the agreement arrived at, and through whom; (b) what were the terms and conditions of such arrangements; (c) have any payments been made under such arrangements; if so, when were they made, and what was their total amount?”

The ACTING PREMIER replied—

“1. No.

“2. See answer to No. 1.”

SIX O'CLOCK CLOSING PETITION.

Mr. PETRIE, in the absence of Mr. Moore, asked the Home Secretary—

"1. Has his attention been called to the following statement by the Premier, referring to the Legislative Council's amendments on the Popular Initiative and Referendum Bill, as reported in 'Hansard,' 1916-17, 10th October, 1916, page 1231:—

The Premier: The Bill as it left this House made provision for the initiative and the taking of a referendum thereafter, and, in order to meet the particular cases of those who were desirous of liquor reform through the early closing of liquor bars at 6 o'clock, in accordance with a promise which he had given to a deputation, it was enacted that the petition, which had been sent in in favour of that reform, was to be regarded as the initiative?

"2. If so, will he inquire immediately from the Premier as to whether he has any knowledge of the whereabouts of the document?"

The HOME SECRETARY replied—

"1. No.

"2. I would refer the hon. member to my reply to the deputation from the Six o'Clock Closing League."

RETIREMENT OF RETURNING OFFICERS.

Mr. GUNN asked the Assistant Minister for Justice—

"1. Upon what date were the eight returning officers whose appointments were terminated just prior to the last election retired from their positions?"

"2. Over whose signature did the order gazetted their retirement appear in the 'Government Gazette'?"

HON. J. LARCOMBE (*Keppel*) replied—

"1 and 2. The information will be found in the 'Government Gazette' of the 14th February, 1918."

LIBERTY FAIR.

Mr. PETRIE, in the absence of Mr. Moore, asked the Secretary for Agriculture and Stock—

"1. Have the promoters of the Liberty Fair in aid of the Labour party Federal election fighting funds been granted permission to stage the fair in the Brisbane Botanic Gardens?"

"2. If so, upon what terms has the permission been granted?"

"3. Will any rent be charged to the promoters of the fair for the use of the gardens?"

"4. Have any permits been granted to conduct art unions or games of chance in connection with the fair; if not, will such permits be refused, if asked for?"

The SECRETARY FOR AGRICULTURE AND STOCK (Hon. W. N. Gillies, *Eacham*) replied—

"1. Permission has been given for holding a Liberty Fair in the Botanic Gardens.

"2. No charge is to be made for entrance, and the promoters are required

to protect the gardens from damage. The fair is to be located in the same place as that on which the Allies City was situated.

"3. No rent will be charged.

"4. This question should be asked of the Minister for Justice."

WESTERN MAIL TRAIN.

Mr. MORGAN (*Murilla*) asked the Secretary for Railways, without notice—

"Will he inquire where the Western mail train is that was due to arrive in Brisbane to-day at 12.30 p.m.; it being alleged that it is lost somewhere between Cunnamulla and Toowoomba?" (Laughter.)

The SECRETARY FOR RAILWAYS replied—

"I will inquire."

THIRD READINGS.

The following Bills were read a third time, and ordered to be transmitted to the Legislative Council for their concurrence by message in the usual form:—

Appropriation Bill, No. 2.

Queensland Government Savings Bank Act Amendment Bill.

Seaforth Repurchased Estate Bill.

CONSTITUTION ACT AMENDMENT BILL.

SECOND READING.

The ACTING PREMIER (Hon. E. G. Theodore, *Chillagoe*): This Bill, of course, is not unfamiliar to the Legislative Assembly. I think it has been before us on four previous occasions, if I mistake not, but in a measure involving such important alterations to the Queensland Constitution, there can surely be no harm in reiterating the arguments in favour of it. The fact is, too, that the Bill is very considerably misunderstood, otherwise it would have met with a more ready acceptance in this place, probably in another place, and certainly amongst the people of Queensland. (Hear, hear!)

Mr. PETRIE: Are you sincere in introducing this Bill?

The ACTING PREMIER: I am not only sincere, but I shall endeavour to convince hon. members of the reasonableness of the measure. If they are open to be convinced by the force of logic, I am sure my speech must make some impression. (Hear, hear!) The Constitution of Queensland which was given us sixty years ago has become obsolete and effete with regard to some of its important provisions. The system of Parliament established by the Constitution has resulted in a kind of barren and sterile system so far as the Legislature is concerned. What-ever justification may have existed sixty years ago for one branch of the Legislature to be founded upon the present undemocratic principle upon which the Legislative Council is founded, that justification has ceased to exist. The Legislative Council consists of nominees only and those elected for life, that is a system which would not be tolerated in any new Constitution proposed to-day. (Hear, hear!) Whatever may have been said or may be capable of being said in regard to the

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Constitution of sixty years ago, as to whether that Constitution was effective for those times, no one except interested persons, and those who are not open to reason on the matter, can defend that system as applicable to to-day.

Mr. ELPHINSTONE: The bicameral system?

The ACTING PREMIER: I mean the system of a second Chamber which is removed from the control of the people—the Legislative Council as it exists in Queensland to-day as provided in the Constitution. I want to ask whether any hon. member thinks that if a Constitution were to be granted by the Imperial Parliament to-morrow for any portion of the State of Queensland, whether a similar Legislature would find a place in the Constitution? No one would suggest that such a Constitution would provide for so obsolete a system as that which is provided for in the Queensland Constitution of to-day. The fact is that the most recent Constitution granted in connection with the Australian Commonwealth—granted about twenty years ago—makes provision for a more democratic Parliament than the Queensland Constitution provides for.

Mr. SIZER: Why don't you amend it in that direction?

The ACTING PREMIER: There is a very solid argument against the Senate which I will refer to later. At present no one, as a democrat, can reasonably defend the system that exists in Queensland in regard to the Legislative Council.

Mr. PETRIE: Don't you think the Parliamentary Bills Referendum Act of 1908 takes away that objection?

The ACTING PREMIER: I would ask the hon. member whether that Act has been effective? There has only been one appeal to the people under the Parliamentary Bills Referendum Act, showing that that Act cannot be resorted to. At any rate, it has not been resorted to and cannot be, or has not been, effective. If you have what you say is a cure, but is not operating as a cure; if you have what you say is a remedy, but is not effective as a remedy: then it is of no value. When the Legislative Council was provided for in the Constitution, it was asserted and believed by those who were the authors of the Constitution, that it would be a check upon the growing democracy of the Australian people. That was definitely stated to have been the justification for a nominee Legislative Council in Tasmania, when the first Constitution was granted in that State, and there is not the slightest doubt that that was the intention. It was believed that the Legislative Council would be a check on the growing democracy of the Australian Commonwealth, and there is no doubt, too, that that check has been effective. The Legislative Councils are a bar to any democratic advancement in any State where such a Constitution exists. It might be said—and with absolute truth—that the Legislative Council exists solely for the purpose of blocking advanced legislation and preventing a rapid progress towards democracy. (Hear, hear!) If that were not the chief justification they would not exist; they would have ceased to exist long since. The Legislative Council in Queensland is not content to stamp its impress upon legislation; it interferes with administration as well as legislation. It arrogates to itself the right, not only to voice its opinion and give its decision on legislative matters, but it also interferes with

administrative matters. We have had evidence of that even during this session, and we have had evidence of it every session since this Government has been in office. The Legislative Council as it exists in Queensland—and the same can be said of Legislative Councils similarly constituted wherever they exist—represents the conservatism of the community. It is not a representative body, even in the sense of being elected, or in the sense of representing the thought of the community, or in allowing majority opinion to prevail.

Mr. BEBBINGTON: Does that apply to your nominees?

The ACTING PREMIER: I say it does not allow majority opinion to prevail. If it did that it would not attempt to check the legislation emanating from this Chamber, because this Chamber is a truly representative body. No definite democratic Government, and certainly no socialistic Government who proclaim themselves as such, coming into this House will ever get their legislation on the statute-book while the Legislative Council remains as at present constituted. The only hope of any such Government of getting anything through is by resorting to cajolery, or by bludgeoning the Council by threats. They have always held themselves to be above the decision of the people or above the necessity of carrying out the will of the people. To show the extreme conservative and reactionary nature of the Council, it is upheld and fought for by the conservative newspapers, by the capitalistic newspapers of the whole country, by the conservative element in Parliament, and by the conservative element in the country, and they alone stand behind the Legislative Council at the present time. The belief is held by those people that the Legislative Council will always be the home of conservatism; they believe they will always be a check upon what is called hasty legislation, and which in reality is the legislation which the people most desire.

Mr. MORGAN: Does that apply to the Senate?

The ACTING PREMIER: A lot of those arguments apply to the Senate. Any arguments against the bicameral system must apply to the Senate as well as they apply to the Legislative Council.

Mr. MORGAN: Are you in favour of abolishing the Senate?

The ACTING PREMIER: I am against the Senate as it is an unnecessary replica of the House of Representatives, which is termed the "Lower House." I would like to ask hon. members who are interested enough to follow the debate—what constitutes a democratic Parliament in accordance with the modern acceptance of democracy? It must be a Parliament which can give a ready, free, and direct expression of the will of the people. (Hear, hear!) Democratic government means government by the people. Where the people are scattered over a large territory and comprise a large community, it is impossible for them to register their own direct opinions upon the affairs of Government by way, say, of public meeting, so that the only practical way in which their decisions can be recorded is by means of a representative and elected Parliament, and anyone who stands for democracy must stand for the voice of the people being heard in the representative and elective Chamber, and they must be against such expression of the

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will of the people being frustrated by the interference of some Chamber which is not democratic in the sense in which I have laid down. A frequent reference to the people of the members of the Legislature is also necessary to democracy. It would not be a democratic Parliament even if it were elected for a long term of years. It would cease to be democratic so soon as it lost touch with the people. Therefore, it is necessary that there should be frequent appeals to the people. In Queensland we have a reasonably democratic system so far as the Legislative Assembly is concerned. There must be an appeal to the people at least every three years, so that at the end of every three years the Assembly can truly say that it represents the aims and aspirations of the people as expressed at the ballot-box on each occasion.

Hon. W. H. BARNES: No, it would not, because some electorates have six times the number of electors as other electorates.

The ACTING PREMIER: The hon. member can see that so long as the electors have elected their representatives to take a seat here to give expression to the will of the people as indicated during the election time at the ballot-box, it must be a democratic Chamber. If that is not democracy, then I do not know what he calls democracy. The hon. member pretends to be shocked on the ground that there is a lack of balance in connection with some of the electorates—that some have a greater proportion of electors than their quota—if that is what shocks the hon. member what kind of a democrat is he when he is not concerned about another branch of the Legislature with co-equal powers with this Assembly interfering with what this Chamber has done? While he is straining at gnats he is swallowing camels.

Hon. W. H. BARNES: What about yourself?

The ACTING PREMIER: I say there must be frequent appeals to the people. If an elected Assembly prolonged its life unreasonably it would have no claim to consider it represented the direct will of the people. There must be frequent appeals, but the Legislative Council is a nominee Chamber, and consists of members who are nominated for life, and who are under the control of no one except their own caprice, and who cannot, in the widest stretch of imagination, be termed democratic. Can anything be more undemocratic than the present Legislative Council comprising as it does a number of gentlemen, estimable, no doubt, in their personal character in every way, who were nominated long years ago, and who are now thoroughly out of touch with the people and absolutely out of harmony with the desires and aspirations of the people. Can anyone say that that can be a democratic institution?

Mr. SIZER: That is evidently why so many new members stay away from the Council.

The ACTING PREMIER: Whether Labour members stay away or not it makes no alteration in the divisions, because the majority in the Legislative Council consists of conservative gentlemen appointed years ago. Some of them represent Governments long dead and forgotten; appointed by Governments the administration of which has long since passed from the memory of living men. Some of those members were appointed by Administrations which some hon. members perhaps have no recollection of; by the

Douglas Administration, by the McIlwraith Administration, and by the Griffith first Administration. Some of these Administrations are still represented in the Parliament of Queensland, and their nominees have never submitted themselves to the people or received the endorsement of the people.

Hon. W. H. BARNES: Those gentlemen have done splendid work for Queensland.

The ACTING PREMIER: The hon. member says those gentlemen have done splendid work for Queensland. They have [4 p.m.] done splendid work in the interests of conservatism, and have cast out everything in the nature of progress and advancement; everything in the nature of reform; everything in the nature of social legislation.

Hon. W. H. BARNES: That is good talk to the gallery.

The ACTING PREMIER: It is talk the hon. member cannot refute.

GOVERNMENT MEMBERS: Hear, hear!

The ACTING PREMIER: It is talk that states the fact that these old men in the Legislative Council represent years we have long since left behind; they represent a conservatism which is as dead as Julius Cæsar. Yet they still survive. They still interfere.

Hon. W. H. BARNES: We could do with more of them.

The ACTING PREMIER: The hon. member says we could do with more of them. The hon. member means that legislators should consist of men of that kind. No doubt, he would like to see men of the same calibre and of the same political view sitting on this side of the House and legislating. They represent the old, abandoned, obsolete, effete ideas of a past generation; and the hon. member in this Chamber who interjected represents the same views. God help Queensland if it were governed by that class of men.

Hon. W. H. BARNES: I represent far more labour electors than you represent.

The ACTING PREMIER: Not at their wish. I take it for granted that all true Labour men, all true democrats, all true radicals in the Bulimba electorate voted against the hon. member at the last election, and will do so in the future, and his representation here may very soon be terminated. (Hear, hear!)

Hon. W. H. BARNES: Don't get cross.

The ACTING PREMIER: I realise that this is something which must be discussed calmly and dispassionately. Surely it is a topic which we can discuss without heat! As a matter of fact, I realise that, no matter how much logic might be used, or how much reasonable argument, hon. members on the other side are pledged to the support of the conservative Upper House and the out-of-date Constitution which exists, and argument is useless. They are prepared to turn a blank ear to all logical and all reasonable appeals to them. Nevertheless, it is my duty, in moving the second reading of this Bill, to state my views upon it. It has been said, of course, that it is no sin that legislators should be old men; that because a number of hon. members in the other House are ancients that is nothing to their discredit. It is true, and I have not used an argument against the Council on the ground that it consists largely of men who are past

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the allotted span of three score years and ten.

Mr. MORGAN: You have already used that argument on the hustings.

The ACTING PREMIER: No, I have not.

Mr. MORGAN: Yes, you have.

The ACTING PREMIER: I challenge the hon. member to show it. As a matter of fact, the argument I have used is that they are men representing old administrations; that they are representing archaic ideas and archaic politics; that their opinions are obsolete and do not conform with the accepted, up-to-date view of legislation and reforms which come before us for discussion. I have not blamed them because they are old men. I blame the system that exists, which forces the people of Queensland to be governed by men representing a past generation.

Mr. MORGAN: By old men.

The ACTING PREMIER: By old men representing a past generation; not merely because they are old men. I might inform the hon. member that years do not make sages; they only make old men. A lot of people are apt to fancy that years have given a man experience when they have only made him grow old. It does not follow, in my opinion. A man might grow old without becoming a wise man. Under the Constitution we have here, no matter how senile they become—or how imbecile, for that matter—they still remain legislators in the State of Queensland. If anyone can defend that, he is an out-of-date kind of democrat. If anyone can defend the Legislative Council as it is at present constituted I would like to ask him why not have a Legislative Assembly elected for life? If it is right to have a Legislative Council nominated for life, why not have a Legislative Assembly elected for life? There is not one man in this Assembly who will stand up before his electors and defend such a thing, because he knows it would be in flagrant opposition to all accepted ideas of democracy. A frequent appeal to the people is very essential in order to maintain the democratic nature of Parliament—with the Legislative Assembly, at any rate. Yet there are some who pretend that the Legislative Council as at present constituted is a thing to be defended, upheld, and supported. I am not one of those. I would like to ask what useful work the Legislative Council, as at present constituted, performs in this State; what useful work it performs in this Parliament. It is said they revise legislation. That is a gross misuse of the meaning of the word "revision." What they do is to mutilate legislation, to strangle attempts at legislation, to reject and trample upon honest and sincere efforts made to improve the conditions of the people by legislation. So far as their revision is concerned, it amounts not to the worth of a twopenny stamp. If it can be said that they occasionally correct an error, that they improve the grammar or syntax of the phrases of legislation, what does that amount to? Is that a justification for their arrogating to themselves the same powers as this Assembly operate? Is it a justification for their being co-equal with this branch of the Legislature in the matter of passing statute law? Because they have, on one or two occasions, dotted an "i," crossed a "t," or put in a word which has been typographically omitted, is that a justification for all the evil they are responsible for? Not at all. If it is only

necessary to have a body to revise the statutes to correct errors which might occur, through the introduction of a number of amendments in Committee of this House, a solicitor's clerk would do the work as effectively as the Legislative Council, and—as this Bill provides—a standing revisory committee would do the work much more effectively and much more expeditiously than it can be done by the Legislative Council. It is granted that on occasions they have put in a grammatical correction or improved the construction of a clause. But, I ask, is that a justification for continuing that anachronism—the Legislative Council—exercising almost co-equal powers with the Legislative Assembly? I say there is no necessity on those grounds to continue the present system. If it is only a matter of having our legislation properly revised, a committee of two or three members could take the Bill away to a quiet room, away from the turbulence of this Chamber, go through it dispassionately—as, no doubt, the committee would do—and if anything further were required, a little more careful perusal of the Bill by someone assisting the Parliamentary Draftsman could accomplish the same end. If, by any mischance, such an error crept into legislation—and notwithstanding the existence of the Legislative Council verbal errors do creep in occasionally—it could be corrected by the draftsman in the printing of the consolidated statutes. If hon. members look in the statutes to-day they will find notes in the annotations showing that an alteration has been made—a grammatical or verbal alteration for the purpose of making it read sensibly—because an error had been made when the Bill was under consideration in Committee here, and had escaped even the notice of the Legislative Council. I say that is a very immaterial matter. If a serious error crept in, an amending Bill would have to be introduced. No one, unless he takes a very lopsided view of the matter, can say it is necessary to have a weighty, authoritative branch of the Legislature operating co-equal powers with this branch, for the purpose merely of revising legislation. It may be said more logically, and perhaps with more force, that the Upper House exists more as a check upon hasty legislation than for the purpose of revising legislation. That is one of the chief arguments used in favour of it. I ask hon. members whether this alleged check upon what is called hasty legislation is a good thing in the interests of the State. A certain reform becomes a matter desired by a very large section of the people. The Legislative Council prevent the people from getting their desire by operating their powers of checking what they call hasty legislation. Social reform, we will say, is decided upon by a Government which have come back from the people after an election with a direct mandate. The Council operate their powers of checking hasty legislation in that matter, and all democratic progress is stifled, strangled, and prevented for years. I want to give, directly, a list of the measures which the Legislative Council have been responsible for delaying or rejecting entirely, in the history of this Government, to show how serious and how sad an influence the Legislative Council have been in the matter of social reform. I propose to refer to arguments used, not only in connection with the discussion of this Bill when on previous occasions it has been before this Chamber,

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but also in the country on the occasion of the last campaign. On the occasion of the last general election, the leader of the Opposition himself made a very important point of the fact that if the Labour Government were returned to power it would lead to the abolition of the Legislative Council, and thus remove what he considered to be a safeguard and a check upon hasty and ill-advised legislation. In fact, that point became a very material issue during the election, especially in the southern part of the State. The hon. member never ceased talking about it during the campaign, and it was properly replied to by the leader of the Government and other Ministers and members of the Labour party. The fact that it became a live issue at the election, I think, is a further reason why this Bill should now pass; for, notwithstanding the doleful predictions of the leader of the Opposition as to what would happen in connection with the Council if this Government came back to office, the electors returned the Government to office with an increased majority.

Now, one of the principal arguments used in support of the Legislative Council is that there will be a very positive danger if the Council are removed; that the government of the country might fall into the hands of those who might operate the powers of government unwisely and in such a way as to lead to the detriment of the people. Presumably it was thought people might get reform too rapidly if the Legislative Council were placed out of the way. It is thought that if the Legislative Council is out of the way the people themselves might govern directly, not indirectly and with difficulty, as they do at present. I can see no danger in that at all. If the Legislative Council disappeared off the face of the earth to-morrow, the people have the right not only to elect their Government and choose their parliamentary party, but to lay down at election time what the policy shall be for three years, and see that it is carried out. Surely, when that right exists in the hands of the people, there can be no danger to the people! The only persons who might suffer from this alleged danger would be those who enjoy some privilege as against the interests of the State at the present time.

GOVERNMENT MEMBERS: Hear, hear!

The ACTING PREMIER: To remove the Legislative Council would be dangerous to the profiteer, perhaps; it would be dangerous to the vested interests, to those who have some privilege which gives them an advantage over the mass of the people; but it could not possibly be a danger to the mass of the people themselves. The people themselves, by their voice at election time, choose the Government they desire, and the House of Parliament they desire, to rule over them. Surely, that House of Parliament should rule over them and not be relegated to a position subordinate to another House of Parliament which is not chosen by the people at all!

Mr. CORSER: The referendum vote said something, too.

The ACTING PREMIER: The vote at the last election surely said something also! Only a short eighteen months ago, when this question was put directly to them by the leader of the Opposition and made an issue—when the question of the abolition of the Council was discussed—surely when they cast their votes and returned to office

a Government which was pledged to the abolition of the Legislative Council, they did not mean that the Council should be continued in existence? Further than that, surely when they endorsed the policy of the Labour party at the last election they intended that policy to be carried out! They returned a majority of this party to power, and they intended the Labour legislation to be carried out also. Does the hon. member contend that that policy should be destroyed and the legislation rejected by another House over which the Government had no control whatever? No one will accept that idea for a moment. Anyone would be lacking in democratic ideals to assert such a thing as that. There is a real danger in keeping the Legislative Council there, because those gentlemen up there are meddlers in the making of legislation, because they meddle as between the people's representatives and the people's desires. When they do these things, surely there is a danger in keeping them there at all! There is a danger that the people themselves may become exasperated and not only abolish the Legislative Council, but the parliamentary system altogether.

GOVERNMENT MEMBERS: Hear, hear!

The ACTING PREMIER: That is a real danger which has come to fruition in other parts of the world, where, through the tardy methods adopted by old and obsolete Constitutions, the people themselves became exasperated and brushed parliamentary government completely away. That is happening to-day in other parts of the world, and it is a danger that every country subject to parliamentary government is liable to in other parts of the world.

Mr. MORGAN: That is not so where people create their own Parliaments, like we do in Queensland and Australia.

The ACTING PREMIER: Does the hon. gentleman say that the people created a Parliament of Queensland with the Legislative Council existing as it does to-day?

Mr. MORGAN: The people endorsed the Legislative Council at the referendum.

The ACTING PREMIER: Did they endorse the Legislative Council in 1918? Why, the leader of the Opposition made that an issue at the last election.

Mr. MORGAN: No, there were many other issues.

The ACTING PREMIER: The leader of the Opposition made it an issue, and the leading organs of the Opposition party, notably the "Courier," stated that if the people returned the Labour party to power they would be voting for the abolition of the Legislative Council.

GOVERNMENT MEMBERS: Hear, hear!

The ACTING PREMIER: That was their exhortation to the people at that time. They warned the public of the probable abolition of the Council, and urged every elector to vote against the Labour Government, and copies of the "Courier" containing that advice were distributed in hundreds and thousands throughout the State. The "Courier" said that every vote given in favour of the Labour Government was a vote in favour of the abolition of the Legislative Council.

Mr. FRY: That accounts for the big vote in the metropolitan area.

The ACTING PREMIER: I am quite prepared to accept that decision of the hon.

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gentleman that it resulted in the vote that was recorded in the metropolitan area. Even if we adopt that line of argument, and say that it caused the vote that was given in the metropolitan area in favour of the Legislative Council, then I can say that the people in the rest of the State voted against the retention of the Legislative Council by a majority of two to one. I read the speeches made by the leader of the Opposition on that occasion with great interest. I realise that he summed up the position that if the Labour Government came back to office then they would be receiving a mandate from the people for the abolition of the Council. Practically, he placed the onus on the shoulders of the electors when he told them what would happen if the Labour Government were returned. I do not think that I am misinterpreting his sentence when I say that he told the people that if they voted for the Labour party then they would be giving a vote for the abolition of the Legislative Council, and he told them that the consequences would be on their shoulders, whatever the consequences might be. According to that, I say that the people voted in favour of the abolition of the Legislative Council, because they returned the Labour party to power with an increased majority. (Hear, hear!) The hon. gentleman held out a kind of spectre of unbridled labourism if the people voted for a continuance of the Labour Government and the abolition of the Legislative Council. The hon. gentleman seemed to think that in such an eventuality as that the Labour platform would be put upon the statute-book, because there would be no Legislative Council to throw out the measures. He pointed out that, consequently, it was a tremendous danger to return the Government to power. The people did not endorse the view put forth by the leader of the Opposition. The hon. gentleman asks if these arguments are not also arguments against the retention of the Senate. These are the arguments I am using that might be used in favour of any unicameral system as against a bicameral system. Probably no democrat can find any solid argument for the retention of the Senate, but it is not our business to lay down the policy of the Federal Government. We have to deal with our own Constitution. We would resent any interference in our own affairs on the part of the Commonwealth Parliament, and it is not necessary that we should butt in and decide what their policy shall be in regard to a unicameral or a bicameral system so far as their Parliament is concerned. It is better for us to stick to our own business. Some people think that it is necessary, from a democratic point of view, to accomplish the reform of the Legislative Council in Queensland by providing them with a Constitution that would lead to the election of their members on some electoral franchise or other. I ask hon. members opposite if they think it would be necessary to have a restricted franchise in that case? Probably there are some hon. members on that side who believe in the reform of the Legislative Council, but they want the members of that Chamber to be elected on a franchise of a restricted character.

Mr. SIZER: I never said so.

The ACTING PREMIER: Other hon. members on that side have said so, notably the hon. member for Murilla. Now, the

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Victorian Legislative Council is elected on a restricted franchise.

Mr. MORGAN: No. It is the policy of the Primary Producers' Association to have an elective Upper House.

The ACTING PREMIER: The hon. gentleman wants it on a restricted franchise. My objection to that is, that it is too undemocratic, because it will mean a reversion to the system of property rights. That will mean that the electors will be restricted to property men. Such a franchise as that cannot be considered to be democratic.

Mr. MORGAN: It is not restricted to property men in Victoria. It takes in almost everybody except the nomads.

The ACTING PREMIER: Can the hon. gentleman tell me why those whom he calls the nomads should not have a vote for the Legislative Council if they are good enough to have a vote for the Legislative Assembly? Does the hon. gentleman say that the nomads should not be allowed to have a vote for the Legislative Assembly?

Mr. MORGAN: Not at all. I did not say that.

The ACTING PREMIER: Then, why does the hon. gentleman discriminate? Why should certain classes have a vote for the Legislative Council, and another class have no vote? What is the answer to that question? The hon. gentleman has fixed his mind upon a certain course of action in regard to the Legislative Council, and he desires merely to satisfy an immediate clamour for the democratising of Parliament, but at the same time the hon. gentleman wishes to entrench conservatism in the Legislative Council by denying certain people the right to vote. The hon. gentleman wants a restrictive property franchise, and denies the workers—who are the mainstay of the State—the right to have a vote for the Council.

Mr. MORGAN: They are not workers.

The ACTING PREMIER: The hon. member for Nundah favours an elective Legislative Council on the same franchise as for the Assembly. If we adopted that system look at what the result would be. It would simply mean that we would have another branch of the Legislature which would be a mere replica of what is called the Lower House. The party returned with a majority here would also be returned with a majority in the Legislative Council. Whatever legislation is decided upon by the party in this House would be passed by the party in the Upper House. That is so in the House of Representatives and in the Senate at the present time.

Mr. SIZER: There would be different areas representing the different places.

The ACTING PREMIER: The hon. gentleman knows quite well what happened in the Federal Parliament. In 1910, when Mr. Fisher was returned with a majority in the House of Representatives, the Labour party also had a majority in the Senate. Then, again, in 1917, Mr. Hughes got a majority in the House of Representatives and a majority in the Senate also. So in almost all cases the parties would be the same in both Houses. Suppose, on the other hand, that it did happen that one party was elected in the Assembly and another party in the Council. One party would reject the

legislation of the other party, and the people would be returning a "Yes-No" Parliament. There is no necessity whatever for a second Upper Chamber, even if it is elected on a broad franchise. If it is elected on a restricted franchise then it will become most undemocratic, more so than the present system, and God knows that is undemocratic enough. To show what a malignant influence the Legislative Council has brought to bear upon the legislation of this country, I have only to point out that during the last four years they rejected a great bulk of advanced democratic and social legislation, and they did more harm in that brief period than they could do good even if they continued to exist for a century. In my opinion, it will show how difficult and how painful and laborious a process it is to get legislation through the Upper House if I call attention to some of the measures they have refused to pass. It took two years to get an Arbitration Bill passed through the Legislative Council. It took two years to get the Gas Act upon the statute-books. These measures were designed in the interests of the people, and they were put before the people at the previous election, and received the people's endorsement, yet, it took two years to get them on the statute-book. It took three years to pass the Bill to provide for the purchase of the Chillagoe Works. What a long, painful, and laborious process it was trying to get through the Upper House the Income Tax Act Amendment Act, the Land Tax Act Amendment Act, the Stamp Duties Act, and the Succession Duties Act. It took three years to get those financial measures through Parliament owing to the obstructive tactics of the Legislative Council.

Mr. MACARTNEY: Did you say two or three years?

The ACTING PREMIER: Three years. It took three years to get those financial measures through.

Mr. BEBBINGTON: Not the land tax. You collected land tax before you were in three years.

The ACTING PREMIER: I am pointing out that it took three years to get those financial measures through both Houses. We introduced the first Land Tax Act in 1915 I know, but it was really three years before we got all our 1916 financial measures through. We introduced a Regulation of Cane Prices Bill to meet the desires of a large section of the community. It was a very democratic measure, and yet it took us two years to get that Bill through the Legislative Council. It took three years to get the Wages Bill passed and placed on the statute-book. Then we introduced an amendment of the Land Act which was designed for the purpose of enabling the State to get better revenue from the pastoral holdings. We made four attempts to get that Bill through Parliament, and have not succeeded yet. For four years we tried to get that Act on the statute-book, but the Legislative Council frustrated us every time. For three years we tried to get the Meatworks Bill passed, but failed to do so owing to the Legislative Council. For two years we have tried to pass the Local Authorities Bill, but the Legislative Council blocked it on each occasion. For three years we have tried to get the Initiative and Referendum Bill passed, but without avail, as the Council always blocked it. We also tried to get a Commissioner of Trade Bill, an Hospital Bill, a Requisition of Ships Bill, and an

Iron and Steel Works Bill passed. The Legislative Council blocked all of these measures. They also blocked the Brisbane Tramway Purchase Bill, the Brisbane Tramway Fares Bill, and they also blocked the Insurance Bill. All these measures were rejected or mutilated by the Legislative Council and failed to pass. Whatever may be said about the wisdom or lack of wisdom of a Legislative Council it certainly has nothing to do with that branch of the Legislature what legislation is introduced. It is not a question for the Legislative Council to consider at all. That is a matter to be decided by the representatives of the people. The people's representatives will decide whether the legislation is wise, and in the interests of the people or not. Whether the legislation should be proposed is a matter for the people elected here, and not for members in another place.

Hon. W. H. BARNES: Are they to swallow everything?

The ACTING PREMIER: No; they are to be kicked out. (Government laughter.) I would not give them the privilege of interfering with any of the legislation whatever. The right to say what the people want should rest with the people's representatives alone, and the members will decide directly according to the wishes of the people. In regard to the question of the abolition of the Legislative Council we are not likely to come to an agreement upon this question. The issues are too vital between the Labour and conservative parties. A conservative party naturally stand to uphold the Legislative Council. The Labour party naturally are against the Legislative Council. The Labour party want to get the most democratic representation. If a few mistakes are made occasionally owing to rapid legislation those mistakes can easily be overcome. But the Labour party cannot, under any terms or conditions, justify the existence of a Chamber which, although it occasionally revises, verbally,

[4.30 p.m.] some legislation, throws out or mutilates much desired legislation which was introduced at the instance of the people. I hope the Bill will be dispassionately considered, and that the day is not long distant when the Council will disappear entirely as a feature of our Constitution, and I venture to express an opinion that in fifty years hence—if any of us survive so long—or I will say thirty years, for some of us have a chance of surviving so long—when the Council shall have disappeared entirely, there is not the slightest doubt that the generation of that day will wonder what came over the generation of this and past days when they placed their affairs in the hands of a nominee Legislative Council, and so far depart from the democratic principles of government as to allow others—and those over whom the people have no control—to have a chief say in the Government of the country. I beg to move—That the Bill be now read a second time.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MACARTNEY (*Toowong*): I congratulate the hon. gentleman on his speech, which was something more in the nature of a fighting speech on this particular subject than we have had in this Chamber before. On the last occasion it was moved by the Premier, and it was a matter of considerable doubt to some members on this side as to whether the Premier was as seized, as the

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hon. member is, with the advantages of wiping out the other Chamber. Personally, I had my doubts on the point. It is, perhaps, unnecessary to say more in the absence of the gentleman who, at any rate, is the nominal leader of the Government.

The history of this measure is worth looking at for a moment or two. This is the second occasion of putting the Bill through this House with a view to a referendum under the provisions of the Parliamentary Bills Referendum Act. It was subjected to the same process before, it was rejected twice, and submitted to the people in May, 1917, when it was turned down by what was then regarded as a particularly heavy vote. I think the voting on that occasion was 179,105 against abolition, and 116,196 for. Many thousands, it was found, voted, on that occasion, over and above the numbers which voted on the 1915 elections. I think the number was found to be something like 29,000 in excess. In the seventy-two electorates which constitute the State of Queensland only twelve showed a majority for the abolition. The biggest majority was in the Flinders electorate, represented by Mr. Mullan, and I venture to say that the reason for that majority was due more to the fact that the electorate was a remote one and the people had not the same opportunity of judging the position as did the people in the nearer centres of population. What was the position in regard to the centres of population? In two electorates alone, not very far from the city—the one which I have the honour to represent—Toowong, and the electorate of Murrumba—the majorities amounted to 2,000 in each case, and eight other majorities exceeded over 2,000 in each case. In the sixteen metropolitan electorates there was approximately a majority of 26,000 against the abolition. In that also lies the argument I have made in regard to the electorate of Flinders. These people are in the immediate neighbourhood of Parliament, they read the daily account of what goes on, and many of them have the opportunity of coming to this and the other Chamber to see what is happening. They understand the position and give a vote in the light of their better knowledge. It was very strange, perhaps, that we were engaged in a battle of the defence of our Constitution at a time when the country was at war. Nevertheless we were so engaged, and, as I have said, the result shows, at any rate, that whatever opinions our Labour friends on the other side may have, a great majority of the people of this State voted against the abolition. It is quite true that they may vote for hon. members opposite—you cannot blame a man for voting for increased wages and the improvement of the conditions of his daily life; a man will vote in the direction of self-interest; but it does not follow because the Government have had the support of constituencies at a general election that those constituencies are in favour of dangerous and violent propositions such as this Bill contains. (Hear, hear!)

The hon. gentleman has referred to my having suggested at the time of the general election, that if the Labour party were returned it might mean the abolition of the Upper House. I did make that reference, and I make it now; because I realise that it is a plank in the platform of the Labour party, and that the return of the Labour party means that they will use every means

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within their power to unpopulise the Upper House and create an atmosphere which will lay the foundation for the successful carrying out of that particular plank. I might say that the hon. member himself, on the Darling Downs, and other Ministers, in other parts of the State, suggested that the question of the abolition of the Upper House was an issue; but the Premier, in his speech at Townsville, did not suggest it at all; but, on the other hand, practically suggested that he was satisfied with the action of the Upper House up to date.

The ACTING PREMIER: He intended to make it an issue.

Mr. MACARTNEY: The hon. gentleman said so, and that other hon. members said so, I admit. But the Premier who, after all, was the leader of the Government, the man who enunciates the policy of the party, made no reference to it in his Townsville speech, and I venture to say that a great number of the people of the State thought, in view of the appointment of certain nominees to the Upper House, that the question of the abolition of the Upper House would soon fade away. This is what the hon. the Premier said at Townsville, referring to the success of his party and his policy for the previous three years—

“That policy, I am glad to say, was accepted by the great majority of the electors, and the history of Queensland since has been a record of honest, determined, and in the main, successful endeavour to realise it by legislation and administration. The career of the present Government has been unique in that it has almost completed three years of office without incurring the charge of breaking its promises or leaving its pledges unfulfilled.”

That amounts to an admission that the Upper House had so reasonably met the Premier and his party that he was able to go before the country and say he had fulfilled all the pledges made by him in his Barcaldine speech, and following upon the elections of 1915. In speaking at Townsville he made some reference to the Iron and Steel Works Bill, which he said, unfortunately, the Upper House had—after encouragement from the Opposition, of course—delayed or interfered with the terms in which it had been put forward. That was the only complaint in the Townsville speech against the Upper Chamber. Looking back now, in the light of what has followed in regard to the Iron and Steel Works Bill, the position in which that proposal stands, and the amount of money that has been spent to date, one wonders that the Government has the effrontery to refrain from an apology to the Upper House. As a matter of fact, that Bill was used for all it was worth to bring obloquy and unpopularity to the other Chamber, and to-day the Government are exposed in the utter hypocrisy of the attitude which they adopted at that time.

Last session we had this Bill brought forward, and subsequently declared “lost.” One wonders now whether this reform is really desired by members of the Government—by the Ministry itself. A vote was passed last session giving each member of this House the sum of £200 to conduct a campaign in connection with the referendum throughout the country, for the financial year 1918-1919. We have now arrived practically towards

the last month of the first half of 1919-1920, and the referendum is not yet in sight. This Bill was foreshadowed in the Governor's Speech; it was one of the first measures mentioned in it. Yet, we have been sitting nearly three months, and although the measure has been on the paper, it has been left till the last, and is only now engaging the attention of Parliament. The Treasurer, during the last few days apparently has indicated that it is unlikely that the referendum will come on this year—that it is unlikely it will come on before the Federal elections. In fact, it seems as if the taking of this referendum is so far ahead that we must either come to the conclusion that the Government are not sincere, or that they fear the result of the vote. I do not know whether it is a fair thing that Parliament should have its time encroached upon in discussing this matter from year to year, if the Government are not serious about it. Is it simply to be a matter of continuous threat against the other Chamber? Is it to stand in the way of other important business which should receive the attention of Parliament? I venture to say that if there is no business in this on the part of the Government, they should take us into their confidence on the subject. There is no doubt this measure is one of great and far-reaching importance; it is one of Imperial importance, a fact which has been accentuated by remarks to which I propose to refer later on. It is one of those questions which require much consideration, involving, as it does, a serious change in the constitution of the State, which, according to the hon. gentleman himself, has been in force for sixty years, during which time it has worked advantageously. I do not propose to discuss, in this speech, the legal question at all. The legal question has been before the courts, even to the Privy Council. Our own Full Court have decided that this referendum is illegal. The High Court of Australia, on the other hand, has decided that it is legal. The Privy Council have so far refused to interfere. The judgment of the High Court stands, and I take it that—having regard to the reasonable judicial attitude of our own courts—if the question ever arises again they will adopt the decision of the High Court of Australia and, until the matter can be questioned and taken further, the uncertainty of the legal position must remain.

It has been suggested that the legal question has been finally dealt with, but this is not so, and I feel compelled to state the exact position. I propose to read a few extracts from the remarks of Lord Haldane when the matter was before the Privy Council. On page 195 of the "Queensland Law Reports" for September, 1918, will be found the report of the argument. Lord Haldane pointed out that the people had turned the referendum down, and the courts were not in the habit of dealing with academic questions pure and simple. He pointed out the great importance of it, and dealing with the Colonial Law and Validity Act, which has been much relied upon to support the Government view of this case, Lord Haldane says—

"That is another thing; and if that applies, then you may be right or you may be wrong, but there is a question which affects the entirety of the Empire: there is not a Dominion, there is not a Crown colony to which that section does not apply. That Act was passed, a very remarkable thing, I think, without much

discussion, but it is a tremendous charter, and the tribunals have refrained from expressing an opinion upon the extent to which that section has given Legislatures abstract powers to alter their own Constitution by virtue of the section. If that section applies to that case, all I can say is—I do not know what my friends who are with me will say—that it is a 'sleeping dog' which I am very reluctant to awaken."

He also stated—

"You know, if this question really were to be argued, it should not be argued in a litigation affecting only one litigant, the Legislature, and only a State Legislature. There is a procedure which is open to the Crown, which is under the Act, 3 and 4 William IV., to refer to the Judicial Committee of the Privy Council a general question of this kind, and, when that is done, the advantage that the Judicial Committee possesses is that it can advise the Crown to mould the procedure. If that question was raised in an abstract form, we should probably direct that we should be attended by the Attorney-General of England as representing the Empire, and we should take care to secure that there should be a representation of the other parts of the Empire, so that this tremendous question which affects everyone should not be determined behind their backs; and we are most reluctant, speaking for myself, at any rate, to interfere now."

Later on he remarks—

"The electors of Queensland appear to have said that they are not going to let it arise in a practical form. It may be that this Act is a nullity. That is not a question we wish to determine in the abstract."

Then counsel who appeared in connection with the appeal remarked—

"Of course, I presume if your Lordships do not grant my petition, there will be nothing said—I mean to say, it cannot be said that I should be precluded from raising this on another case?"

And it was made clear by their Lordships of the Privy Council that nothing that took place then would prejudice the determination later on of the question involved. So it is quite clear that, so far as the final determination of the legal question is concerned, it is still open. The bicameral system, of course, is attacked by this Bill. The hon. gentleman has not paid very much attention to the history of the bicameral system. The Premier, on a previous occasion, attempted to deal with it, but I think he rather failed on that occasion to produce any precedent or much argument that made for a strong case on his behalf.

Mr. KIRWAN: You know as a matter of history that it is a pure accident that we have two Houses. There were four at one time.

Mr. MACARTNEY: I am not dealing with pure accident; I am dealing with a very actual accident that is likely to happen if this Bill is passed. The bicameral system, however it was born, is the system which has been demanded by democracy in the days gone by, and maintained by democracy, and it is to be found in every British community.

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It has existed in Great Britain for centuries, and we know that with the exception of a short period when Cromwell reigned in England it has continually existed.

Several GOVERNMENT MEMBERS interjected.

Mr. MACARTNEY: I refrained from interjecting when the Acting Premier was speaking, and I ask for the same favour from hon. members opposite.

The SPEAKER: The leader of the Opposition is entitled to be heard without interruption, and I hope hon. members will cease from interjecting.

Mr. MACARTNEY: The bicameral system is to be found in every British community, and it existed in Great Britain except for the short period under Cromwell, and it was found afterwards that they had to revert to the old and well-tried system of two Houses. It exists in every European community that is democratic. It is to be found in France, in Switzerland, in Belgium, and in other parts of Europe, and we also find, which is a sign of the times, that it is being adopted by the Eastern nationality. Is there a single progressive State in Europe which has only one House? We know that Switzerland, which is regarded as the most advanced democratic country in Europe, has a system of two Houses. The hon. gentleman referred to a recent constitution; I may have to refer to that later on, but a more recent Constitution than the one he mentioned has since been suggested, and that is the Constitution suggested by the Irish Convention which was appointed to deal with the Home Rule question a few years ago. In that particular Constitution provision was made for the bicameral system to be embodied. There was provision made for a nominated Senate of sixty-four members, including Archbishops, Lord Mayors, representatives of the Peers, and representatives of trade and commerce and labour. As a matter of fact, we find the Senate recommended in this case is to some extent hereditary. We know that there are many exceptions. We know that in the minor States of Germany there is legislation by a single chamber, and perhaps in some minor American States, too. We know that in Greece a single Chamber was tried, and after a revolution they reverted there to the bicameral system. Experiments have been tried in the United States and in France, and in both instances they failed. As pointed out previously the experiment was tried in England in Cromwell's time, and it was afterwards condemned and the old system resorted to. Professor Lecky, one of the most brilliant writers on constitutional history, deals pretty fully with the subject, and there would be no harm in putting on record in "Hansard" what Professor Lecky says. In chapter iv., page 299, of Professor Lecky's book on "Democracy and Liberty," he says—

"Of all the forms of government that are possible among mankind, I do not know any which is likely to be worse than the government of a single omnipotent democratic Chamber. It is at least as susceptible as an individual despot to the temptations that grow out of the possession of an uncontrolled power, and it is likely to act with much less sense of responsibility and much less real deliberation. The necessity of making a great decision seldom fails to weigh heavily on a single despot, but when the responsibility is divided among a large

assembly, it is greatly attenuated. Every considerable assembly also, as it has been truly said, has at times something of the character of a mob. Men acting in crowds and in public, and amid the passions of conflict and of debate, are strangely different from what they are when considering a serious question in the calm seclusion of their cabinets. Party interests and passions; personal likings or dislikes; the power of rhetoric; the confusion of thought that springs from momentary impressions, and from the clash of many conflicting arguments; the compromises of principle that arise from attempts to combine for one purpose men of different opinions or interests; mere lassitude, and mere caprice, all act powerfully on the decisions of an assembly. Many members are entangled by pledges they had inconsiderately given, by some principle they had admitted without recognising the full extent to which it might be carried, or by some line of conduct they had at another period pursued. Personal interest plays no small part; for the consequence and pecuniary interests of many members are bound up with the triumph of their party, while many others desire beyond all things a renewal of their mandate. They know that a considerable part of the constituencies to which they must ultimately appeal is composed of fluctuating masses of very ignorant men, easily swayed by clap-trap, by appeals to class interests or class animosities, and for the most part entirely incapable of disentangling a difficult question, judging distant and obscure consequences, realising conditions of thought and life widely different from their own, estimating political measures according to their true proportionate value, and weighing nicely-balanced arguments in a judicial spirit."

Later on he continues—

"There is certainly no proposition in politics more indubitable than that the attempt to govern a great heterogeneous empire simply by such an assembly must ultimately prove disastrous, and the necessity of a second Chamber, to exercise a controlling, modifying, retarding, and steadying influence has acquired almost the position of an axiom. Of all the many parliamentary constitutions now existing in the world, Greece, Mexico, and Servia are, I believe, the only ones in which independent and sovereign nations have adopted the system of a single Chamber, and, among these, Servia is only a partial exception. According to the Constitution of this little country, legislation is, in ordinary times, conducted by the king and a single national assembly, in which one out of every four members must be nominated by the king, and which exercises strictly limited and defined powers; but the sovereign has a right of convoking when he pleases a second and much larger assembly, which alone is competent to deal with grave questions affecting the Constitution and the territory of the State."

Later—

"The experience of the past abundantly corroborates the views of those who

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dread government by a single Chamber. In the English Commonwealth such a system for a short time existed; but the abolition of the House of Lords was soon followed by the expulsion of the Commons, and when Cromwell resolved to restore some measure of parliamentary government, he clearly saw that two Chambers were indispensable, and he revived on another basis the House of Lords. In America, Franklin had strongly advocated a single Chamber; and in the American Confederation, which was formally adopted by the thirteen States in 1781, and which represented the United States in the first years of their independent existence, the Congress consisted of only one branch. It was invested with very small powers, and was almost as completely overshadowed by the State rights of its constituents as the Cromwellian House of Commons had been by the military power of the Commonwealth. But the very first article of the American Constitution, which was framed in 1787, divided the Congress into a Senate and a House of Representatives. In all the separate States the bicameral system exists, and it also exists in all the British colonies which have self-governing powers.

"In France, Turgot, and Sieyès advocated a single Chamber, and in the French Constitution of 1791 all power was placed in the hands of such a body, the result being one of the most appalling tyrannies in the history of mankind. In 1848 the same experiment was once more tried, and it once more conducted France through anarchy to despotism."

These things indicate just where this proposition may lead us to. History has a nasty habit of repeating itself from time to time, and if this proposal is adopted particularly when we have a Government on the other side of the House that is forced by secret forces behind it, by secret discussions, and when the ordinary parliamentary procedure of public discussion is almost altogether absent, there is no telling where we may get to. An attempt has been made also to do away with the House of Lords. It is not so very long ago since Lord Rosebery, apparently the most radical reformer of his day in England, undertook to abolish the House of Lords, and Professor [5 p.m.] Lecky, the gentleman whom I have been quoting, dealing with that question, uses these words—

"On the eve of the election Lord Rosebery clearly and emphatically told the country that the real and supreme question at issue was the House of Lords, and that Home Rule and all the other Government measures were involved in the destruction of what he somewhat absurdly called its 'legislative preponderance.'

"The country has now the opportunity of expressing its opinion about these men, their objects, and their methods, and it gave an answer which no sophistry could disguise and no stupidity could misunderstand."

Those remarks apply just as strongly to the referendum we had in 1917. Lecky continues—

"The complete, crushing, and unequivocal defeat of the Radical party in

1895 is certainly one of the most memorable events in the present generation. No circumstance of humiliation was wanting. The majority against the late Government was greater than any which had been seen in England since the election of 1832. In addition to several less important members of that Government, four Cabinet Ministers, including those whose attacks on the House of Lords I have quoted, were defeated at the poll. In nearly every portion of the kingdom, and in town and country alike, the verdict was the same."

Mr. KIRWAN: Like the debacle in Queensland in 1915.

Mr. MACARTNEY: The debacle in Queensland in 1915 has no relation at all to the subject.

Mr. KIRWAN: I am just recalling a similarity.

Mr. MACARTNEY: I might attempt to say a word on that, but I am afraid it would take a considerable time and would not be quite within the four corners of this Bill. I think that the nature and the attributes which have been claimed for the Upper House are of a really advantageous character. There is no question about it, it is absolutely independent, and it is unaffected by popular feeling. It is not submitted to a vote of the electors, hence its independence.

Mr. O'SULLIVAN: In other words, it can defy the electors.

Mr. MACARTNEY: The hon. gentleman can call it what he likes. I would be glad if the hon. gentleman, when his time came, would get up and say so. An interjection only interrupts me and does not help matters. I think the Council can fairly be said to be, and has for a very long time past been, representative of all classes in the community. It represents all districts and all interests. It is unaffected, also, by the imposition of the control of a resolution in caucus, so that I think we can fairly claim for the Upper House absolute independence of action. Other authors have dealt with this subject of the bicameral system; I think Todd particularly laid down the advantages of an Upper House. I am not going to weary the Chamber with another long dissertation from a historical or legal writer on the matter. Those advantages can be very shortly summed up. There is the check on hasty legislation. The hon. gentleman complained of that. That is a real advantage in the Upper Chamber. Hon. gentlemen know that they are pressed by influences outside in connection with legislation that they themselves, for the moment, do not believe in; but because their representation depends upon the good will of an organisation which is carrying out the platform, they have to press it, even though it is against their better judgment. The Upper House, therefore, stands as a check against such. It also, when properly directed, stands against undue extravagance or unfair treatment either in the form of taxation or any other direction, of any one or several classes in the community, to the undue advantage of others. They are able to exercise a judicial function of fair play between all classes of the community. We have had it illustrated during the last year or two that

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they have been able to stand between the Government and its tenants in a breach of what can only be regarded as a statutory contract. In doing this they have been able to maintain the fair name of this State, and to give those people on whom the State is, to some extent, dependent for the moneys which enable public works to be carried out, some assurance, at any rate, that there are people in this State possessing fair minds, who are prepared to give a fair deal. Indeed, they stand against what I suggest are violent and dangerous measures calculated to injure the fair name of the State. Their power and ability to revise have proved a great advantage to the State. In the last Parliament and in the portion of this Parliament which has already expired the power of the Upper House to provide useful amendments has been proved beyond a doubt. They have the opportunity, in the calmer atmosphere of the Upper House, to remove obscurities and ambiguities, and thus preventing that which might provide a fund of litigation. I think that one action which the Upper House has been able to do has been to circumvent to some extent what I might term tricky legislation—legislation which apparently was not intended to give powers beyond those which obviously were asked for but which proved loaded, to use what is now an every-day term. It has thus been a security to the State and to the enterprises of the State.

The ACTING PREMIER: What legislation is that?

Mr. MACARTNEY: I am referring now to the dragnet clauses. The hon. gentleman can remember, surely, the Sugar Acquisition Bill which was introduced in the guise of a war measure, which was not so framed, and which enabled the Government to do that which no one ever contemplated at the time they wished to do or would attempt to do. Subsequent events have proved that it was the intention of the Government to take advantage of those clauses.

The ACTING PREMIER: Those powers have only been exercised justifiably.

Mr. MACARTNEY: That is an instance of the kind of legislation which the Upper House has been able to deal with.

The ACTING PREMIER: What service did the Council do in that connection?

Mr. MACARTNEY: It was taken in there. I say that the history of the Upper House has shown, apart from everything else, its willingness to give reasonable effect to the expressed will of the people. Its functions have been exercised in that direction as far back as any man in this Chamber can remember. It has shown a patient but a firm regard for the rights of the whole State. In regard to what it considers unfair legislation, it has been fearless in doing its duty. I think it can be said that it has joined this Chamber in the days gone by in the promotion of reasonable and humane legislation. It has shown a tolerant spirit in every respect. Before the Labour party came into power—before it was associated with any party which was in power—the State had placed on the statute-book factory legislation, accommodation for workers, compensation for injuries, protection for children, wages board and industrial legislation, which, I think, I can fairly say was regarded up to that date as being the most advanced in the world. The Upper House did not

stand in the way of manhood suffrage; it did not stand in the way of compulsory free education—the first system of the kind in the world. It did not stand in the way of relief for the aged and destitute, for the establishment of democratic higher education, of charitable institutions, or the provision of workers' dwellings. Before Labour came into power, all these things were placed on the statute-book. It is quite true that the Labour party, since they have come in, have built upon the foundations which were so laid. Nevertheless, you cannot take away the credit that past Parliaments are entitled to; and in those Parliaments the Upper House has played a part. I say these monuments to the attitude of the Upper House are a complete negation of the arguments which have been offered by the hon. gentleman this afternoon. The hon. gentleman has referred to certain legislation which has been interfered with in the Upper House. During the first session of the last Parliament this House and that joined in passing thirty-six measures. Surely that is a fair record for a session of Parliament!

The ACTING PREMIER: They were afraid.

Mr. MACARTNEY: The hon. gentleman says they were afraid. There is nothing in that argument. Those thirty-six measures speak for themselves. Only three measures during that session were rejected. In the second session, thirty-two measures were passed—another record for the number of measures passed in a session of a Queensland Parliament. In the third session, twenty-one measures were passed and seven were rejected. The total for the whole Parliament was eighty-nine measures passed and nineteen rejected. That is to say, the Government had the support of the Upper House in regard to eighty-nine measures out of 108. I think I can also say, for the purpose of the argument which we are using, that an examination will show that several of those nineteen were rejected three times; so that probably the measures actually rejected were only a fleabite compared with the number of measures which were passed. The Bills passed include the Trade Union Act, a new Electoral Act, State Insurance Act, Workers' Compensation Act, State Enterprise Bill, Wages Bill, shops and factories legislation, a large number of taxation measures, Industrial Arbitration Act, and Workers' Accommodation Act. Surely that shows that the Upper House, while examining measures carefully and critically, have realised the measures in which the country were behind the Government and have given the Government assistance!

The ACTING PREMIER: We had to bludgeon most of those through.

Mr. MACARTNEY: The hon. gentleman made a strong point of the Industrial Arbitration Act. He said that Bill was rejected twice.

The ACTING PREMIER: No; rejected once, and passed the second time. It took us two years to get it through.

Mr. MACARTNEY: Anyone will realise there is not such a Bill on any statute-book in the civilised world. It is a Bill extreme in the powers it has given to the Arbitration Court. Its provisions are intricate and numerous beyond measure. I really think the hon. gentleman expects too much if he thinks this Parliament should put a measure

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of that sort through in one session. Notwithstanding the care taken, that measure contained what all sides recognised were serious errors.

The ACTING PREMIER: On your argument, legislation should be delayed, because the Council says it is too extreme.

Mr. MACARTNEY: I say legislation is of sufficient importance for us to be careful with it. That Act passed through with a huge blunder, which has seriously interfered with our soldiers. I refer now to preference to unionists. It was believed that the principle of preference to unionists was not included. The hon. gentleman admitted that that was so, yet, under a construction of the Act given afterwards by the Arbitration Court, it was found that the principle of preference to unionists was included, and our soldiers have suffered very largely through it since. The Upper House have never offered any real objection to reforms—I refer to reforms in a general way—or even to their own reform. As a matter of fact, in 1896 a measure was introduced under the leadership of Sir Hugh Nelson, which provided for the election of members of the Upper House for a period of years. I think that goes to show that, as it was passed by the other Chamber at that time, when it was a great deal more conservative than it is to-day, it was not so bigoted as to prevent its passing a measure affecting its own reform; and there is no reason to suppose that, if any proposal for reform were now made, that it would act differently.

The hon. gentleman has endeavoured to draw admissions from this side in regard to the reform of the Upper House. Well, we all realise that there are men in the Upper House who have been there for a very great number of years, and there may be some necessity for reform there. But reform can easily be brought about without actual destruction, and without the removal of that safeguard which is necessary for the preservation of the Constitution. I realise in this measure a very grave danger to the Constitution, because we must remember that in a British Constitution, not only the two Houses of Parliament, but the judiciary and other officers of Parliament are supported by provisions which protect the judiciary for life, and other officers in lesser degree, and render them independent of the Government or any section of the community. In our own case, we have the position of the Railway Commissioner. He can only be removed by a resolution of both Houses, so that it is essential that we should preserve the independence of an official of that character. Hon. gentlemen will realise that, if the Upper House is abolished, the Railway Commissioner may be removed by order of this Chamber only. No officer will be independent in that case, and it will be a bad thing for the railways when that is brought about, and also a bad thing for the State. I think Ministers have already realised the unwisdom of interfering with such a parliamentary officer. If we are going to have independent administration by our officers, then it must be based on real independence such as is found in our Constitution to-day, and in our Railway Act. The same remarks apply to our Auditor-General. If we had no Upper House, do you think it would be possible to get an officer holding that position to present a report such as we

had laid on the table of this House a few days ago, giving us a fearless and full statement of the finances of the State? Would there be any possibility of getting any independence from any parliamentary officer without the existence of the Legislative Council? We know quite well that if any parliamentary officer attempted to criticise the Government—especially a Government supported as the present Government is—he would be passed out without any further reference. The same remark might be made in regard to our judges. One of the most valued parts of our Constitution is the independence of our judiciary. (Hear, hear!) It has often occurred to me that men who hold the lesser judicial positions in this State have not that independence that they ought to have if they are to do the fair thing between subject and subject, and between subject and Crown. We find that there is a tendency of late to interfere with our judicial officers. We find that an officer is liable to have his increase of emolument withheld, or he is liable to be transferred to a less favourable post, or have his promotion deferred. That is not a position in which the ordinary judicial officers should be placed. We are getting into that position in Queensland, and that is a reason why we should be in a worse position by leaving the whole judiciary in the hands of the Government for the time being. The Government admit, in the wording of this Bill, that there is a necessity for a revising chamber, because they have provided for it.

The ACTING PREMIER: A revising committee.

Mr. MACARTNEY: Call it what you will, the Government have admitted the necessity for a revising chamber because they propose to constitute a revising committee under this Bill. That revising committee is to be a representation of parties of this House, according to numerical strength. The position practically amounts to this: that when that committee meet together their actions will be controlled just as the actions of this House are controlled to-day by the majority which controls Ministers opposite, and that will mean that no result will come from it. If that committee is simply going to do what the hon. gentleman referred to—namely, cross the f's, dot the i's and correct typographical errors, then there is no sense in it. If, however, that committee has got anything in the nature of revision to do, then hon. members opposite admit that a second Chamber is essential. Why that proposal is included in this Bill for the life of me I cannot understand, except it is to show, in a quiet sort of way, that an Upper Chamber is necessary, and the objections which have been raised against the Upper Chamber are not so serious. As the Upper House stands to-day, we can say that it is fairly representative of the different interests of the people. There are a large number of Labour members there now, and I think it is a pleasing feature to be able to say that some of the men so appointed to that Upper House have come to regard it as a non-party institution. They have had their eyes opened to the advantageous work that that House does, and they realise increasingly the conditions which exist for the continuation of an Upper House. Reference has been made in regard to the non-attendance of members of the Upper House. I do not propose to go into that further than to say if those members

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who represent the Labour party were to attend the sittings of the Upper House, as it is their duty to do, then, by their force of numbers, they could even obtain some of that legislation which apparently to-day is not altogether desired in order to keep up that mythical unpopularity of the Upper House which our friends opposite have so much endeavoured to encourage.

There is one point that I would suggest, and that is that there are two sides to every question. To-day we have a Labour Government, and we may have a Labour Government for some time to come. To-morrow we may have a Liberal Government, and it may exist for some time. Now, I am rather inclined to think that the history of the Upper House proves that that particular House stands for what is fair, and that it stands against the Government of the day in anything that is unfair to any class of the community. The history of the past shows that, so far as the Council is concerned, it does not matter who constitutes the Government of the day. In the last fifteen or twenty years, within my own experience, I could give instance after instance of cases where the Upper House have stood against the Liberal Government for the time being, and I venture to say that the same spirit of the Upper House will preserve the balance whether there is a Liberal Government in power or a Labour Government in power. (Hear, hear!) There is no necessity for the abolition of the Upper House in view of the provisions of the Parliamentary Bills Referendum Act itself. The hon. gentleman said to-night that the fact that that Act had only been used on one occasion went to show that it was inoperative and ineffective. The fact that that Act has only been put into operation on one occasion is simply due to the fact that the Government for the time being have not made use of it. During the last four sessions we have had Bill after Bill solemnly declared "lost," but the provisions of that Act providing for obtaining the will of the people have not been put into operation except on the occasion when this Bill was submitted to the people on the 5th May, 1917. That Act provides in a summary way for settling all questions and disputes between the Upper and Lower Houses, whether Labour Government rules or whether a Liberal Government rules. I have here instances in which it would appear that Labour members themselves have sought to appeal for the protection of "another place."

Hon. J. G. APPEL: Hear, hear!

Mr. MACARTNEY: According to volume civi. for 1910, we find that during the debate on the Electoral Districts Bill Mr. Mann, who was probably one of the most solid Labour members of that time, made use of these words—

"I hope that this Bill will receive fair treatment in another place.

"An Opposition Member: It is hopeless.

"Mr. MANN: Yes, it is a terribly hopeless thing that members sent here by the people should have to appeal to members of another Chamber, owing to the fact that the gag has been applied here, and the Bill not properly discussed."

Then, in discussing the same Bill Mr. Ryan made use of these words—

"Mr. RYAN: I desire to again protest against this Bill passing, and I do so

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principally because when I was discussing an important constitutional aspect of the Bill the Premier rose in his place, and did not show me the courtesy of allowing me to finish what I was saying. The least the Premier could have done would have been to allow me to finish. I should like to quote something from 'Todd' which is applicable to the position that the Premier and his Ministers are desirous of placing the Government in at present. On page 4, 'Todd' says:—'To assume that the Sovereign has become a cipher in the State—a dumb and senseless idol—without any measure of political power, is entirely inconsistent with the continued existence in England of a monarchical government. Such an assumption would transform the Queen's Cabinet Ministers into an oligarchy, exercising an uncontrolled power over the prerogatives of the Crown and the administration of public affairs, upon the sole condition that they are able to secure and retain a majority in the popular branch of the Legislature to approve their policy and to justify their continuance in office.'

"That is what the Premier is trying to do. He is trying to set up an oligarchy."

That is the very thing which is likely to happen if the Upper House is abolished. An oligarchy will be established by the party sitting on the Government benches with no one to check them and no one to interfere with them, and they will simply carry out their sweet will upon instructions which they receive from outside sources.

I cannot conclude my speech without saying a word or two on the position which the caucus Government has brought us to in this Assembly. No one can suggest that matters of a public character put before this Assembly are debated by the other side in a fair and frank way on which the public can judge.

After being considered in secret, wherever they may find their origin, measures are brought forward by Ministers and discussed by the Opposition, but no discussion by Government members takes place here. That is not a healthy condition of things. It is less healthy when we know that caucus rule provides that a majority within the caucus shall prevail. It is only another step to calculate what may happen from that. At present there are forty-eight Government members on the other side of the House, as against twenty-four on this side. It has been suggested by members opposite that the country returned the present Government to power by a majority of two to one. We only want to take the figures to find that this is not so. It is the unequal proportion between the various electorates, and not the number of votes, which gave the Government forty-eight members, as against twenty-four on the Opposition side of the House. Although only a few thousand votes separate the difference in the votes recorded for the two parties, still, owing to the rule provided by the caucus that majority rule must prevail, it means that a majority of the forty-eight members opposite can dictate the actions of the minority. You then get this result. Twenty-five members over there can control the other twenty-three. They can compel the twenty-three members in the minority on the other

side of the House to vote as the majority wish. That means that twenty-five members in the majority of the Government party can vote down the expressed views and opinions of twenty-three members on the other side and twenty-four members on this side, or forty-seven altogether, notwithstanding the fact that the Opposition members represent at least half of the people of this State. That is a most dangerous position to be in, and you cannot get away from it. It is one that requires attention to be called to it. If the Upper House is to be passed out, that will be the condition of this Chamber, and legislation of a character might be passed which will damage the interests of this State. I would like to know what is there in the administration or management of this Government which entitles it to the control of legislation and administration without the check of the Upper Chamber? The financial position to-day, after four years administration of this Government, is deplorable. Unemployment is such as never existed in the history of the State before. People

are not game to enter upon those [5.30 p.m.] enterprises which are necessary, not only for the employment of the people, but for the advancement and prosperity of the State. There are a large number of people who are seriously wondering whether it is worth the candle to carry on existing enterprises or not. Is the Government that has brought Queensland to the position it is in to-day—a Government that can be written about as the Auditor-General, a trusted officer of Parliament, has written about them—fit to be trusted with the powers of the legislation and administration which belong to a Government, without the check which the bicameral system involves? From every point of view, I say the Government are not to be entrusted with the extended powers which the abolition of the Upper House involves.

OPPOSITION MEMBERS: Hear, hear!

Mr. FORDE (*Rockhampton*): I listened attentively to the speech just delivered by the hon. member for Toowong, and I regret that I cannot congratulate him on his utterances, or offer him the congratulations which he tendered to the Hon. the Treasurer. The leader of the Opposition has spoken from the viewpoint of the capitalist, not from the viewpoint of the great majority of the people for whom the Hon. the Treasurer spoke this afternoon.

Mr. SIZER: The great majority of the people are not in favour of the abolition of the Legislative Council.

Mr. FORDE: I claim to know what the people of Queensland think of the Legislative Council at the present time. During the recess, I did what the hon. member for Nundah did not do. With the hon. member for Keppel I made a tour through the Central district extending over three months, and during that time we addressed a considerable number of public meetings in favour of the abolition of the Legislative Council. Everywhere we went we found a growing feeling that the Legislative Council must go before we can have a truly democratic Government in Queensland. In many cases the electors came to us after the meetings, and said, "We never had the question put to us clearly before. We are now in favour of the abolition of the Legislative Council. We think we were fools to elect members to Parliament, and then to allow some archaic body, put there by former Tory

Governments, to nullify legislation passed by our elected representatives." That was the growing feeling, and in every centre in which we spoke meetings were very largely attended. I have no doubt that when the question is again submitted, it will be carried by an overwhelming majority.

Mr. SIZER: Whom were you addressing at those meetings?

Mr. FORDE: We were addressing intelligent people. I am afraid that some people who voted for the hon. gentleman did not use their intelligence in the proper manner.

The hon. member for Bulimba interjected that we were frightened to appeal to the people—that we were frightened of trusting the people of Queensland. I want to point out that right throughout Labour organisations the practice is to give the people an absolute say as to who should be their elective representative, and as to what form of legislation they think should be introduced. We have our periodical conventions, delegates to which are elected by the respective organisations and unions. The organisers for the various unions are elected every twelve months. Members of Parliament have, if the unions think fit, to submit themselves to a plebiscite every three years. Right through the Labour movement we welcome a voice from the people as to who should be their representatives, and what legislation should be introduced into this Chamber.

The leader of the Opposition quoted a Mr. Mann as a great Labour man. If I remember rightly, Mr. Mann opposed the hon. member for Bowen as a Nationalist candidate at the last election.

The hon. member for Bulimba said it was a pity that we have not more men of the type of the gentlemen in the Legislative Council. I think it is a good thing for Queensland that this country is not being run by those sitting in the Upper House representing conservative interests. I refer now to the majority of the members of the Legislative Council. Some of them have been there thirty years, and it is unworthy of the hon. member for Bulimba to say that men who were put there by Governments no longer having the confidence of the people of Queensland should rule Queensland. It shows how far his views are from those of the democratic up-to-date people. The latter hold the view that Queensland should be governed by its elected representatives, those who are abreast of the times. The hon. member for Toowong attributes the majority in the Flinders electorate in favour of the abolition of the Legislative Council to the remoteness of that electorate, to the inability of those people getting first-hand information as to why the Legislative Council should not be abolished. Probably he infers that the people of that electorate could not read the "Courier" and the "Daily Mail" and 95 per cent. of the papers published in Queensland—papers which are supported by capitalistic interests, and which told people that if the Legislative Council were abolished their little homes would be sold and they would no longer have control of their families. Most extraordinary things were published in those papers, and probably hon. members opposite regret that papers publishing such malicious untruths did not get into the hands of every elector in Queensland. But, if a great number of the electors were deceived and deluded by those untruthful statements on the last occasion,

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they are now enlightened, and I think it will be the object of every Labour member on this side of the House to go right through Queensland before the referendum is again submitted, and clearly put before the people what the Upper House stands for, and why it should be abolished. The leader of the Opposition referred to the Irish Convention and said that that convention recommended a two-Chamber form of Government for Ireland. Well, I am not going to take any notice of what the Irish Convention did. It was a body nominated by a capitalistic Government in England, and surely a democratic State like Queensland will not do what that Irish Convention said was the correct thing. It was nominated by an undemocratic body; and was, therefore, but a reflex of that capitalistic Government which put it into being.

I have no grievance with any individual member of the Legislative Council. Quite a number of them are very estimable citizens, and, according to their own light, they have done a good deal of work in the public life of Queensland.

Mr. SIZER: That means the ones you nominated are not.

Mr. FORDE: If the hon. member for Nundah were there, he would be quite as conservative as the oldest gentleman in that Chamber, because he gets his ideas from the moneyed interests which are abundantly represented in that House. I do not wish to get off the question, but I am drawn aside by people who persistently interject, in order to prevent other members telling the truth. But the people of Queensland will get the truth from members on this side of the House, and will not be influenced by such irresponsible remarks as those uttered by the hon. member for Nundah. As I was saying, I have no grievance against hon. members in the Legislative Council on account of their personality; but they should not be there holding up the legislation of Queensland. I have no fault to find with them because five of them are over eighty years of age, twelve of them over seventy years of age, and because one of them was born before the passing of the Reform Bill in the House of Commons in 1832. But I do object to their having co-equal powers with members of the Legislative Assembly, the elected representatives of the people. One hon. member in that Chamber, from Rockhampton, the Hon. G. S. Curtis, although a very estimable citizen, was defeated when he ran for Rockhampton in 1902, in 1904, and again in 1912. Yet he was considered by the Government of the day to be a fit member of the Legislative Council, to sit in Parliament and have co-equal powers with the elected representative of Rockhampton, the man who defeated him in 1912.

On studying this question of Legislative Councils, I find the first Council in Australia was established by Governor Darling in Sydney in 1825. It was the one and only Legislative Chamber at that time. It consisted of the Military Commandant, the Chief Justice, Archdeacon Scott, the Colonial Secretary, Mr. Alex. Macleay, John Macarthur, Robert Campbell, Charles Throsby, and a few other Tory gentlemen of that time. That was the first sign of the democratic awakening of the people of Australia. Up to 1825 the Governor was absolute—he was a man sent from England. From 1825

to 1850 was a period of transition in constitutional development in Australia. It was characterised by much wrangling between the party that desired representative institutions and responsible government and the old bureaucratic party; and, naturally, right along the line there was much wrangling between the two contending parties. In 1850 the Australian Constitution Act was passed, which provided that in each of the Australian colonies there should be a single Chamber, with one-third nominated and two-thirds elective members, but giving that Chamber complete powers of altering the Constitution. It was in accordance with the provisions made in that 1850 Constitution Act that William Charles Wentworth, who was termed "The Australian Patriot," one of the leaders of the Legislature in New South Wales—framed the 1853 Constitution Bill and had it passed through the New South Wales Parliament. He has been styled "the father of Constitutional Government in Australia," and he was selected by the members of the then elective body in New South Wales to proceed to England to advocate the passage of that Bill before the Imperial Parliament, and was successful. Thus, in 1855 Victoria got separation from New South Wales. Victoria had two Houses, both elective, one on the restricted property franchise and the other on the comparatively democratic franchise. Wentworth insisted on the two Houses for New South Wales, one elective and the other non-elective, and so it was due to the advocacy of Wentworth that New South Wales was granted a nominee Upper House. I am dealing with this phase of the question to show how Queensland was given a nominee Upper House.

In 1856 South Australia was granted a separate Constitution, providing for two Houses, both elective, but I was over in South Australia during the last general election campaign, and I know that the franchise for the Legislative Council there is most undemocratic, and consequently a true reflex of public opinion is not obtained at a Legislative Council election there. In 1890 Western Australia, which had up to that time been a convict Crown colony, got self government. She was given two Houses, both elective, on a similar basis to those of South Australia. In 1859 what was termed the Moreton Bay district of New South Wales became the colony of Queensland, by virtue of an Order in Council which the Crown was empowered to promulgate by the Imperial Statute granting the Constitution of 1855 to New South Wales. It was held by the law officers in England that the Constitution of the new colony ought, in deference to previous enactments and pledges, to be generally similar to that of New South Wales, and that the Council should be a nominated body, and not an elected body, and it was pointed out that it was considered it should have a lower House an elective body, hence the reason we have a nominated Upper House is due to the magic personality of William Charles Wentworth, who went home to England and advocated that New South Wales should have a nominee Upper House, and therefore the usual nominated Upper Chamber was foisted upon the people of Queensland. They had no say in the matter, and if they were asked what form of Upper House they required, I feel sure they would have selected a more democratic one. It is no wonder that on any progressive measure

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there is a great conflict between the two legislative bodies of this State. I do not think that we shall ever see two Chambers in perfect harmony with each other, realising the ideal of—

“Two souls with but a single thought,
Two hearts that beat as one.”

While we have conservative interests represented by a majority of members in the Upper House opposing the decisions of the people's representatives in the Lower Chamber, we cannot have harmony existing between the two Houses. We, as representatives of the people, should demand that the will of the people shall be supreme, and that the people must be able to say what legislation they desire. It has been pointed out that in 1907 the Hon. William Kidston, Premier of Queensland, appealed to the Governor in consequence of a deadlock between the two Houses, and he requested the Governor to swamp the Legislative Council. As the Governor refused, the Premier resigned. The leader of the Opposition, who was sent for, formed a Government. The Government then went to the country and was defeated. Mr. Kidston, who was returned to power, not only carried the disputed measures, but also carried the Parliamentary Bills Referendum Act of 1908, which makes it possible for this Government to submit the question of the abolition of the Legislative Council to the people of Queensland. In my opinion the Legislative Council is an excrescence on the political machine, and it should be abolished. I would refer hon. members to what Mr. Disraeli—a very learned Prime Minister of England—had to say in regard to government. He said—

“The divine right of kings may have been a plea for feeble tyrants, but the divine right of government is the keystone of human progress.”

I maintain that we can have no divine right of truly democratic government in Queensland while our actions in this Chamber are being nullified by a non-elected body in the other Chamber. Second Chambers were established, no doubt, on the principle that the bicameral system was regarded as necessary for the proper and effective government of the dominions. They were established after the style of their great prototype, the House of Lords, but they have not lived up to the reputation of the House of Lords, because, while the House of Lords has been comparatively democratised by the Parliament Act of 1911, the Legislative Council in this country is still clothed in its absolute powers of vetoing measures. The Parliament Act of 1911 gave the House of Commons power to pass and have placed on the statute-book Acts after going through certain formalities without the consent of the House of Lords at all. There is nothing novel about the Legislative Assembly or the Lower House being supreme as to what legislation shall be placed on the statute-book. In Great Britain the Lower House has absolute power. That is what we want in Queensland, but we believe that it is absolutely unnecessary to have an Upper House saying “Yes” to everything that is passed by the Lower House. When it does that it is unnecessary, and when it opposes the will of the people it is a stumbling-block in the way of progress, and should be abolished. I wish to invite hon. members' attention to the fact that in Canada, out of nine States, there are only two which have a second Chamber.

I want hon. members to pay particular attention to this; one of the single Chamber States is Ontario, which has an area of 407,000 square miles, and a population of 2,523,000 people; a State with more than four times the population of Queensland, is governed by a single Chamber form of government. British Columbia is another single Chamber State, with a population of 539,000. Seven States in Canada, with a population approximately of 7,000,000, are governed by a single Chamber form of government, and yet conservatism in Queensland tells us that this country will go to ruin if you abolish the Legislative Council. I would like to quote another great constitutional authority, Professor Keith, who, in his book “Responsible Government of the Dominions,” volume i., page 555, makes the following reference:—

“There are no second Chambers in the other Canadian provinces at the present day. In Ontario and British Columbia none has ever existed; that of New Brunswick disappeared in 1891 (it had twenty-three members); that of Prince Edward Island, elective from 1862 onwards, was merged in the Assembly by an Act of 1893, and that of Manitoba was abolished by a local Act in 1876. The new provinces, Saskatchewan and Alberta, have a single Chamber only.”

He points out that many years ago the second Chamber was abolished in some of the Canadian provinces, and yet the non-progressive conservative members who sit on the benches opposite say it would not be safe for this State of Queensland to abolish its second Chamber. Hon. members, like the hon. member for Kurilpa, know full well that the Legislative Council stands to-day as the bulwark of capitalism, and that is why they do not want it abolished.

Mr. FRY: I know more about Canadian politics than you do.

Other HONOURABLE MEMBERS interjected.

The SPEAKER: The hon. member addressing the House has already complained about interjections, and I must impress upon hon. members to refrain from interjecting.

Mr. FORDE: I want to quote now what another great constitutional authority had to say with regard to the House of Lords. In his work, “Origin and Growth of the House of Lords,” Professor Freeman said—

“When a great wave of popular feeling is aroused, the second Chamber must go. If they are in agreement, they are unnecessary; if in opposition, a stumbling-block in the way of progress.”

Then Mr. Asquith, ex-Prime Minister of England, had this to say in regard to the House of Lords—

“It is an absurd position that after three successful elections—three appeals to the people—that the representative House of Commons should be subject to the weird dictation of the strange unrepresentative conglomeration calling itself the Upper House. This second Chamber consists of men who never have appealed to the electors and who vacate their seats only on death.”

Hon. members opposite have a habit of saying, when members on this side quote some

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authority, "Is he associated with the Trades Hall?" I do not think they will contend that the ex-Prime Minister of England, Mr. Asquith, is associated with the Trades Hall. It would not do him any harm if he were. It might make him more democratic. However, conservative as he is, he agrees that the House of Lords in England is an undemocratic body—is a body that fought the will of the people. I would also refer hon. members to what Mr. Disraeli had to say in his book "Coningsby." He said—

"No one in the thirties wanted a second Chamber except a few disreputable individuals."

He practically advocated a single Chamber form of government in England, and yet we are told that it is something novel—something revolutionary—for a progressive Labour Government in Queensland to bring about the abolition of the Legislative Council. The people of Queensland do not want it, and surely the people of Queensland are our masters! I know hon. members opposite will not agree with me on that point. Again, I would refer to another great authority, President Lowell, of the Harvard University, who had this to say in regard to the House of Lords—

"The House of Lords, without ceasing to have an opinion of its own on other matters, has become for party purposes an instrument in the hands of the Tory leaders, who use it as a bishop or knight of their own colour on the chessboard of party politics."

That is what the Legislative Council in Queensland is to-day. It is used by Tory leaders; it is an instrument in their hands, and they use it whenever progressive democratic legislation is introduced into this Chamber. I find that the Rockhampton "Morning Bulletin," as recently as 23rd November, 1913, expressed this view with regard to the Legislative Council in New South Wales—

"In Sydney there has been a Labour majority in the Lower House, but the Upper House remains an impregnable buttress of conservatism."

In 1906 the Brisbane "Telegraph" had this to say—

"It is daily becoming plainer that Legislative Councils are factors that must be eliminated from the simplified problem of State government."

In 1906 the Brisbane "Telegraph" said that the Legislative Councils must be eliminated from the simplified problem of State government, and yet to-day, because they think that conservative interests are threatened by a democratic Government, they say it would not be safe to abolish the Legislative Council. I hope the people of Queensland will bear in mind how these Tory journals change their opinions frequently when they think the moneyed class will have to pay further taxation in order that the poor widow and orphans might be cared for.

(Sitting suspended from 6 p.m. to 7 p.m.)

Mr. FORDE (continuing): At the tea adjournment I was saying that the views expressed by papers, such as the Brisbane "Telegraph" and others at the present time, are the viewpoint of the capitalistic interests of this State. I referred to the fact that this Government found it necessary to impose

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certain taxation, in order that they might finance humanitarian measures and care for the poorer people of the community; and the hon. member for Bulimba made some inane interjection. The hon. member knows that the present Government has done a great deal toward alleviating distress amongst the poorer people in the community. It has doubled the allowances to widows and orphans, to diseased-stricken miners and their dependents, and a majority of those who are in the Legislative Council stand as an obstacle in the way of this Government continuing such beneficial legislation. The hon. member for Bulimba no doubt takes the side of those who oppose the Government's taxation proposals which were calculated to raise £100,000, which money it was intended to spend in the repatriation of returned soldiers. That money would have come from those people in the community who were receiving more than £3,000 per annum. Members of the Upper House opposed that measure. It shows clearly that they represent only a small section of the community, that they represent those 3,254 pastoralists of Queensland who received over £7,000,000 during the last year—an average of about £2,500 each. Members on this side of the House, and Labour supporters in Queensland, do not pretend to represent such interests as those. In order that the Government may continue its humanitarian legislation, it is necessary to have the power to place on the statute-book all those measures which the people of Queensland endorse at a general election. When the electors return a Government with a two to one majority they say in effect, "We believe in your policy." The people of Queensland then expect that those measures which were promised on the public platform will be placed on the statute-book. I want to quote what Mr. Lloyd George, the Prime Minister of Great Britain, who is recognised as one of the greatest statesmen in the world to-day, said with regard to the House of Lords in England in 1913—

"Democracy is in greater peril now than for generations past. There is a deliberate conspiracy afoot to thwart and overthrow democratic government. We are fighting the last desperate effort to restore the grip of class ascendancy. The recent action of the Upper Chamber was an affront to education and democracy, and I declare that it must be abolished absolutely."

Surely Mr. Lloyd George can be taken as a great authority! Hon. gentlemen opposite will not presume to say that he is allied in any way with the Labour party. He has shown that he is diametrically opposed to the Labour party on many vital questions. Yet he says that the House of Lords in England—which has not the vetoing powers of the Legislative Council in Queensland—should be abolished.

Mr. SIZER: Why has he not abolished it?

Mr. FORDE: Because there are a great many people in England with views similar to those of hon. members opposite. Mr. Lloyd George, being to-day the representative of the Conservative party, has no real intention of abolishing the House of Lords. He is now being controlled by a different set of people.

Mr. SIZER: He evidently could not have been sincere.

Mr. FORDE: Mr. Lloyd George in 1913 was speaking as he felt. He was sincere. Since then, he has gone through further vicissitudes of life, and to-day he finds he is the head of a conservative, capitalistic Government, and has to do what he is told. I also want to quote something from a speech made by Mr. Joseph Chamberlain, which appears in a speech delivered by Mr. Edward in the House of Commons and reported in "Hansard," volume xxii., column 263, 28th February, 1911—

"I therefore suggest that when a memorial is set up to the House of Lords—the lost tribes—no better epitaph could be inscribed on the memorial than the words of the late hon. gentleman, Mr. Joseph Chamberlain. I think they were the most eloquent words he ever uttered—

Here lies the corpse of the House of Lords. During the time of its existence it has protected every abuse and shattered every privilege; it has denied justice and delayed reform; irresponsible without independence, obstinate without courage; arbitrary without judgment, and arrogant without knowledge."

That was the opinion expressed by Mr. Joseph Chamberlain regarding the House of Lords; and the House of Lords does not enjoy the absolute power which to-day is enjoyed by the Legislative Council in Queensland. That is another reason why we should abolish the conservative Upper House in this State. I also would like to quote what Mr. Balfour had to say in regard to the House of Lords. This is from the "Nineteenth Century," volume xvi., page 174—

"The House of Lords, in an evil moment, has withstood the will of the people; and the people are about to rise in their strength and make short work of the House of Lords. My trust in the unrivalled political capacity of the English race is such that I should hope that even with so poor an instrument good results in government may still be obtained. But I am certain that the chances of such a consummation would be diminished rather than increased by the continued existence of the House of Lords."

Hon. gentlemen opposite surely believe in Mr. Balfour, in Mr. Joseph Chamberlain, Mr. Lloyd George, Mr. Asquith, and other men who are opposed to the Labour party! Yet those men are sufficiently broad-minded to say that the House of Lords in England should be abolished. If they were in Queensland, and knew the obstructive tactics adopted by members of the Upper House here, they would have the courage to say, in the interests of the people of Queensland, "The Legislative Council of Queensland should be abolished." But hon. gentlemen opposite are not honest; they have not the moral courage to support us in this measure. I would also like to quote what Sir Henry Parkes had to say in New South Wales when he introduced a Bill in the New South Wales House on 13th February, 1873—

"Before he entered upon that part of his subject, however, he would wish to say a few words on the question as to the necessity of a Legislative Council at

all. He was fully aware that opinions were entertained that a Legislature consisting of one House only would be quite sufficient for the legislative wants of a country like ours, quite sufficient to meet the needs of our present state of society."

As my time has expired, I must conclude, but before doing so I want to appeal to members to use their common sense and reason, to abolish the Legislative Council, because it is a bulwark of capitalism, a negation of responsible government, and a contradiction of democracy.

HON. J. G. APPEL: I approach the subject-matter of this debate from a different standpoint to that of the hon. gentleman who has moved the second reading of the Bill. I am, a believer in the bicameral system of government. By interjection, it has been stated that the second Chamber in Great Britain was the result of an accident.

MR. KIRWAN: That is quite correct.

HON. J. G. APPEL: So the article on Government in the "Encyclopædia Britannica" states—which, no doubt, the hon. gentleman has read. Be that as it may, it has remained, and it is one portion of the Constitution of Great Britain which has been most eagerly copied by all those nations who claim to be in the forefront so far as democratic legislation is concerned, and those very nations which oft times have been quoted in support of portions of their constitutions by hon. members sitting on the Government benches. The Acting Premier claimed that no democrat would advocate the bicameral system. It all depends from what standpoint democracy is approached. If democracy is approached from the standpoint that the member who advocates it is bound and fettered by the orders, and is controlled by an outside junta, it is not the democracy which I follow. Hon. members on the other side are fettered and bound. They are unable to express their individual opinions upon any subject in any debate. They have received their orders. They surely cannot deny the resolution which was passed only a few days ago by the executive of the junta which controls them—and that is that all administrative acts and all proposed legislation must, in the first instance, be submitted to that secret junta. That is, in black and white, reported in their own mouthpiece, the "Daily Standard." I look at it from the standpoint of genuine and bonâ fide democracy—democracy not under compulsion, a bonâ fide democracy from actual experience, from thought and from decision arrived at by reason of the experience I have gained as to what is and what is not democracy. The matter of the reform of the Upper House has been slightly touched upon. I admit, without proposing to dwell upon that subject, that reform might be desirable, but, as to the method of reform, that is another question. When we talk of reform, so far as an elective Council is concerned, we are met with interjections from members on the Government side of the House, "You will have a restrictive franchise," but it does not necessarily follow that it will be a restrictive franchise. It is quite a simple matter even to have the same franchise that is adopted for the Assembly, but the period for which members of the Council shall be elected can be made double or three times the period for which members of the

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Assembly are elected. Then, again, we can arrange it so that the elections will not be held on the same day as the elections for the representative House. Similarly, in a nominee Chamber a reform may be effected by the appointment of members for a limited period. Hon. members sitting on the Government side of the House can put that method into effect now by appointing their nominees, not for life, but for a limited period. There is no question about it but a danger has been revealed so far as the abolition of the Council is concerned. There is no question about the danger, and I can only say that the electors of Queensland apparently were convinced, by their vote at the last referendum, that a danger existed. We all know that the object of the second Chamber is to revise legislation which has been passed by the popular Chamber. We know that that is so, but the Treasurer attempted to put that on one side when he said that their reform consisted simply in the direction of correcting grammatical errors. The hon. gentleman knows that that is not so. In many instances their revision has been of the greatest value to the people of the State. It has been pointed out that members opposite themselves appealed to the Legislative Council when they were sitting in opposition in this Assembly, to introduce amendments in measures which were brought before this House by the Liberal Government, and to which they objected.

Mr. KIRWAN: Who said that?

HON. J. G. APPEL: Members of the Labour party who were then sitting in opposition. Their names were quoted by the leader of the Opposition, and it is a fact. I remember, particularly in connection with the Liquor Bill, when members of the Labour party then sitting in opposition appealed to the Legislative Council for the purpose of inducing them to take certain action in connection with the amendments and alterations of that measure when it was before the Assembly. The Acting Premier, in introducing this measure, spoke from his own particular standpoint. He spoke from the standpoint of his party, which is desirous of doing away with—as members of the Labour party express it—the drag on the wheels of progress. It all depends on what constitutes progress.

Mr. GUNN: All wheels need a drag.

HON. J. G. APPEL: Quite so. A brake is a very necessary adjunct to a wheel. The hon. gentleman, in referring to the Constitution on which our Legislative Council was established, spoke of the system as being old. He referred to the fact that it was a situation that was proclaimed sixty years ago, and that it was old and obsolete. Then, how does the hon. gentleman refer to the Magna Charta upon which to-day the liberties of the British people are built?

Mr. KIRWAN: Suspended during the war.

HON. J. G. APPEL: Upon which the liberties of the British people are built, and which made them from time immemorial—from the time of the establishment of that Charta—the freest people of the world to-day, and which to-day has made them the freest people, and which has righteously caused the Parliament of Great Britain to be called the mother Parliament of nations. Is that obsolete? If we are to discard that, because it is a few years old, as obsolete, I wonder

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what road we are taking and what way that road will lead us. I quite realise that the party who at the present time control the Treasury benches are the party of destruction. They are not a party of builders. They are a party of destruction and a party that seek to destroy. They approve and support that which goes to destroy all our established customs, and all that we cherish most dearly they seek to destroy. That is the policy they advocate. It is the policy which they are forced to advocate by the irresponsibles who control their actions.

Mr. RIORDAN: They are not a body of exploiters like the Denham Government.

HON. J. G. APPEL: The Acting Premier said that the second Chamber could not be removed from the control of the people. That is a fallacy, because any Chamber can be removed by public opinion. We all know that public opinion, when it is genuinely expressed, means that kings and Parliaments must bow to its will. That the Council were in touch with the opinions of the electors was amply proved and demonstrated by the vote that was given in favour of the retention of the Council when the question was submitted to the people by referendum. Other members occupying the Treasury benches have urged that the Council was not in touch with public opinion, but was removed far from it. Again I say that that is a fallacy, and it will bear no weight with those upon whom the ultimate decision will rest. I would like to know upon what authority the hon. gentleman stated that the Legislative Council checked the growth of democracy in this State. I do not know what foundation he had for that statement. Having been a follower of politics for many years, and having taken an interest in the political situation of my native State for many years, I confess that I never became acquainted with such circumstances. When we realise, furthermore, that the Constitution of the Government of this State was founded upon the bicameral system which existed in the motherland, can more be said than that? Have they checked the growth and aspirations of the growing democracies of the State? It is an absolute fallacy to say that they have, because men have occupied positions in that House who were second to none in their democratic and liberal aspirations and desires for the welfare and benefit of the people of this State and the advancement of this State.

Mr. KIRWAN: Names and addresses?

HON. J. G. APPEL: They were men who were truly patriots—who sought to gain nothing from the State, and who devoted many years of their life to the betterment of the State, and who acted as a bulwark in the days gone by between the capitalism which undoubtedly did exist in the State in those days and those who belong to the Liberal and democratic party.

Mr. KIRWAN: That is the strongest thing you have said.

HON. J. G. APPEL: The hon. gentleman is a capitalist himself. (Government laughter.) He is better off than many men sitting on this side of the House who have been called profiteers.

Mr. RIORDAN: Why did you leave the Mines Department?

HON. J. G. APPEL: Because I was an honest man. (Hear, hear!) I am sure the

hon. member who interjected, if he had been there, would not have left it for the reason that I left it. The Acting Premier also said that the members of the Legislative Council were the conservative element in the State. I do not know where the conservative element is in this State if it is not sitting on the front Treasury benches to-day. To my mind, members opposite are the upholders of conservatism in the Legislative Assembly to-day. We all know the catch cries and catch phrases which hon. members opposite indulge in. To-day they talk about the Legislative Council being the conservatives of Queensland. That is a catch cry of hon. members opposite, just the same as they used the cheap food cry as a catch cry to get into office. We know that to-day they have made it dearer to live in Queensland than in any other State of the Commonwealth. They say now that it is not the fault of the State Government, but the fault of the Commonwealth Government. Just because there is a Federal election coming on they say that it is the fault of the Commonwealth Government that the cost of living has increased to the extent it has. We know that they have fooled the people on several occasions, but they will not fool the people on this occasion, because they will ask, if it is the Commonwealth that caused it, how does it happen that only in Queensland, where a Labour Government is in power, has the cost of living increased to the extent it has? The hon. gentleman said that conservatism was responsible for the retention of the Legislative Council. That is a reflection on the vote given by the people at the referendum. There must have been a vast majority of Labour supporters who voted for the retention of the Legislative Council. They affirmed their confidence in the Council on that occasion. The hon. gentleman referred to aged men being in the Council. Certainly we have advanced to an age when it is considered an offence to be an aged man. We should realise that, as a rule, age is allied to wisdom. We know we have aged men who are not wise, but the very men who are condemned to-day by members opposite have shown their wisdom in the conduct of their private affairs. As they have made a success in the conduct of their private affairs, they likewise have shown their wisdom in connection with the revision of the various revolutionary measures—destructive and revolutionary measures—which the present Executive have striven to put upon the statute-book of this State which were not for the benefit of the democracy of the State nor for the wellbeing or advancement of Queensland.

The hon. gentleman in charge of the Bill sought to draw an analogy between a Legislative Council whose appointments are for life and a representative body sitting in the Legislative Assembly being elected for life.

The whole purpose of the constitution of the Legislative Council [7.30 p.m.] was that they should not be affected by a popular movement which, for a moment, might affect the Legislature of the State to the detriment of the common weal of the State, so that the argument that has been urged by the hon. gentleman, to my mind, will have no weight with the electors of the State, should this matter be remitted to them by way of a referendum. It has been pointed out by the leader of the Opposition that, so far as the charge of

strangling democratic legislation by the Council is concerned, it is absolutely unfounded. To my mind, the Legislative Council has been too tolerant, and have accepted too many measures which certainly to-day are not for the benefit of the State; and, however optimistic hon. members on that side of the House may be, and despite what they may say, that not at any time was the condition of affairs in Queensland better than it is to-day, all I can say is that the public opinion of those who suffer, and are suffering, from the legislation and administration of the present Labour Administration is distinctly to the contrary. I venture to say that if this matter is remitted to the electors for their decision, the verdict will probably be to a greater extent in favour of the retention of that safeguard.

So far as a mandate for the abolition of the Council is concerned, hon. members on that side know very well that that was not the chief question before the electors of Queensland at the last general election; it was a mere side issue, and probably never entered into their consideration. The questions which were before them were of a character which interested them to a greater extent than the question of the abolition of the Legislative Council. Hon. members, if they are honest, know as well as I do that every side issue which may be raised by a party upon going to the country at a general election—every item of that policy is not considered as an issue, and these side issues practically have no effect in connection with the result which may be obtained at that election. The sphere of government was referred to—that is, the legislation, the judicature and administration. We all know that the judicature should be removed from conflict with either House. (Hear, hear!) It is of a highly technical nature, and yet we find that it has been made the subject-matter of comment by members of the Labour party, and by the suggested action which it proposed to take by the Executive of that party. The hon. gentleman stated that attempts had been made by the Legislative Council to interfere with the administration of the Executive. But he gave us no instances of that, and I have seen no indication of the Legislative Council endeavouring to interfere with the administration of the affairs of the State. Their sole function was, and is, in connection with legislation, and is clearly defined, and if they continued to be perverse and oppose the will of the people, there is a manner which is laid down by which the will of the people may be ascertained. The hon. gentleman suggested that only one referendum had been taken. Why has this referendum not been taken? I can tell you, without being a prophet. It was because the Administration were perfectly satisfied that if the matter was remitted to the people—that is, the matter between the Executive and the Legislative Council—that the Labour party would have been in favour of the Legislative Council and not with the Executive. The whole sphere of government is how far the State should interfere with the action of its citizens, and what should the State do for its citizens. That is a very wise thing, in view of the legislation and administration of the present Executive, and has been supported by the party occupying the Government benches—that the safeguard is left with the people of the State, and the Legislative Council, because in conjunction with both

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those functions of government, undoubtedly they have absolutely failed, because in place of dealing with the people of the State on a whole, they have endeavoured to impose class legislation, and divide class from class. They put forward legislation which elevated one class to the detriment of the other, and for that reason alone—it concerned the workers themselves, because, after all, it is not the rank and file who benefit by the action of the present Administration and by their supporters who are controlled by the secret junta—it is only the serangs of the party who gain and receive advancement from the action of the present Administration, and the rank and file of the Labour party, apparently, recognised that in the vote which they cast when this question was last before them. There is no doubt that the Executive representing the Labour party are a party of destruction. They are not builders. They cannot point to one particular item where they have sought to build up and do something which is absolutely and essentially for the benefit of the State and its people. They have destroyed; they have fixed their claws upon the throats of the producer, and their course may be followed as the course of a devastating army. Many an ambition has been quenched and many a heart has been broken by the administrative Acts and the legislation of the present Administration; and I can only call upon all true and genuine democrats to stand together should this matter come to the vote, and make it clear and plain to the people of this State what the actions of the present Administration and their followers are, and how the whole of those actions are regulated, not by the electors of the State, but by an irresponsible body who control the men who should represent the electors, but who, being controlled and bound, are forced to obey the orders which they receive to the detriment of the electors, and of the prosperity of the State. I have already mentioned that the bicameral system has been taken as a model by different democratic countries of the world, and in that respect we have the United States. Possibly, hon. members on that side will say that the electors of the United States are conservatives, and democracy does not exist there; but I do not say that. We find there—

Mr. RIORDAN: Would you like to be there?

HON. J. G. APPEL: I am an Australian, and am satisfied with my native land. The hon. member, apparently, was not satisfied with his native land. I am satisfied with mine, and with our institutions, if they are properly controlled, and I hope very shortly they will again be properly controlled. We find that in the United States the second Chamber is not only the revisory Chamber, but it is the principal Chamber of the two, having equal representation of the whole of the States of the Union. It exercises the principal power, a greater and a more continuous power than the body of representatives under their Constitution. Furthermore, the President of the United States exercises very much greater powers than our own gracious Sovereign, who stands as the embodiment of our Constitutional system. Then, take other advanced nations—not alone British-speaking people, but people who are in the forefront, such as the Swiss, Danes, Swedes, Norwegians, all democratic countries. In fact, Switzerland may possibly be called the very home and birthplace of

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democracy, and why do they consider it a wise thing that there should be a second Chamber? We all realise that the present Administration, driven as they are, are compelled to place certain legislation, or endeavour to place certain legislation, upon the statute-book of the State of Queensland; but there are men amongst them who must know that that legislation is not for the benefit of the people of the State, and does not make for the settlement and advancement of the State, and yet they are compelled to place that legislation before this House—they are compelled by that force to endeavour to see that that legislation is made law. Were it not for the safety-valve that exists between them and the people of Queensland, undoubtedly the people of this State would suffer. The people realise that, and have realised it in the past, and if the matter is referred to them, as it is stated, it will be my belief that a larger majority than ever will confirm the retention of the Legislative Council in Queensland.

Mr. POLLOCK (*Gregory*): One of the main arguments that has been adduced by the Opposition in support of the retention of the Upper House and in pursuance of their objections to the passage of this Bill is the argument that the Upper House has always acted as a check upon hasty legislation. If that is so, why is it that prior to 1915 the Upper House did not in any way check anything? Why is it that from the very inception of Parliament in Queensland until 1915 the Upper House was practically never guilty of any serious disagreements with the Legislative Assembly? The fact remains that the reason why they did not have any serious differences was because there was nothing to differ about: because during that period there had been in possession of the Treasury benches a party similar in constitution and similar in political colour to the men who were placed in the Upper House by Government after Government, and the result was that whenever a measure was passed by the Legislative Assembly it was always assented to by the Upper House merely because they were of the same political kidney. In other words, prior to 1915 no real reform of existing legislation and social conditions had been attempted in Queensland, but when real reform was attempted in 1915 immediately serious disagreements began to arise. Bill after Bill which had been endorsed by the people, and upon which the Government was returned in 1915, was ruthlessly thrown out or else mutilated almost beyond recognition by the Upper House, and the position of affairs now is that the Government feel that no matter what mandate they receive from the general public at election time, they can only go so far as the Upper House desire them to go. That is a position which should not be tolerated in any democracy. The Sydney "Bulletin," on 3rd May, 1917, just prior to the taking of the referendum on the abolition of the Upper House in Queensland, had rather a pointed paragraph to this effect—

"If popular government is a success we will have the Assembly. If it is a failure let us frankly do away with the Assembly. To pull our own legs, as we are doing now, is merely an expensive and irritating farce."

With those sentiments I entirely agree. To insist that we must have both Houses of

Parliament, one acting as a check, not upon hasty legislation, but as a check upon reform as the Upper House is doing at the present time, is to argue that we must have two unnecessary expensive branches of the Legislature. The people want one thing or the other. They either want reform or they do not want it. If they want it, and if the Upper House is the body to give it to them, then let them have their Upper House and abolish the Assembly. Let us have complete government by an autocracy of men who will be there for life and who cannot be removed. But if, on the other hand, we want reform, and we are convinced that the people, through their elected representatives, desire it and can express what they desire through their elected representatives, then let us have the Legislative Assembly and abolish the Upper House. These two bodies existing side by side are totally out of place, out of harmony, and are expensive and useless in every way. We cannot do anything without the concurrence of the other Chamber, while everybody knows that the other Chamber will not concur under any circumstances. It certainly in every way is a screaming farce to have two Houses of Parliament, one attempting to block the other. Imagine any business man starting out with a big business to look after appointing a business man to supervise all his work and then appointing over the head of that business man, to whom he is paying a salary to do that work, a body of unpaid men who make quite sure that he does not do his work. Could anything be more absurd than that position, and yet Queensland to-day finds itself in that very peculiar predicament: that it is paying seventy-two members of Parliament in the Legislative Assembly £300 a year each to carry out certain legislation which it asks for every three years—every three years the people say we want certain legislation from the Assembly—and at the same time while appointing these men to do their work they are compelled by fifty men in the other House who receive no salary whatever, who are clothed with almost complete authority, to allow their employees to be prevented from doing their work. That position sooner or later must come to an end. It is expensive and in every way ridiculous to every man who views it in a sane and sober light. Perhaps a quotation from the "Sydney Bulletin" of 5th May, 1917, just before the last referendum was taken, would not be out of place. I think it puts the question of the Upper House and its relation to the electors in a more concise form than any extract I have yet read; and not only that, but it has an additional value, because the "Sydney Bulletin" is a paper which, under no circumstances, can be described as being a paper wholeheartedly in favour of the policy of the Labour party. Here it is—

"If Queensland says it wants a nominee second Chamber it will be equal to saying that it thinks it really needs a straitjacket.

"A nominee Chamber is a democracy's straitjacket—the thing which prevents it doing what it wants to do: and the only reason why it should be restrained from doing what it wants to do is that it isn't in its right mind.

"It will be interesting to see what is Queensland's idea of its own mental condition."

As a result of that referendum, in the large

majority cast against this proposal on that occasion we have seen just what Queensland's idea was of its own mental condition. I am sorry that that referendum was not carried, but I believe that many factors militated against the success of it at that time. Various issues were raised. The people were asked to vote on a multitude of issues at the same time, and, unfortunately, speaking generally, the electors do not seem to be able to separate one issue from another at election time. It also has been claimed that the Upper House acts as a revisory body, a body which sorts out the good from the bad in the legislation submitted to it. If that is the case, it seems to me queer that the legislation which they have revised has only been legislation which has been decided upon by the electors of Queensland through the present Government, because the Government are carrying out the expressed will of the people in the legislation submitted to the Upper House. It seems to me queer that their revision should take the form of total rejection of many of the most vital planks in the Labour platform. It also seems queer that their revision should take the form of almost complete mutilation of many other measures.

Hon. W. H. BARNES: And yet the people approve of their action.

Mr. POLLOCK: The people, unfortunately, did not understand the position in many respects. I have already pointed out that a multitude of issues were raised at that time. At that time the people were asked to vote on local option by a certain section. They were asked to vote "No" on that question, and to vote "Yes" on this question. The ballot-paper was badly worded, and many other factors militated against the success of the referendum. There was no complete exposition of the whole position to the people, and I trust that that is not going to occur when this question is again submitted to them. In any case, even supposing that the question were defeated at that time on its merits, have not the people the right to change their opinions? Have not they the right to see the error of their ways when they know that they have voted in favour of a proposition which is unsound? Many of them have had an opportunity of seeing that the Upper House is not the thing they believed it to be when they voted on the 5th May, 1917. I believe the additional light which has been thrown on this matter since then will enable them to come to a wise decision upon the next occasion. One form of their revision is evidenced on the question of the land laws. Take the Land Act of 1910, and its unfair provision that the rental of certain pastoral holdings cannot be increased beyond 50 per cent. at any period of reappraisal, which occurs every ten years. This party was returned to power in 1915, and again in 1918, especially to put an end to that unfair limitation. The Premier, Mr. Ryan, in his policy speech on the 18th February, 1916, delivered in Townsville, said—

"During the year 1916-17, resumptions approximating 10,000,000 acres have been made from pastoral holdings, and action is now proceeding for the resumption of a further area of 4,900,000 acres. The total rent received for 1917 was £977,000. This amount would have been considerably increased had the Government succeeded in carrying out its

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proposal to repeal the special provision in the Land Act limiting to 50 per cent. the increase that may be made at any period of appraisal. The continuance of such an inequitable principle is not only detrimental to the interests of the State, but is also a distinct injustice to a large body of Crown tenants, who are in many cases called upon to pay two or three times the rent for land adjoining that of the pastoral lessee, and not infrequently inferior in quality."

There we have the policy speech of the Premier, which makes the question of the increase of land rents—the question of wiping out that unfair limitation and leaving to the Land Court the power to fix rents without any absurd limitation of that kind—a distinct issue at election. Yet, despite the fact that the people endorsed that policy and gave us a mandate to carry that legislation, the Upper House has revised it. How has it revised it? It did not attempt to revise it in any way; it threw it right out. That is the revision that occurred in this case. In spite of the fact that the people said they wanted that limitation removed, fifty members in the Upper House were able to say that they should not get it. Can any man who believes in democracy; who believes in the principle of government by the people for the people and of the people—can any man who believes in that principle say that the Upper House is justified in doing anything of the kind? I take it that when the people desire certain legislation, then no body should exist which has the power to prevent that legislation from being put into force.

Hon. W. H. BARNES: What about the repudiation of a contract? Surely there was something sacred about that!

Mr. POLLOCK: The question of repudiation, perhaps, I might be allowed to deal with for the moment. One member of the Opposition, when the Treasurer was attempting to put through his Estimates when this Bill was being passed through this Chamber, said—

"He could also understand the arguments of hon. members opposite with regard to the few men who derived large profits from the soil without paying, as he already indicated, a commensurate rent in connection therewith. He could also admit the argument that the rents those men were paying were totally inadequate as compared with the rents that the smaller men were paying. He admitted that all those arguments were thoroughly sound, and he could see the justice of their contention, and that that state of affairs should be removed."

But he went on to say, just as the hon. member for Bulimba has said, that none of those arguments seemed to justify what he

considered was intended by the [3 p.m.] Bill—namely, to break what was an agreement. Suppose it were an agreement. Suppose the people who represented—or misrepresented—Queensland in those days passed an Act intended to give special privileges and benefits to a certain section of the "squatoocracy." Is that any reason why a Government coming along later should be bound by a principle and an agreement which is flagrantly wrong? Is it a fair thing that because one unjust and one vicious man—I say the policy is vicious—

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passed an Act giving certain privileges to squatters, a Labour Government should not have the right to break an agreement so unjust as that? No man should have any hesitation in breaking, at any time, an agreement which can have no sanctity whatever in the eyes of any right-thinking man.

Hon. W. H. BARNES: Your policy is evidently to pull down everything.

Mr. POLLOCK: My policy, if the hon. member is referring to me personally, is to pull down everything that is unjust. And that is one of the unjust things that we are endeavouring to pull down now, and that the Upper House has consistently prevented our pulling down. That is one of the reasons why the people of Queensland should have the opportunity of pulling down those in the Upper House who do not believe in abolishing unjust contracts. Members of the Legislative Council, when this measure was being rejected by that Chamber, were very careful, in the course of the debate, as to what they should say. Almost without exception, every one of them stated that they believed the squatter was not paying a fair rent for his land, in comparison with the price the grazing selector and grazing farmer were paying; but they shifted the issue by saying that it was a repudiation of contract. You can always raise those issues if anybody is touching your pocket. You can always bring up some argument as to why certain things should not be done, provided you can satisfy yourself that it is going to take something out of your pocket. In all those cases everyone can find an argument which seems to him, anyhow, to be sound enough for the time being. Now, that is one of the instances of the power and the practice of revision of the Upper House. It is not revision, but destruction of a policy decided upon by the people. There is another instance which hon. members will remember, when the original Shearers and Sugar Workers Accommodation Act was passed in 1905. Provision was not then made that all workers should have accommodation. Later on, in 1915, the Act was amended, so as to make it apply, not only to shearers and sugar-workers, but to workers generally throughout the State. When that measure was passed through both Houses of Parliament, the question was overlooked that provision should have been made for the lighting of huts and the rooms which men occupied in shearing-sheds and other places where men congregated in fairly large numbers.

Mr. GUNN: Why don't you apply that to the railway lengthsmen?

Mr. POLLOCK: It is applied to the railway lengthsmen—to some extent, at any rate. That has nothing to do with this question.

Hon. W. H. BARNES: It is a very awkward question.

Mr. POLLOCK: Any question can be made awkward if a member has not the power, under the Standing Orders, to reply to it. What I wanted to say was that the Act of 1915 opened entirely new ground, but provision was not made in it to enable lighting to be provided for. During the recess the Government passed a regulation under the Act providing that all premises should be lighted at the expense of the employer. After the recess, when the Upper House was in session, no less a person than the Hon. A. H. Whittingham, president of the

Pastoralists' Association, moved that that regulation be disallowed, so that the men should have to provide lighting at their own expense. In the course of that debate the Hon. W. H. Campbell, who has since died, said—

“So far as lighting is concerned, I do not see that it is required in a man's tent or hut. I know that in the old days we were all satisfied with a jam-tin filled with slush and a piece of mole-skin trousers used as a wick. The more we get the more we want.”

There is evidence of the attitude of the older members of the Upper House who have been placed there by past Tory Governments and of their inability to move with the times, their inability to progress and to grasp what is required at the present time, their failure to get away from what was customary in the old days, and to adopt new ideas. Another little thing is emphasised, too, in their action in connection with that Act. That is, that when the interests of any particular member of the Upper House are threatened, the whole of the older Tory members cluster round him and shelter him. For instance, the one man whom this regulation of the Government hit hardest was the Hon. A. H. Whittingham, who is a very large squatter. Who should move that the regulation be disallowed but that very same squatter, and every member of the Upper House on his side gathered round him to protect him in his interests by voting for the abolition of the regulation. Beyond that, whenever the interests of a gas company are threatened—whenever it is proposed to pass some fair measure to limit their profits and to give a better opportunity to the people to get a fair deal—all the representatives of other big financial concerns gather round the representative of the gas company in that House. Accordingly, day after day, session after session, they are doing nothing but preserving their own interests from invasion, whether it is fair or unfair. Perhaps, another reason why members of the Opposition, and those who generally are wealthy, do not desire the abolition of the Upper House, is because the Upper House will stand as long as it possibly can for taxation equally on all the people. Just as certain hon. members opposite have from time to time said they believe in the poll tax, so members of the Upper House have always demonstrated by their attitude that they believe in a taxation of everybody—and taxation as equal, not equitable, as you can possibly manage it. For instance, the Hon. G. S. Curtis, during last year, is reported at page 3398 of “Hansard,” as having said—

“Why not poll tax the people? You have the authority of J. S. Mill and other great political economists in support of a poll tax.”

He said later on—

“It seems to me that the fact is lost sight of that this increased burden of taxation which has been sought to be placed on the people of Queensland is only imposed upon a small minority, and not upon the whole of the people. One would suppose that the burden would be equally distributed over the whole body of the people; but, unfortunately, such is not the case.”

In other words, that hon. gentleman—in common with most of the other members of that

Chamber—believes that a typist in T. C. Beirne's establishment should pay just as much income tax as the proprietor of that establishment.

Hon. W. H. BARNES: That is an absurd argument.

Mr. POLLOCK: Here are his words. Here is the proof. We have the opinion of the leader of the Opposition that he believes in a poll tax. We have the definite statement of the hon. member for Murrumba that he believes in a poll tax. We have it from the hon. member for Albert. We should have it from the hon. member for Bulimba, who has just interjected, were it not that he is afraid there are too many Labour electors in his electorate for him to take such a chance as that. He knows that that would be a very dangerous statement to make, so he merely thinks it and does not say it. The same hon. gentleman said at page 170 of the 1917 debates—

“I think incalculable harm has been done by the taxation proposals of last session. The burden has been imposed upon a mere handful of people representing about 3 per cent. of the total population of the State.”

There is the whole burden of their song—that taxation is falling upon the wealthy, who can afford to pay it, and is not falling upon the shoulders of those who cannot afford to pay it. In other words, the abolition of the Upper House means abolishing people who desire to wring the very last penny in taxation from the poor, who cannot afford to pay it.

Hon. W. H. BARNES: You are talking to the gallery very well, aren't you?

Mr. POLLOCK: What does it matter where a man is talking to, so long as he talks the truth? (Hear, hear!) What does it matter whether there is a gallery here or not, so long as what you are stating is true? That is the main thing in Parliament—to give expression to truths and not to fiction. If the hon. member would only devote a little more of his time to sticking to the truth in every matter, instead of casting innuendoes at this side of the House, perhaps he would get a better hearing, not only from the gallery, but from the Y.M.C.A., and from the whole of the people of his electorate. The Hon. G. S. Curtis, at page 3410 of 1917 “Hansard” says—

“I feel that a great mistake is being made, and it will impair the efficiency of the railways in Queensland if we allow the control to be taken out of the hands of the Commissioner and his assistant Commissioners, and put into the hands of an arbitration tribunal presided over by a judge. I am certain that if the financial control of the railways had been left in the hands of the Commissioner for Railways, and the claim for increased wages had been dealt with by him and his assistant Commissioners, then there would have been nothing like the amount of wages granted that were allowed by the arbitration award. That award provided for an increase of £500,000 for the railway servants alone.”

Here we have a statement by a member of the Upper House—only one of scores of such statements that can be picked up at any time if anyone desires to peruse “Hansard”—which shows that these gentlemen are

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against arbitration for railway men. They are not against arbitration because they don't believe in the principle of arbitration, but they are against it because they believe it is going to raise the wages of men.

Mr. GUNN: Against arbitration for increasing our own "screws," too.

Mr. POLLOCK: I have never been against arbitration for that purpose. I believe that if we went to arbitration we would get a much greater increase than we are asking for at the present time. If we did go to arbitration, the very first thing that would be said by hon. members opposite would be that this party had gone to arbitration knowing that a judge sat in the court whom they appointed, and they would raise the fear of the sack over him if he did not give them what they wanted. So, perhaps, it is wise that we have not gone to arbitration. But I am not going to be drawn off the track. I merely wanted to show that this gentleman was against arbitration because it would raise the wages of railway men. He believed in leaving it to the Commissioner and assistant Commissioners because a smaller increase would have been given. It is just as well that those things should be known and remembered so that the people will know when they are voting on the next referendum what kind of a body they are voting for. An instance of their revision and revisory power is given in the State Insurance of Queensland. Here is an Act of Parliament which no one will deny at present is a fine piece of legislation; no one will deny that it has been an immense success in every way, and no one will deny that it has been of great benefit for the dependents of persons killed or maimed by accident. It has also meant a relief to the employers, inasmuch as they pay a smaller premium than before under the old system of private enterprise. Everybody admits that that legislation is good, and in a few years' time members of the party opposite will be claiming that they passed that legislation because it will become so popular.

Hon. W. H. BARNES: That is why you claim that you passed the Workers' Dwellings Act.

Mr. POLLOCK: No, we did not claim that we passed it. We merely claim that we made it a useful measure and made it worth something to the people of this State.

The SECRETARY FOR RAILWAYS: We made it workable.

Mr. POLLOCK: Yes, we made it much more workable. We improved upon the legislation which was not much good as it stood and we amended it so that the people would find it something worth while.

Hon. W. H. BARNES: The people have taken advantage of it to the extent of £2,000,000.

Mr. POLLOCK: The fact remains that more and more applications are coming in for workers' dwellings. With regard to the workers' compensation legislation it only came into existence by accident. It was passed in this Chamber and submitted to the Upper House, and the members of that Chamber, desiring to protect the interests of monopolists and of the interests of big financial institutions, tried to cut out of that Bill the clause which would give the Government a monopoly over accident insurance. But while they were arguing about the matter, in fact, it is said that while one of

the members of the Upper House, who was handling the Bill, went out for a drink, this clause slipped through. The result is to-day that, because of their very poor methods of revision, even in their own interests, we have one of the finest pieces of legislation ever passed in any country in the world on the statute-book of Queensland. It goes to show what a splendid body of revisory men they are, although they had their lobbyists there by the hundred. I saw them there with my own eyes, and that is no exaggeration. While the lobbyists were there providing amendments and passing in suggestion after suggestion as to how the monopoly clause should be cut out, and while members in the Upper House were determined all the time that their interests should be protected, and this monopoly clause not allowed to pass, they were such magnificent revisers that the clause was passed despite all their efforts to delete it. What would anyone call a Chamber of that kind but a very poor revisory body. I might mention one or two instances under the Workers' Compensation Act as a reason why the Upper House should be abolished so that nothing of this kind might occur again in future. Take the case of Edward Clements. This man was killed by accident on 10th July, 1918, ten days after the Act came into force. His employer, a small dairy farmer in the Maleny district, had obtained the necessary application form, but had not lodged his application for a policy with the clerk of petty sessions. Under the private company system of insurance the widow would have been obliged to sue the employer and would certainly not have recovered the full amount of compensation, viz., £432, which the State Insurance Department paid her. State insurance in this case saved the employer from ruin, and the widow from the loss of a large part of her compensation. The State Insurance Office paid that money without any demur. They saved the employer a large sum, they saved the widow very expensive litigation and the loss of portion of her compensation. This is the Bill that the Upper House tried to prevent from becoming law, and that is why the Upper House should be dealt with so that it cannot prevent similar legislation from becoming law in future. There are several other cases which I could mention, but, perhaps, one of the best and the most pronounced is the case of Mr. Baumann. The abovenamed man was employed casually for two or three days at the end of January last by a working employer named Lohde to deliver ice on his account. The position was complicated, and there is a doubt whether Baumann was really an employee within the meaning of the Act, because of the fact that there was an understanding that if Baumann liked the work he would buy the ice round from Lohde. On 1st February, after he had been working for four days, Baumann was killed at the Sandgate railway crossing. There is little doubt that Lohde had neglected to insure Baumann against accident, owing to ignorance of his liability as an employer, and probably not considering that Baumann was really a "worker" in his "employment." The State Insurance Office is paying Baumann's widow a sum of £351. Under the old competitive conditions the widow would have had to make Lohde bankrupt, and as his assets are probably not more than £100 or so, a large portion of which would have been consumed in law costs, she would have

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lost the greater part of the compensation, and Lohde would have lost his business.

Mr. POLLOCK: The hon. gentleman must have been asleep during his term in Parliament not to have seen that practically every piece of legislation amended or rejected by the Upper House has something which aimed at the uplifting of the working men, or of benefit to the working men of this State.

Hon. W. H. BARNES: No, no!

Mr. ELPHINSTONE: That is not true.

Mr. POLLOCK: If hon. members desire me to explain some of the legislation they have rejected as proof of my point, I will do so.

Mr. BEBBINGTON: You know they passed a lot of legislation for the benefit of the working men.

Mr. POLLOCK: Take the Wages Bill and its amendments. Take the Meatworks Bill. The objects of the Meatworks Bill were to secure a supply of meat for the working people of this State, and to enable them to get it at a reasonable price.

OPPOSITION laughter and interjections.

Mr. POLLOCK: Take the Workers' Compensation Bill and the attempts made by the Legislative Council to amend it. I could quote a score of measures which I cannot call to mind for the minute.

Mr. MORGAN: You have not remembered one yet.

Mr. POLLOCK: I have mentioned three measures which they amended or rejected. Take the personnel of the present Council—

"I. T. C. Beirne, age 59 years—"

Mr. BEBBINGTON: He is a smart business man.

Mr. POLLOCK: Yes, I know he is.

Hon. W. H. BARNES: There is no need to bring personal matters into it.

Mr. POLLOCK: Mr Speaker, I am not going to stop reading the names of members of the Upper House unless you ask me to.

The SPEAKER: The hon. gentleman has exhausted the time allowed him by the Standing Orders.

Mr. MULLAN: I beg to move—

"That the hon. member for Gregory be allowed an extension of time to finish his speech."

Question put and passed.

Mr. POLLOCK: I must thank the House for their leniency in this matter, and I will continue to refer to the personnel of the Upper Chamber—

"I. T. C. Beirne, age 59 years, appointed to Council in 1905; had never contested an election; head of T. C. Beirne's drapery store, Valley, Brisbane."

Mr. GUNN: He keeps a good store, too.

Mr. POLLOCK: I am not objecting to that. I am just reading the names of the members.

Mr. MORGAN: Are you going to give the pedigrees of all the Labour appointees, too?

Mr. POLLOCK: That can be done, if it is necessary. (Opposition laughter.)

Mr. BEBBINGTON: Give those who have been nominated in the last ten years.

Mr. POLLOCK:

"2. F. T. Brentnall, aged 35 years, appointed to Legislative Council 1886; has never sat in the Assembly nor contested an election. Chairman of directors, Queensland Deposit Bank and Building Society, director of 'Telegraph' Newspaper Company, and director in several other companies.

"3. J. Cowlshaw, aged 35 years; appointed to Council 1878; never contested an election; chairman of directors, Brisbane Gas Company, director, "Telegraph" Newspaper Company, &c."

Perhaps I might mention that the only occasion in many years on which Mr. Cowlshaw made a speech was when the interests of the gas company were threatened by the passage of the Gas Bill. Then he rose, after a retirement from active speaking for ten or fifteen years, and delivered a speech in defence of his own interests.

"4. G. S. Curtis, age 76 years; appointed to Council 1914, defeated candidate for State and Federal Parliaments. Auctioneer and commission agent, Rockhampton.

"5. A. A. Davey, age 53 years, Brisbane. Boot manufacturer, of Davey, Halliday, and Co.; never contested an election; appointed 1906."

Hon. W. H. BARNES: Mr. Davey was appointed by the Labour party.

Mr. POLLOCK: I am not responsible for what the Labour party did in those days, but if I remember rightly it was the Morgan Government that appointed him.

GOVERNMENT MEMBERS: Hear, hear!

Mr. POLLOCK:

"6. A. Dunn, 61 years, Maryborough. Newspaper proprietor, interested in Maryborough "Chronicle" and Rockhampton "Bulletin"—both Tory papers; appointed 1914.

"7. B. Fahey, age 83 years, appointed 1903; never contested an election; retired Customs officer.

A GOVERNMENT MEMBER: Mr. Fahey was the only genuine toiler ever put into the Upper House before the Labour men were put in there.

Mr. POLLOCK:

"8. E. W. H. Fowles, 47 years, barrister and solicitor; appointed to Council 1912, after his defeat for Fortitude Valley in 1912.

"9. Angus Gibson, aged 77 years; appointed to Council 1899, pioneer Queenslander, sugar-grower, with all that that meant in coloured-labour days. Never stood for Parliament."

Mr. BEBBINGTON: Take it as read.

Mr. POLLOCK: The hon. gentleman does not appreciate it, but it is well that we should have the names of every one of these men, so that we shall know what they represent.

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"11. G. W. Gray, aged 75 years; appointed to Council 1894. Managing

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director of Quinlan, Gray, and Co. and Castlemaine Brewery.

"12. H. L. Groom, 60 years, defeated for Drayton and Toowoomba 1904; appointed M.L.C. 1906. Part owner Toowoomba 'Chronicle.'

"13. T. M. Hall, 60 years, governing director Hall-Gibbs Mercantile Agency, a debt-collecting firm well-known throughout Queensland; never contested an election; appointed to Council 1906.

"14. Wm. Hamilton, aged 62 years, transferred from Legislative Assembly to Upper House as Government representative in 1914; represented Gregory for seventeen years; was never defeated.

"15. J. Hodel, aged 72 years, merchant, Townsville, Cairns, and Thursday Island; never stood for Parliament.

"16. A. G. C. Hawthorn, solicitor, aged 59 years. Resigned his Assembly seat for 'purely business reasons' in 1911 and a few months later was appointed to Legislative Council.

"17. Jas. Lalor, 89 years, pastoralist; appointed to Council in 1888.

"18. P. J. Leahy, aged 59 years; defeated for Warrego in 1908; appointed to Council in 1908. Newspaper proprietor and pastoralist.

"19. C. F. Marks, M.D., aged 67 years; appointed to Council in 1888; never contested an election.

"20. E. D. Miles, 74 years; appointed M.L.C. 1902; never contested an election. Mining company director, etc., head of E. D. Miles and Co., Charters Towers, mining agents.

"21. B. B. Moreton, aged 85 years. Maryborough; appointed to Council in 1888; resigned and reappointed 1901."

Evidently, in those days they could leave and come back whenever they wanted to.

"22. C. F. Neilson, solicitor, aged 47 years, defeated candidate in 1907; appointed M.L.C. 1907."

He is the youth. (Laughter.)

"23. T. J. O'Shea, solicitor; appointed to Council 1914; never contested an election.

"24. A. H. Parnell, aged 73, store-keeper, Barcaldine and Rockhampton; defeated independent candidate for Barcoo in 1893; appointed to Council in 1908.

"25. E. H. T. Plant, 75 years, defeated candidate for State and Federal Parliaments; appointed to Council 1905; mining agent and pastoralist, Charters Towers.

"26. E. J. Stevens, 74 years, retired from State Parliament on account of ill-health, 1896; appointed to Council 1899.

"27. Wm. Stephens, aged 62 years; represented South Brisbane in Assembly for some years; appointed to Council in 1912.

"28. W. F. Taylor, M.D., aged 79 years; appointed to Council in 1886 by

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the first Griffith Ministry; never contested a seat."

The only living member of this Cabinet is the Chief Justice of the High Court of Australia, Sir Samuel Griffith.

Mr. SIZER: He must have been a good man; they have just raised his "screw."

Mr. POLLOCK: There is no significance in that, because, if the hon. gentleman had been there, his pay would have been raised, and we know he is not worth the money.

"29. A. J. Thynne, aged 72 years; never contested an election, being appointed to the Council in 1889. Of the firm of Thynne and Macartney, solicitors, Brisbane."

Incidentally, this firm are solicitors for the Brisbane Tramways Company, the American Meat Company, the Chillagoe Mines Limited, and others. Perhaps it is a very wise thing to have a representative of those companies in the Upper House when their interests are being considered—that is, wise from the viewpoint of the monopolistic company.

"30. H. Turner, 75 years; member for North Rockhampton in 1907-8; appointed to Council in 1907; gardener by profession.

"31. A. H. Whittingham, 49, defeated Liberal candidate for Senate; director of the Union Trustee Company of Australia, Limited, and pastoralist; president of Pastoralists' Association, Queensland branch."

As you will see by the list—

OPPOSITION MEMBERS: Go on! Go on! Read out the other names.

Mr. POLLOCK: I am very sorry, but I have come to the end of my tether. It is regrettable, perhaps, that three or four of the gentlemen have died.

Hon. J. G. APPEL: You have only dealt with the men of repute—the men who employ labour.

Mr. POLLOCK: I have dealt with the whole of the old Liberal members of the Upper House, appointed by past Liberal Governments.

Mr. ELPHINSTONE: Let us have the scallywags now.

Hon. J. G. APPEL: The nondescripts.

Mr. POLLOCK: If the hon. gentleman would desire me to read out the pedigrees of the men appointed by the Labour Government, I regret I have not got them. (Opposition laughter.) I am merely illustrating that a body of men, almost all of whom are over seventy years of age—many of them over eighty years of age—used to legislation of thirty and forty years ago, and to the customs and conditions of thirty or forty years ago, can have no place in a present-day democracy, in a Legislature which professes to be modern in its principles and ideas, and should have no say whatsoever if democracy is carried to its proper conclusion, in the passing of legislation for the coming generation. (Hear, hear!) It is not a fair thing that men of that age—who have long outlived their usefulness and are merely looking after their own interests, both financial and otherwise—should be able to check legislation that is going to make for the advancement

of a better and a more enlightened generation. Every man who looks at the thing in a reasonable light will realise that.

One other argument in regard to the Upper House is the question of the necessity for a second Chamber, because of its check on legislation. If it is necessary to have an Upper Chamber to check legislation, and we know from experience that that check has proved inefficient, that it has been a poor revisory body. Every other body, no matter how many, must necessarily let some mistakes go through which would not be seen. Would it not be better, then, to have three Chambers; or, why not have four, five, or even six, and so let the people be quite sure that nothing would escape. In that case, if we have six Upper Houses for checking the legislation of one another, the fifth body would only be a degree less absurd than the third is a degree more ridiculous than having two Chambers. It is time that the democracy of Queensland awoke to the fact that a body of men of that age and those interests should no longer be allowed to oppose the legislation of the people. But when the people give a mandate to any Government at an election that Government should have the right to carry out the policy it is elected upon; and, when the Labour party is asking that this Bill be passed, and if rejected by the Upper House, be carried by a referendum of the people, they are merely asking for the right of the people to govern themselves in accordance with the highest principles of democracy.

GOVERNMENT MEMBERS: Hear, hear!

Mr. BEBBINGTON: The hon. gentleman spoke about different members of the Legislative Council appointed by previous Governments, but when he came to those who were appointed by the present Government he stopped.

Hon. J. G. APPEL: His sense of modesty prevented him from continuing.

Mr. BEBBINGTON: I have not gone into any of their pedigrees, so that I am not going to trouble about it.

Hon. J. G. APPEL: They do not employ Labour, at any rate.

Mr. BEBBINGTON: That is right. Another thing that the hon. gentleman mentioned was that certain benefits would not have accrued to people if the State Insurance Department had not been in existence. I say that is not so. There may have been some little difference, but for many years employers were compelled, either to insure their men or to take the risk themselves; and it is a well-known fact that the State Government are rejecting just as many claims and inquiring into just as many as what the insurance companies did. They are also asking more questions than did the insurance companies. I know a case where something like £50 was offered, and £75 or £100 was given in the end after a long time. If that man was right in the end, why was he not right in the beginning—why did all that trouble go on for so many months? Last week I saw a man who had his hand nearly cut off in a sawmill, and who was compelled to come down to Brisbane to undergo a doctor's examination in order to get his insurance payments. And yet hon. members say that the State Insurance Department pay out money without any inquiries whatever.

A GOVERNMENT MEMBER: They must make inquiries.

Mr. BEBBINGTON: They are making just as many inquiries as the insurance companies, and rightly so, too. (Hear, hear!) You do not expect them to pay out money without inquiries being made. In the case I was referring to just now they refused at first to give anything at all, then they offered £25.

THE SECRETARY FOR AGRICULTURE: Would you abolish State insurance if you got into power?

Mr. BEBBINGTON: No, we would not abolish State insurance, but we would not give it a monopoly to make the charges whatever they liked. The State insurance was in existence long before the Labour party came into power. It was started by the Denham Government in connection with the Workers' Dwellings Act.

A GOVERNMENT MEMBER: What! and Government laughter.

Mr. BEBBINGTON: You do not seem to know your history at all. The Legislative Council can only delay legislation; it cannot throw it out altogether, because the legislation which the Legislative Council refused to pass can be submitted to the people, and by their passing it, it automatically becomes law. So to say that it throws out legislation is to speak incorrectly. The Treasurer started to talk about the Council, and about democratic ideas and the free will of the people being expressed, just as if the present Government and the present party were a democratic party, and were free to express their opinion! If there were no such thing as the Trades Hall Council to dominate the present party—to demand that everything be submitted to them before it came into this Chamber—we might expect something like democratic and free legislation. But so long as the Trades Hall Council demand that every Bill shall be submitted to them for their approval or otherwise, before it comes into this Chamber, then, where is the democratic legislation? The Trades Hall Council is more autocratic than the Kaiser or the Czar of Russia. So far as I know, when a man got a vote in those countries, he was allowed to use it—but I suppose very few of them get a vote in some countries. Will any man say that any member of the Labour party is allowed to use his vote as he likes? (Government interruption.) Will anyone say that he is not compelled to vote as he is ordered, otherwise he is turned out of the union, and will not be allowed to work unless he votes the way he is told. Has it not been done? Are they not trying to do away with the ballot-box? What is the use of talking about freedom? You know very well there is no freedom at all. We have had plenty of cases where questions have been decided with a show of hands, and when they have a meeting they say, "You darned scabs, go over that side, and you unionists, go on that side." Is that the way to get a decision? In the matter of democratic government, I would point out that the present Government and the Trades Hall are only reflections of what takes place in Sydney and Melbourne. If anything happens in Sydney or Melbourne, or in the Trades Hall conference in Perth, it is repeated in Queensland. In that case, where is your free democratic Government? Where is the free expression of the people's will? Reference has been made to the House of Lords, but I would point out that the House of Lords

and the Legislative Council here are two very different things altogether, and then, again, this Government and the people's representatives in the House of Commons in England are two very different things. Here we have the declared and open policy of destruction. Destruction is the admitted policy of the present party in power. They admit that their policy is to create a co-operative Commonwealth; to abolish private ownership, and abolish the wages system. What is that but destruction? If they are going to take possession of all the means of production, and are going to abolish private ownership, what have you got left? Talk about the free will of the people and democracy, where is it going to end? If these things were happening in England, then I am sure they would be very glad to keep the House of Lords for their protection. The Legislative Council here has always protected the man on the land. No man can say that any measure to increase production or assist manufacture, or assist in any way the wealth and happiness of the people has ever been suggested by the Labour party. Whatever they may want, they certainly have no idea of earning it; they have no idea of producing wealth. Their only idea is to take from other people what they have already produced. Where does free will come in there? Where does democratic government come in there? Not only this Government, but past Governments have not encouraged production. There are only two measures on the statute-book that I know of—the Co-operative Sugar Works Act and the Co-operative Agricultural Production Act—for the encouragement of production, and those Acts were passed by the Denham Government the year before they went out.

Mr. SMITH: One of those Acts has never been operated.

Mr. BEBBINGTON: I suppose the hon. member means the Act providing for assistance to purchase sugar-mills. I will tell you the reason why that Act has never been operated. How can you expect any man to invest £100,000 in a sugar-mill, when you have a Government in power whose policy it is to destroy that sugar-mill—to destroy private ownership.

The SPEAKER: I must remind the hon. member that the proposal we are discussing is the Constitution Act Amendment Bill, and I ask him to confine his remarks to that question.

Mr. BEBBINGTON: Yes, and the Legislative Council is there for the protection and preservation of the people's rights, while the policy of the present Government is to destroy those rights. I think I have given the hon. member a good reason why that Act has not been operated. The Council passed several Bills which they had no right to pass. One of those is the Sugar Acquisition Act.

Mr. SMITH: A very good Act that.

Mr. BEBBINGTON: The Government has the power to-day to seize a poor widow woman's cattle, and then put her to £6,000 expenses. The cost of that case was £6,000, and had it not been for friends standing by her, that poor woman would have been ruined. It is a cowardly Government that would take a poor widow woman's cattle, and then put her to £6,000 expenses. Is that democratic government? That very Act that gave the Government power to seize Mrs. Duncan's cattle gives them power to

[*Mr. Bebbington.*]

take the cattle of every farmer in the State. Not only the farmers' cattle and everybody else's cattle, but everything in the State.

Mr. GUNN: They could seize his false teeth. (Laughter.)

Mr. BEBBINGTON: Yes, and if the Council passed a Bill like that they have gone quite far enough. That Act is going to be a great danger. It is being kept on the statute-book until hon. members opposite think the time has arrived when they can take over everything.

Mr. CARTER: What has that to do with the Upper House?

Mr. BEBBINGTON: It has to do with the Upper House, because the Upper House is our only protection.

Mr. POLLOCK: They passed it.

Mr. BEBBINGTON: They did wrong in passing it. I will tell you of one Bill that they did not pass; that was the Acquisition of Ships Bill. The Government were thirsting for power. They had got in the habit of laying their hand on everything that was loose and they began to think that the ships sailing on our waters were something loose that they could lay their hands on, and consequently they passed a Bill through this Chamber, not only to seize the ships that were on the water, but to seize the men and the wharves and everything else. What was the result of the passing of that Bill by the Assembly? Just exactly what you would expect. You do not believe that all shipowners are fools. The consequence was that when that Bill was passing through this Chamber the shipowners held up their ships in Sydney; they were not going to bring them into Queensland waters to be seized. The result was that the people of North Queensland were being starved and the produce of the North was rotting on the wharves. The hon. member for Mirani, who sat on this side, saw the seriousness of the position; he realised what it meant to the sugar-growers and producers of the North, and he went down to Melbourne and persuaded the shipowners to send at least some of their ships up to Queensland ready for the time when the Bill would be thrown out by the Council, because it was recognised that it would be thrown out. The hon. member for Mirani was the means of getting the steamship owners to send their ships to Queensland to carry food to the North and produce from the North, while the hon. member for Mackay was in the big steal of the ships.

Mr. SMITH: We did not steal the ships.

Mr. BEBBINGTON: You did not get the chance. You did not find the shipowners were as big fools as you thought they were. You thought they were going to fall into your little trap and run their ships into the docks here, and that the crews were going to leave the ships, but you made a very big mistake. There are other things which have been seized. Take, for instance, the land tax that the Council passed.

The SPEAKER: The hon. member's remarks have no connection with the Bill.

Mr. BEBBINGTON: If the Council were abolished, where would be our protection?

The SPEAKER: The hon. member should confine himself to the Bill, which has for its object the abolition of the Upper House.

Mr. BEBBINGTON: The Government desire to abolish private ownership, like they

did in Bulgaria. The people of Bulgaria went to sleep one night, owning all the property, but there was no Legislative Council there, and the next morning, when they got up, private ownership was abolished and the Government had all the land; and that is what we will have here if the Council is abolished. That is why we are objecting to the Bill. We do not know what is going to happen, and it is for our own protection that we object to the Council being abolished. The Council is a great protection to the people, and if the Council is abolished we shall have no protection for the man on the land. At present we have confiscation just about complete in many lines. The land tax, for instance, is practically confiscation of land. Although the Council passed that Act possibly they were not aware of the very large amount of rates that the shire councils have to collect, and between the two we have confiscation pure and simple: that is to say, the rates and taxes are more than the rental value of the property, and when you get that you get confiscation. Those are the reasons why we object to this Bill. Mr. Lloyd George was accused of being supported by autocrats. The autocrats who support Lloyd George are certainly not the autocrats that the officials of the Trades Hall are who support the Government. We have four or five men who have taken to themselves all the power without any election. Members of the Legislative Council have been referred to as not being elected. Certainly they are not elected, but the officials of the Trades Hall not only are not elected, but they are not appointed by any constitutional body. They are self-appointed, and yet they demand that everything should be referred to them, and if a man does not do what he is told he is not allowed to work for a living. Where is there greater autocracy than that? We have destroyed the power of those great autocrats, the Czar and the Kaiser, but the mad thirst for power has got hold of another class of men, and you have only transferred the autocratic power from one class to another class, and that is why we want the Legislative Council retained for our protection.

At 9 o'clock p.m.,

The CHAIRMAN OF COMMITTEES (Mr. Bertram) took the chair as Deputy Speaker.

Mr. SMITH (*Mackay*): I desire to support the second reading of this Bill. Following the debates, and particularly having regard to speeches made by members of the Opposition, we can see the great difference between the Labour party and the alleged Nationalist party—that is the alias under which they are working at the present time. We know that every proposal that comes before this House is opposed by members opposite. Every endeavour that is made by the Labour party to improve our system of representative government to give the people a controlling interest in their own destinies, is opposed by hon. members opposite. So that the Labour party can be defined as the party of progress, who are prepared to advance step by step and improve the conditions of the people generally, and so promote civilisation, whereas the party opposite are the party of stagnation, who oppose every class of democratic reform from the time it is first proposed.

In considering the bicameral system generally, it might not be out of place to

trace the growth of our existing parliamentary institutions. We know that all parliamentary institutions throughout the British Empire are largely based on the British system of government. We know that there, at one time, the Crown was the sole custodian of all power. The people recognised, after a time, that that was not in their interests, with the result that progress was made steadily by taking the power from the Crown and vesting it in the people. We know that that has gone on up to the present day, until, as far as the Crown is concerned, we have what is known as a limited monarchy. Then, we had a system of parliamentary government where the large landowners and feudal lords controlled the Government of the country. Every step that has been made up to the present time has been accomplished as a result of the people taking the power from privilege and extending it to the people. The progress in this country is now in the direction of building up a higher form of civilisation. Any country which can claim to be democratic can be measured by the amount of self-government the people have. Yet we find to-day that in Queensland, where we have the most democratic franchise possible, where every man and woman in the State has a vote on the basis of their common humanity, while this Chamber is elected on that suffrage, we have another Chamber claiming co-equal powers with us who can set at nought every desire of the representative portion of Parliament. The position to me is so absurd that one would assume it only required to be stated for the people to fully understand and appreciate it. We know the Legislative Assembly is elected every three years. We have to go before the people in our electorates and explain our policy to them—explain to them the platform upon which we stand. We become elected by a majority of the people, because they support our particular form of legislation or a particular political platform. But when we endeavour to place that platform upon the statute-book, when we endeavour to translate our views into legislation, we find it is impossible owing to the opposition of another Chamber.

Now, the Legislative Council, as we know, is composed of men who are not responsible, as individuals, to the people. If members of the Legislative Assembly violate any of their election pledges, the people in a very short space of time can deal with them. But members of the Legislative Council are nominated by the Governor in Council, and are placed in that Chamber for life. Whether we like it or not, they can deal with legislation in a way which is detrimental to the interests of the whole of the people. We must bear this in mind, that we have at successive elections been returned by a large majority. In 1915, and again last year, we were returned by a large majority of the people of Queensland, thereby showing that the people approve of the form of legislation which we carried out, and desired the legislation outlined upon the platform of the Labour party generally. But we find members in the other House, who were nominated by Governments long since hurled into political oblivion, placing the dead hand of the past on the legislation introduced in this Chamber. The dead hand of the past is allowed to strangle every aim and aspiration of the great Labour movement, as represented by the

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party sitting on this side of the House. That, in itself, should be sufficient to condemn it. Anyone to-day who claims to be a reasonable-minded person, anyone who understands and believes in the principles of democracy, must condemn a Chamber constituted like the Legislative Council. Hon. members opposite have made the statement that in every part of the British Empire the bicameral system prevails. Even if that were so, it would have practically no bearing upon this argument. It is not enough for us to have it stated that because in Great Britain or any other country they have a bicameral system it should be good enough for us. If that idea were to animate us with regard to everything else, there would be no progress at all. I submit it is the duty of Parliament to study existing institutions. If they find that the institutions existing at the present time are not in the interests of the people, if they operate against the cause of progress, they should be swept aside. The reason we have the system as it exists at the present time is, when Queensland was granted a Constitution we had men who had political ideas in that direction. To me, that is no reason why it should be continued. We must bear in mind that the Constitution of the Parliament of Great Britain has been considerably altered of late years, and we are justified in assuming that, were the Home Government to concede a Constitution to-day, it would be much different to that which now exists. We know that the bicameral system of government was very suitable to hon. members opposite. It carried on for a considerable time without being seriously challenged. That was due to the fact that men were being elected to Parliament who stood for monopolies, for privilege, for the maintenance of the status quo in the social system.

At ten minutes after 9 o'clock p.m..

Mr. GRAYSON called attention to the state of the House.

Quorum formed.

Mr. SMITH: I was pointing out that the Opposition largely base their claim for the retention of the Legislative Council on the fact that the Mother of Parliaments has the bicameral system. We find that people are changing their ideas very rapidly, and that the institutions which existed without question a few years ago are now being dealt with. As a matter of fact, the great bulk of the people are beginning to understand theories of government, and are beginning to study the social system of society under which we live, and as a result they are questioning the justice of the parliamentary institutions which are not in the interests of the bulk of the people. The House of Lords has been referred to here to-night by several speakers. Yet we know that the House of Lords in Great Britain has far less power than the Legislative Council in Queensland. We claim to be a democratic people and to have the right of self-government, and yet we allow the Legislative Council to exist, though it has far more power with regard to legislation and the control of government than the House of Lords possesses. We know that in Great Britain, as well as in Queensland, the people are desirous of having self-government as a reality instead of only in form, as at present. We know that the House of Lords, like the Legislative Council, kept back the progress of the country for many years. They endeavoured in

every way possible to curb the growth of democracy in Great Britain, just as the Legislative Council are doing in Queensland at the present time, and as a result the people found that it was necessary to take away from them a large portion of their power. The consequence is that we have what is known as the Parliament Act. I could point out what gave rise to the need for that measure. The House of Lords had previously co-equal powers with the House of Commons, and opposed and threw out measures which were in the interests of the people as a whole, with the result that in 1911 Mr. Asquith introduced what is known as the Parliament Act. By that measure the veto of the House of Lords is abolished altogether. They have no control over what is known as money Bills, and that is a very important point, because we know that all reforms are largely based upon the power to finance those reforms. As a result of the passing of this Act, the House of Lords has no control over money measures, and their power with regard to legislation in other respects is seriously limited. I wish to quote, for the information of hon. members, the exact terms of that measure, in order to show in what way the veto of the House of Lords has been abolished. I am about to quote from the Parliament Act of 1911. Clause 1, dealing with the power of the House of Lords in regard to money Bills, is as follows:—

“(1) If a money Bill, having been passed by the House of Commons and sent up to the House of Lords at least one month before the end of the session, is not passed by the House of Lords without amendment within one month after it is so sent up to that House, the Bill shall, unless the House of Commons direct to the contrary, be presented to His Majesty and become an Act of Parliament on the Royal assent being signified, notwithstanding that the House of Lords have not consented to the Bill.

“(2) A money Bill means a public Bill which, in the opinion of the Speaker of the House of Commons contains only provisions dealing with all or any of the following subjects—namely, the imposition, repeal, remission, alteration, or regulation of taxation; the imposition for the payment of debt or other financial purposes of charges on the Consolidated Fund, or on money provided by Parliament, or the variation or repeal of any such charges; Supply, the appropriation, receipt, custody, issue, or audit of accounts of public money; the raising or guarantee of any loan or the repayment thereof; or subordinate matters incidental to those subjects or any of them. In this subsection the expressions ‘taxation,’ ‘public money,’ and ‘loan’ respectively do not include any taxation, money, or loan raised by local authorities or bodies for local purposes.”

So that we see that for the purposes of legislation, and for the purposes of reform, the House of Commons have absolute control. Had we in Queensland been invested with powers similar to those possessed by the British House of Commons, many of the measures which were referred to by the hon. member for Gregory as having been mutilated or rejected by the Council would have become law, and the finances of the State would have been in a much better position

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than they are to-day. With regard to general legislation, the Parliament Act says—

“ If any public Bill (other than a money Bill or a Bill containing any provision to extend the maximum duration of Parliament beyond five years) is passed by the House of Commons in three successive sessions (whether of the same Parliament or not), and, having been sent up to the House of Lords at least one month before the end of the session, is rejected by the House of Lords, in each of those sessions that Bill shall, on its rejection for the third time by the House of Lords, unless the House of Commons direct to the contrary, be presented to His Majesty and become an Act of Parliament on the Royal assent being signified thereto, notwithstanding that the House of Lords have not consented to the Bill: Provided that this provision shall not take effect unless two years have elapsed between the date of the second reading in the first of those sessions of the Bill in the House of Commons and the date on which it passes the House of Commons in the third of those sessions.”

We see that under the two provisions which I have quoted the House of Commons has complete control over all financial measures. They have complete control over all taxation, and what is more important is that a party which has been elected by a majority of the people during the life time of any one Parliament can place its policy upon the statute-books of the country. That is the position in a country which does not claim to be as democratic as the State of Queensland, or as the Commonwealth of Australia generally. We, however, find ourselves in the position that while other countries are progressing in the direction of vesting power in the hands of the people of those countries, we are being strangled by the dead hand of the past as represented by the majority of the Legislative Council. With regard to other parts of the British Dominions, we find that in the Dominion of Canada there are nine States, and that of these seven have single-Chamber Governments. We also find that those single-Chamber Governments, if we can judge by the prosperity of those States as they progress year by year, are in the interest of those States. I shall quote the States of Canada which have single Chambers. Alberta, with a population of 496,525, has a single Chamber, and so have British Columbia with a population of 396,800, Manitoba with a population of 553,860, New Brunswick with a population of 351,899, Ontario with a population of 2,523,274, and Prince Edward Island with a population of 93,728. Saskatchewan has also a single Chamber. So that out of their nine States, Canada has only two States which possess a bicameral system of government.

We only need to consider the position to realise how useless it is for the people of Queensland every three years to elect us to Parliament to carry on the affairs of the State in their interests, if a Chamber which is not representative of the people is going to set at naught what we have been elected to do. We know that various businesses are being conducted by the State at the present time, and the State can be looked upon from a certain aspect as a business. We in Parliament are elected to carry on the business of

the people of Queensland, and yet we are not allowed to carry it out without encumbrances. Joint stock companies at different periods elect boards of directors to carry on the affairs of their respective businesses. How absurd it would be if any of those companies, having elected a board of directors, appointed another board to set at naught or oppose what the first body of directors endeavoured to carry out! Nobody claiming to have democratic sympathy, no one having any knowledge of public affairs at the present time, no one who desires to see this country progress and the social system improved in the interests of the people, can support the existence of the present state of things.

I have pointed out already that the Legislative Council is not representative of the people as a whole. The majority of members of that Chamber were nominated by Governments that have been long since—as I said before—hurled into political oblivion. The ideas of those members have not changed, although the conceptions and desires of the people have changed. Yet those men can continue to carry on affairs at the present time. Those men are not there in the interests of the people as a whole. They on the contrary can oppose or support legislation at the dictates of their own interests, and at their own sweet will. We in this Chamber are dealt with by the people according to the way we have voted, and the way we have legislated. On the members of the Legislative Council there is no such control. The majority of members of that House are there in the interests of large monopoly companies of this State, in the interests of privilege and vested interests. We only need to see how they turn up to oppose any measure that affects the interests of private companies to realise that. We remember how, when the Legislative Council were dealing with insurance Bills, members turned up in large bodies to oppose those measures, how they were being instructed in the lobbies by agents and attorneys of private insurance companies. Then, we had their opposition in regard to the most important agricultural industry in this State. I refer to the sugar industry. In 1916 we in this Chamber introduced what is known as the Regulation of Sugar Cane Prices Act. That was a measure that had received the approval of every bonâ fide canegrowers' association. Practically everyone in this Chamber who represented the sugar-growers supported it.

The DEPUTY SPEAKER: Order! Order!

Mr. SMITH: I am endeavouring to show how the Legislative Council, when dealing with legislation devised in the interests of the people, act in accordance with the interests of large monopolies. The Legislative Council appointed a Select Committee to deal with that Bill. Mr. Knox, of the Colonial Sugar Refining Company, and others gave evidence before that committee, and it is interesting to know that Mr. Knox opposed that measure. “lock, stock, and barrel.” However, it being impossible to destroy the Bill, he made recommendations as to how it should be amended, and it was amended in exactly the same way as Mr. Knox, of the Colonial Sugar Refining Company, desired. Here was the Legislative Assembly, passing legislation in the interests of the greatest agricultural industry in the State, legislation which the people desired, legislation which

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was of vital importance if they were to receive a fair price for their products, but at the instigation of the largest monopoly company in Australia the Legislative Council mutilated that measure, and as a result the Bill was lost at that particular time.

The DEPUTY SPEAKER: Order! Order!

Mr. SMITH: So it has been with regard to every other form of legislation. We know that when legislation is passed, and when regulations are made under that legislation in the interests of good government, and the State, the Legislative Council have at various times interfered with them in a direction not in the interests of the people. One member of that Chamber, Mr. O'Shea, moved for the disallowance of regulations under the Sugar Cane Prices Act, when the validity of those regulations was being contested before the Supreme Court of Queensland!

The DEPUTY SPEAKER: Order! order!

Mr. SMITH: I am endeavouring to show how, when the vested interests of monopolies are being dealt with by Parliament, the Legislative Council supports the monopolies as against the people every time. We find such an attitude also upon regulations dealing with insurance. We know that this Government and this party, by their insurance legislation, have built up one of the finest departments existing in Queensland to-day. We know that the insurance business done by the State department is in the interests of the whole of the people of Queensland. Reference has already been made by previous speakers to the benefits of the Workers' Compensation Act, and the advantage of having that measure administered by the State Insurance Department. From time to time we have desired to develop the insurance business in Queensland and elsewhere. When any legislation to that end comes before the Legislative Council they oppose it. We can see at different times the agents and attorneys of private insurance companies instructing members of that Council what to do. When we desired to extend the business to other States of Australia, when we desired to develop the State insurance business generally, members opposite and their friends in the Legislative Council—in the interests, not of the people, but of private companies—confined our operations to Queensland. Only the other week regulations which were laid on the table of the House, which were necessary for the efficient management of that business, were disallowed by the Legislative Council. I have already quoted a case that was before the Supreme Court of Queensland on regulations which the Minister for Agriculture of the day had drafted in the interests of the sugar-growers of Queensland. When wealthy companies in this State questioned the legality of those regulations, the Legislative Council—while that case was still before the courts—moved for their disallowance, thereby doing for the sugar companies what they had moved the court to do.

At half-past 9 o'clock p.m.,

The SPEAKER resumed the chair.

Mr. SMITH: We see that whenever it comes to a case of the interests of the people versus monopolies, the monopolies can sway the Council every time. We know that that is inevitable as the result of the constitution of that body. We know that a nominated body, the members of which have seats for life, is not there in the interests

of the people as a whole, but in the interests of maintaining the existing state of affairs. We know that, just as we had to take power in the past out of the hands of the Sovereign—out of the House of Lords and feudal barons—so the next step towards a democracy in reality is taking the power away from that nominee Chamber and placing it in the hands of the people. Who can say anything against the justice and righteousness of government by the people as a whole? Who is prepared to straightforwardly say that the people should not have control over the laws under which they live, move, and have their being? The time is now ripe when the people, if they desire to have self-government, and to be a people free in reality, will abolish the Legislative Council, and only then for the first time will we have government by the people themselves. When that is brought about, we will see great progress made in this State. The people will take a live interest in their own affairs, and develop along lines which will make for the building up of a greater, freer, and more moral form of civilisation, and that is what this party is out to achieve. Hon. members opposite and the Council do not desire to see any change made at all. But we on this side represent the people, because we are of the people ourselves, and know the desires and aspirations of the people, and, when the Legislative Council is abolished, the aspirations of the people of Queensland will be placed upon the statute-book of the State, and we will build up in Queensland a country which will be a model for every other country in the world to-day, and so raise mankind on to a higher moral plane than has hitherto been attained.

GOVERNMENT MEMBERS: Hear, hear!

Mr. JAMES (*Logan*): I beg to move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for to-morrow.

CO-OPERATIVE AGRICULTURAL PRODUCTION AND ADVANCES TO FARMERS ACT AMENDMENT BILL.

MESSAGE FROM COUNCIL.

The SPEAKER announced the receipt of a message from the Legislative Council returning this Bill with amendments, in which they asked the concurrence of the Assembly.

Ordered—That the consideration in Committee of the Legislative Council's amendments be made an Order of the Day for to-morrow.

RESIGNATION OF THE HONOURABLE H. F. HARDACRE.

The SPEAKER: I have to announce the receipt of the following letter from the hon. member for Leichhardt:—

"To the Honourable the Speaker of the Legislative Assembly of Queensland.

"Sir,—I hereby resign my seat as member for the electoral district of Leichhardt in the Legislative Assembly of Queensland.

"Yours obediently,

"HERBERT FREEMONT HARDACRE."

Mr. MORGAN: Is there anything from the hon. member for Maranoa?

The ACTING PREMIER: I beg to move—

"That the seat in this House for the electoral district of Leichhardt hath

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become and is now vacant by reason of the resignation thereof by the Hon. Herbert Fremont Hardacre." Question put and passed.

RESIGNATION OF THE HONOURABLE
T. J. RYAN.

The SPEAKER: I have also received the following letter from the Hon. T. J. Ryan:—

"To the Honourable William Leunon, Speaker of Legislative Assembly, Brisbane.

"Dear Sir,—I hereby tender my resignation as member of the Queensland Legislative Assembly for the electorate of Barcoo.

"Yours very truly,
"T. J. RYAN."

The ACTING PREMIER: I beg to move—

"That the seat in this House for the electoral district of Barcoo hath become and is now vacant by reason of the resignation thereof by the Hon. Thomas Joseph Ryan."

Mr. MACARTNEY: Before the question is put, I wish to say that the position is not quite understood. We have not heard of any change in the government of the country. The Acting Premier has moved that the Premier's seat be declared vacant. Surely the House is justified in asking what change has taken place in the Government! I do not quite understand the position.

The SPEAKER: The letter is signed by the Hon. T. J. Ryan as the member for Barcoo.

Mr. MACARTNEY: I presume it is the same gentleman.

The SPEAKER: I presume so.

Question put and passed.

ADJOURNMENT.

The ACTING PREMIER: I beg to move—That the House do now adjourn. The business to-morrow will be the continuation of the debate on the Constitution Act Amendment Bill.

Mr. MACARTNEY: When may we expect some statement to be made with regard to the altered condition of things? Are things to continue in this uncertain happy-go-lucky condition that we have had for some time past?

The ACTING PREMIER: As long as the position is happy, why complain? (Government laughter.)

Mr. MACARTNEY: I think we are entitled to some information.

The ACTING PREMIER: I may state, for the information of hon. members, that I have received an intimation from the Premier that he is returning to Queensland on Monday night next, and no doubt the position will then be made public.

Mr. MACARTNEY: For some time past questions addressed to the Premier have been gradually moved along. Is there any chance of our getting these questions answered?

The ACTING PREMIER: The questions involved a personal consideration, which I could not deal with.

Question put and passed.

The House adjourned at twenty minutes to 10 o'clock p.m.