

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**WEDNESDAY, 26 OCTOBER 1921**

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## LEGISLATIVE COUNCIL.

WEDNESDAY, 26 OCTOBER, 1921.

The PRESIDING CHAIRMAN (Hon. T. Nevitt) took the chair at 5.30 p.m.

### QUESTION.

#### MINING VENTURES UNDER STATE CONTROL.

HON. E. W. H. FOWLES asked the Secretary for Mines—

“1. What are the respective mining ventures supported by or under State control from 30th June, 1915, to 30th June, 1921?”

“2. What amounts in that period have been debited to revenue in connection with the respective undertakings?”

“3. What is the total amount advanced in the form of subsidy to mining undertakings during that period?”

The SECRETARY FOR MINES (Hon. A. J. Jones) replied—

“1. Bowen Coalmine; Baralaba Coalmine; Styx River Coalmine; Warra Coalmine; and State arsenic mine and works, Jibbenbar.

“2. State arsenic mine and works, £46,802 16s. 1d.; Warra Coalmine, £47,453.

“3. £135,357 19s. 11d.”

## PAPERS.

The following papers were laid on the table, and ordered to be printed.

Report of the Department of Agriculture and Stock for 1920-1921.

Report of the State Government Insurance Office for 1920-1921.

Ninth report of the Public Service Superannuation Board.

Regulation under the Workers' Compensation Acts, 1916 to 1918.

Ordered to be printed.

CONSTITUTION ACT AMENDMENT  
BILL.

## SECOND READING—RESUMPTION OF DEBATE.

HON. P. J. LEAHY: I do not suppose that anything I can say, or that anything any hon. member on this side of the Council can say, will have the slightest effect in altering the votes of hon. gentlemen opposite. We might even speak with the voice of an angel, and it would have no effect on them. It is well known—indeed hon. gentlemen have admitted it themselves—that hon. gentlemen opposite were put into this Chamber pledged to abolish the Council. There was a time when this Chamber was a non-political Chamber, as every Upper House ought to be. The position at the present time is, that we are face to face with hon. gentlemen who have already made up their minds, and it is a mere waste of breath to speak at any considerable length on this question.

Hon. J. S. COLLINGS: It is always useless to speak when you are waiting for the drop.

HON. P. J. LEAHY: The case is not analogous. The hon. gentleman will probably get a very bad drop before he is finished. If I had only to address hon. gentlemen opposite, whose minds are already made up on this matter—as indicated in the words of the Australian poet—

“The case is prejudged and the verdict already secured.”

If I had only to address hon. gentlemen opposite, I do not think I would occupy two minutes of the time of this Council; but we must recollect that there is a far larger audience outside, and we must remember that hundreds of thousands of people—in 1917—voted in favour of the existence and maintenance of an Upper Chamber, and it is quite possible that some feeble echo of my remarks may reach them, and I feel these people will be very glad to see there are still a few members in this Chamber who are still carrying out the principles of democracy by demanding that the verdict of the people should be adhered to.

The SECRETARY FOR MINES: Since that time the Government have twice received a mandate from the people, and this question was made an issue at the elections.

HON. P. J. LEAHY: I gave the hon. gentleman credit for more intelligence than he has shown by his remarks. The hon. gentleman must know that even if his party did get some kind of a mandate at the general election which succeeded the referendum in 1917, that no general mandate can nullify a special and emphatic mandate such as was given in favour of the retention of the Council in May, 1917. The hon. gentleman must know that. The least the Hon.

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Mr. Jones says about mandates the better. We come down to the election last year when this question was also an issue before the people, and what kind of a mandate did this Government get? Their mandate consisted of a minority of 20,000 votes. That is the kind of mandate they received, and we had a huge majority on the appeal to the people, and a majority larger than any Government ever got in this country, amounting, roughly speaking, to 63,000 votes in favour of this Council.

The SECRETARY FOR MINES: You analyse the figures in connection with the votes for the different parties at the last election.

HON. P. J. LEAHY: I am not dealing with the last election, when the Government got a minority of 20,000 votes. I am dealing more particularly with the referendum in May, 1917, when the Council got a majority of 63,000 votes in its favour, and there has been no mandate from the people since that time. The people gave their verdict, and this Government, which professes to be democratic, are now overriding the will of the people as expressed by that large majority.

Hon. J. S. HANLON: How do you get over the fact that your party in the Assembly voted for the abolition?

HON. P. J. LEAHY: I have nothing to do with any party in the Assembly, and I am sure no hon. gentleman on this side of the Council has any connection with any party in the Assembly. We are not like hon. gentlemen opposite; we do not take instructions from another place, and that other place takes instructions from some other place outside. As a matter of fact, the two sections of the Opposition in the other place, on the really vital question—

An HONOURABLE GENTLEMAN: Three sections.

HON. P. J. LEAHY: At all events, all those sections are opposed to the Government on the real vital question. On the question of the existence of some form of Upper Chamber the Government only had a majority of one.

Hon. H. G. MCPHAIL: What about the division on the second reading?

HON. P. J. LEAHY: The vote on the second reading was an entirely different matter. They wanted an elective Upper House. They thought if they could not get the kind of Legislative Council they wanted, that the best thing to do was to abolish the partisan majority, which, of course, means abolishing the whole Council, in order that when they get into power they will then be in a position, without any difficulty, to create an impartial Chamber. That is the explanation.

Hon. J. S. HANLON: How does that fit in with the mandate?

HON. P. J. LEAHY: The mandate was not to destroy the Council, and these men do not propose to destroy the Council. All they propose to do is to destroy this particular Council—(laughter)—and form another Council.

Hon. J. S. COLLINGS: Is there any other Council than this one to destroy?

HON. P. J. LEAHY: There cannot be the slightest doubt that for very many years this was an impartial tribunal. It was an independent Council before the Labour

party came into existence, and there were very frequent conflicts between this Chamber and the Assembly on various questions. There have been all-night sittings, and even since the present Government came into power, there have been several occasions when hon. gentlemen on this side did not agree with each other, and on several occasions some of my colleagues voted with the Government, and on one or two occasions I did so myself. Does not that show the independent character of this Chamber before it was swamped? Does it not show that we were free, which hon. gentlemen opposite are not? That was the position up to the time that the wholesale swamping took place. That swamping practically destroyed the independence of the Council, although in 1917 the people voted in favour of its retention, as it was then constituted. That swamping may have been in accordance with the letter of the Constitution, but, undoubtedly, it violated the spirit of it, and it is that swamping which has led to the position we are in to-day. I have already said that hon. gentlemen opposite are pledged to destroy this Chamber. Somewhere in ancient history there is a reference to some people—I think it was in connection with the siege of Troy—who were smuggled into the town in order to destroy it. These hon. gentlemen opposite were smuggled into the Council to destroy it, and ever since they were smuggled into this place they have been attempting to destroy it. (Interruption.) I am happy to say that such is the atmosphere of this place that since those hon. gentlemen have been here they have greatly improved, and that is shown not only in their appearance but sometimes in their language also. (Laughter.) I am quite certain that, if every hon. gentleman was free to exercise an independent opinion, this Council would not be abolished. If it were possible to have a private ballot, they would vote for the retention of this Council. Look at the despondency which prevails among hon. members opposite. They are like schoolboys who whistle because they are afraid. There is not a single member opposite who does not feel keenly a personal hurt at the proposed abolition of this Chamber. Such is the effect of party discipline and the consequences that would ensue that they are forced to abide by the party's decision in order that they may remain in it. We have been told that it has been all along the object of the Premier to abolish this Chamber. I hold in my hand an extract from the London "Times." Mr. Theodore was in London on a financial mission, and evidently was anxious to put the best face on things, so as to influence the British investors, who, of course, do not like repudiation. This is what he said in an interview which appeared in the London "Times," dated 28th May, 1920. He is replying to Professor Keith, whom hon. members will know as one of the highest authorities on constitutional matters, and who was often quoted with great uncton by the Premier, and by the Labour party generally, until lately, anyway. This is what Mr. Theodore says—

"Further, Professor Keith will appear to infer that the appointment of additional members to the Legislative Council is tantamount to the abolition of that body. The inference is erroneous. Immediately after the appointments were made a statement was issued by me as

head of the Government which laid down the principle that no attempt will be made, even with a majority in the Council, for the purpose of passing an abolition Bill without a definite mandate on the subject from the people."

I think I should pause for at least five minutes to allow that to sink in. Here is a clear, definite statement that that majority was not to be used to destroy the Council.

HON. W. R. CRAMPTON: Without a mandate.

HON. P. J. LEAHY: You got a mandate which left you in a minority of 20,000 votes.

THE SECRETARY FOR MINES: This Government has been re-elected since.

HON. P. J. LEAHY: But there was no mandate. You were defeated by about 20,000 votes. If the Hon. the Premier was sincere what a humiliating position he is in. He has misled or tried to mislead the British investors—which puts him in a very humiliating position. Referring to swamping the Council and the controversy between Professor Keith and Mr. Theodore, I take this extract from Professor Keith's letter published in the "Times" of 2nd June, four days later than Mr. Theodore's interview appeared—

"I did not imply that the 'swamping' of the Council was a preliminary to its abolition; I did imply that the 'swamping' meant that the Council as an independent activity in legislation had been abolished. I do not doubt that Mr. Theodore does not propose to use his majority in the Council to abolish it, because (1) there is no motive to remove a subservient tool, and (2) the Bill for abolition must under the Constitution be reserved, and Lord Milner would never take the active responsibility of procuring His Majesty's assent to the measure in view of the refusal of the people of Queensland in 1917 to accept abolition."

I should allow ten minutes for that to sink in. These two things show conclusively that this statement was made by Mr. Theodore in London: that he did not intend to use the Government's majority here to abolish the Council. This occurred twelve months ago or more. Some two or three months after that this House sat for one day and there was an election and the Governor's Speech was circulated amongst 400,000 people of the country at the public expense. The result was that the parties, which, whatever their differences on minor matters may be, are opposed to the Government, obtained 20,000 votes more than the present Government; who, however, secured a majority of members. If we are not to expect honour from our public men, both in the other House and this Chamber, what can we expect? The public are to be lured into a sense of false security by being told that this servile majority will not be used for the purpose of abolishing this Council, but we find it is being used in that way. It is now interesting to consider the question of a single Chamber versus double Chambers generally. If hon. members, the Minister and his friends, could point to any country with a civilisation equal to ours, and where a similar parliamentary system prevails, that has no second Chamber they would be supplying a very powerful argument.

THE SECRETARY FOR MINES: All the dominions except two in Canada have only one Chamber.

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HON. P. J. LEAHY: Two of the Canadian provinces have second Chambers, and six or seven have not. What is the position in Canada? The Federal Government has an absolute power to veto. If we were in the same position as these six or seven provinces every Bill that we pass would have to be sent to Mr. Hughes for his approval. I ask hon. members if that would suit them?

AN HONOURABLE MEMBER: God forbid!

HON. P. J. LEAHY: If you had the Canadian system you would be subjected to the power of veto of the Federal Government, and that power is used.

HON. J. S. COLLINGS: You're always quoting Canada for other things.

HON. P. J. LEAHY: I am saying that there is another body which acts as a second Chamber.

HON. J. S. COLLINGS: That might be worth considering.

HON. P. J. LEAHY: That deals with the silly interjection of the Secretary for Mines.

AN HONOURABLE MEMBER: You would not compare America with us?

HON. P. J. LEAHY: Why insult the men who got the Government out of its financial difficulties. With the exception of the negro settlements in America I think the people of that country will compare favourably with those of any other civilisation. What do we find? Forty-five or fifty States in the American union, or the great majority of them—all but some of the newer settlements—have Legislatures with second Chambers. Every State has a Governor, who does not hesitate to veto legislation; if he thinks it is in the interests of the people to do so.

HON. R. BEDFORD: He is elected.

HON. P. J. LEAHY: You could have an elective Chamber if you wished. Seeing that there is a veto which is used, in America, that makes the case all the stronger. There was an occasion in America a few years ago when a Governor, going up for election, gave as a reason why he should be re-elected, that he had vetoed a large number of Bills passed by the State Parliament. Now take the Federal Government here—we know they have two Houses. Probably I will be told something about the Cape Parliament. That does not compare with Australia, because they have practically unification there. They have no States such as we have, but have minor provinces, and everything there is subject to the South African Parliament, but in that Parliament there are two Houses. We go back to America again. Take Argentina, a country that in many ways approximates to Australia, because of its primary productions—sheep, wool, cattle, meat, and so on—and we find it has two Houses also.

THE SECRETARY FOR MINES: But they are elective Chambers.

HON. P. J. LEAHY: If the hon. gentleman will bring in a Bill for an elective Chamber I have no doubt he will receive large support. I am not dealing with the question of some other form of Chamber, but I am opposing the destruction of this Chamber without substituting something else. Take Brazil, which has a population about three times that of Australia, and in which a considerable portion of the ruling classes are highly educated, and they have two Chambers

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also. Now we come to the latest constitution in the world. The Ulster constitution has two

Houses. The constitution of the [4 p.m.] rest of Ireland, which is in a state of suspended animation, provides for two Houses, and if the Sinn Fein Parliament ever comes into existence it will probably have two Houses. Now we come to Australia. I need not go into details with regard to the Australian States. We know that two States, New South Wales and Queensland, have nominated Chambers, and we know also that in both of these States the Labour party were breaking their necks to get into them. We know that in Victoria there is an elective Upper House—not on adult franchise. We know, too, that in South Australia, Western Australia, and Tasmania there are elective Upper Houses, but not on an adult franchise. In New Zealand also there are two Chambers. In every one of the Australian States there are two Chambers, and this Government and its followers, thinking, I suppose, that they have the wisdom of the ages, now propose to introduce an innovation which does not exist in any other civilised country. I say generally, with regard to second Chambers that they exist not for the benefit of members of the second Chambers. What member gets any benefit out of this Chamber? Why, we have lost money through it.

HON. J. S. COLLINGS: Why object to its abolition then?

HON. P. J. LEAHY: There are higher things than money for me. These second Chambers only exist for the benefit of the people. That is their justification. Coming to the Council's Referendum Bill of 1917, what is the good of submitting a thing to the people when the will of the people is not to prevail? It cannot be said that there was only a small vote. As a matter of fact, it was a large one, and a huge majority was given against the abolition of the Council. What kind of a Government is it that speaks of democracy with their lips and give it the lie by their actions? Can they justify their actions in defying the will of the people as expressed by the referendum?

HON. J. S. COLLINGS: We are taking the risk.

HON. P. J. LEAHY: You are taking the risk; and when the people have an opportunity of dealing with you, you will know what to expect. This Chamber has existed since 1859. I think there was some form of Council before the Legislative Assembly came into existence. During the whole of that period there was never any outcry on the part of the people against the existence of this Chamber. A few years ago when a number of us, including myself, were opposing Bills brought in by the Labour Government there was no outcry by the people then. As a matter of fact, the people were behind us. Most of the things done by this Chamber, and which the Minister and his friends complain of, were done prior to the referendum of 1917. Our most sweeping amendments were made prior to 1917. They were more sweeping than anything we have done since, and all these things were put before the people, who, by a large majority, triumphantly vindicated our actions. If our actions were again submitted to the people to-day, I believe that the result would be a largely increased majority. This is a Chamber with

a long and honourable record which revolutionary individuals want to destroy. What power is it that drives these people on to commit this political murder? We know particularly well that members on that side of the Chamber have got to carry out the instructions of the other place. Not one of our amendments will they agree to. It is common knowledge that members of the Ministry are controlled by conferences outside. Throughout Australia, for some time back, there has been a strong movement against parliamentary government. I look on these things as the first step on the part of these outside organisations to introduce Bolshevism. If we abolish this Chamber, and we have only a single Chamber, that other Chamber will be able to do what it thinks fit. It will be able to prolong the life of Parliament indefinitely, raise their salaries to even £2,000, prevent the Auditor-General giving us reports, control the judiciary, and carry out the instructions of Labour conferences. And it is to prevent all these things that we want this second Chamber. Why not let this Chamber go on until there is a Government in another place which has a majority strong enough to constitute a modern and safe Upper Chamber that would protect the interests of the people and of the country?

The SECRETARY FOR MINES: On what franchise?

HON. P. J. LEAHY: Those are details which I have not looked into. I can only say that I feel certain that if this Bill passes this Chamber, that the people, on the first opportunity that presents itself, will deal in a fitting manner with those who have been so false to the trust placed in them.

\* HON. R. SUMNER: It is not my intention to take up much time of the Chamber in discussing the Bill—a Bill which has been discussed in previous sessions and rejected by this Chamber. Ever since I had anything to do with politics, whether in connection with the Labour party or any other party, I have always been in favour of the abolition of this second Chamber—on principle. I think it has always been unnecessary. It has either been an obstructionist House or, as we see to-day, a party House. Really, it has always been a party Chamber. It was supposed to be a House of review. Can hon. gentlemen on the opposite side tell us one instance where this Chamber has really been of any effective use to the community generally, excepting in causing trouble and in frustrating the efforts of the elected representatives of the people to carry out their programme and their measures? The Hon. Mr. Hawthorn remembers that in 1907, when he endeavoured as a member of the Government in the other Chamber to get certain measures passed, there were various kinds of reform, and the Premier at that time endeavoured to get the Governor to make certain appointments to the Chamber in order to get the measures passed. The Assembly had been elected only six months, and the Premier went to the country again.

HON. A. G. C. HAWTHORN: He never talked abolition.

HON. R. SUMNER: He got a majority again in spite of what the Governor said. The hon. gentleman well remembers what happened at that time.

HON. A. G. C. HAWTHORN: He never talked abolition.

HON. R. SUMNER: He endeavoured at that time to get certain appointments to this Chamber, and the Governor refused them, and he caused an election after the representatives had been elected for only six months.

HON. A. G. C. HAWTHORN: Then we reformed the House.

HON. R. SUMNER: He went to the country. The Governor would not consent to the nominees that he required to carry one or two measures. It meant that this Council dominated the country, and not the elected representatives. I noticed this morning, in reading the report of the proceedings in the Assembly, that the leader of the Nationalist party complained about the amount it would cost to give free railway passes to some members of this Council. That action of the Governor in 1907 or 1908 cost this country, in election expenses, more than the granting of passes to members of this Council would cost. I consider the Upper House has always been an excrescence on the body politic.

HON. A. G. C. HAWTHORN: That was remedied by the 1908 Act.

HON. R. SUMNER: In 1882, this Chamber was the squatters' Chamber. There was a great struggle on at that time to get the small farming industry inaugurated in Queensland. The "Courier" at that time used the very same words—that this Chamber, as then constituted, was an excrescence on the body politic. It has always been so.

HON. A. G. C. HAWTHORN: It has, in the last two years.

HON. R. SUMNER: It has always been a party Chamber, whether directly or indirectly. I challenge any member on the other side to quote one instance where this Chamber has ever been of any benefit to the great mass of the public of Queensland.

HON. E. W. H. FOWLES: The referendum on the liquor traffic, carried by eighteen votes to seventeen.

HON. R. SUMNER: That is the only matter the hon. gentleman can think about.

HON. E. W. H. FOWLES: It is not an excrescence. It was here before the Legislative Assembly.

\* HON. R. SUMNER: It has been one of the ambitions of my political life to abolish this Chamber, and I am glad to be here to-day to record my vote. I have, at present, a copy of the first election address I made in 1887 with regard to the abolition of the Upper House. The expressions which I used at that time apply with greater force to-day. The remarkable thing is that the abolition of this Council has been held off for so long. What we are doing to-day will be an example to Australia. In a very few years there will not be a second Chamber in many of the other States. I go further and say that we are not very far from the time when the Senate will be abolished. Many of us who took part in the Federal campaign thought the Senate would be a protection for the small States. It happens it is a party Chamber the same as this is, whether it is composed of a majority of Nationalists or a majority of Labour members; and it is absolutely unnecessary. Some people say that influence was brought to bear on the Premier by the conference which was held in the Trades Hall, to introduce this Bill for the abolition of the Upper House. Anybody who talks like that does

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not know much about the politics of the Labour party. This plank has been in the forefront of the platform ever since the Labour party began its operations, because we thought this Chamber was unnecessary. When Federation was inaugurated, did anyone conceive that we would have fourteen Parliaments in Australia? I believe we are over-governed. We can abolish all the Upper Houses and the Federal Senate, and leave the decisions to the Lower House. Some people say the Lower Houses go too fast, that they "gag" measures through. I admit that one of the great professions of the Labour party in the early days was a disbelief in Cabinet Government. In order to obviate any danger in that direction, they brought in the initiative and referendum. I am sorry the Government have not brought that Bill in. It is still a plank in their platform. It was brought in by Labour advocates to obviate what is happening in our Parliaments to-day. What happened when we did bring it in?

Hon. E. W. H. FOWLES: Why do your Government not bring it in now, when they have a chance of passing it?

Hon. R. SUMNER: When it was brought in hon. gentlemen opposite threw it out. I welcome the opportunity of recording a vote for the abolition of this Chamber. It may have had some usefulness in days gone by, but it never has had any usefulness on behalf of democracy. As at present constituted, it is an absurdity as a purely party House. The Government who are elected by the people must have the opportunity to carry their measures. The Hon. Mr. Hawthorn knows the difficulties the Government had to contend with in days gone by.

Hon. A. G. C. HAWTHORN: They have every opportunity now under the Parliamentary Bills Referendum Act. They can put to the people any Bill they like. They have never been game to do it since they got knocked out on the referendum with regard to the abolition of the Legislative Council.

Hon. R. SUMNER: When the late Mr. Kidston came back from that memorable campaign in which many of us took part, he brought in the Parliamentary Bills Referendum Bill. It is a costly, cumbersome, unsatisfactory way of dealing with any question. I believe if this Bill gets the Royal assent—which I hope it will—it will be a preliminary to the abolition of the Legislative Council in every State in Australia; and, ultimately, the abolition of the Senate. It will throw more responsibility on the elected representatives of the people. In days gone by they have passed Bills hoping they would be rejected by this Chamber, thus throwing dust in the eyes of the people.

Hon. E. W. H. FOWLES: You are giving secrets away now.

Hon. W. F. TAYLOR: Unlike the last speaker, I believe in a second Chamber, properly constituted. It is a very difficult matter to devise a second Chamber to meet our wishes. Until we can get a Chamber in which are men who are absolutely impartial and unbiased, we cannot have all that we desire. There is some good in a second Chamber. I have been a regular attendant in this Chamber, and I think I have contributed useful matter to the debates. I say the same of other members. What good is the Legislative Assembly? A great many Bills are forced through which do no good

to the community, but do a great deal of harm. The community have had to submit to them, live under them, and suffer under them. Those Bills would have been much more drastic had the Assembly not had a restraining influence placed upon them by the existence of a second Chamber. I think practically all civilised communities are in favour of a second Chamber. Because this Chamber has done a great deal of good, I will not vote for its abolition. A certain measure of reform is necessary, and I have given a good deal of thought to the manner in which that should be brought about, and I have come to my own conclusions. If we can get men of mature judgment and unbiased mind in a second Chamber, it will achieve all we wish to achieve, and we will acquire a Chamber which will be a restraining influence on hasty legislation. I do not think the Parliament of Queensland can be proud of its actions during this session. The hasty manner in which Bills have been

rushed through is not a credit to [4.30 p.m.] the Queensland Parliament or its members. It is no use saying Bills have not received proper attention here, simply because we have not moved amendments. From my experience of parliamentary life, I know that Ministers always endeavour to get their Bills through without amendment, and if the Minister objected to any amendment in this Council, then the amendment would be lost.

The SECRETARY FOR MINES: Do not forget that 430 amendments were moved from your side in one year. You were Chairman of Committees then, and you had to deal with them.

Hon. W. F. TAYLOR: I sympathised with the Minister in those years. I know he had a very hard row to hoe, and hon. gentlemen on this side were not as generous as they might have been. To a certain extent the swamping of this Council of late years has been a matter of justice; but still, unfortunately, it has lessened the usefulness of the Chamber, and there is no doubt that a change should be effected. How that change is to be effected remains to be seen. It is all very well for the Legislative Assembly to force this Bill on the Council; but the Constitution of Queensland consists of three parts—the King, the Legislative Council, and the Legislative Assembly, and the final decision remains with the King as to whether this Council is to be abolished or not. To my mind, the Parliament of Queensland has just as much right to attempt to abolish the King's part in the Legislature as they have to abolish the Legislative Council. How can the Parliament of Queensland abolish one part without abolishing the lot? What power have they to abolish the Council? They have no power. There is no power given in the Constitution. There is power given to amend and to reform, but no power to abolish the Council, any more than power is given to abolish the Legislative Assembly, or any more than power is given to abolish the King as a part of the Legislature. All these matters should be very carefully gone into, and they were very carefully gone into on a former occasion. In 1917, when a Bill to abolish this Council was before the Chamber, the following constitutional reasons were given as to why the Council should not be abolished:—

"1. Because the Imperial Parliament has, with respect to Queensland, as well as each of the other States of Australia,

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consistently recognised the continued existence of the Governor as representing His Majesty, the Legislative Council, and the Legislative Assembly, as fundamental parts of the Queensland Constitution, and because there is no power in the Queensland Legislature to abolish any one of these fundamental parts.

"2. Because Article 22 of the Order in Council of the sixth day of June, 1859, expressly excepts from the powers of the Queensland Legislature to make laws altering or repealing any of the provisions of the Order in Council so much of the same as incorporates the enactment of 13 and 14 Vic. c. 39, and 5 and 6 Vic. c. 76, with respect to the giving and withholding of Her Majesty's assent to Bills, and the reservation of Bills for the signification of Her Majesty's pleasure.

"3. Because by section 33 of the Australian Constitution Act, 1842 (5 and 6 Vic. c. 76), no Bill which shall be reserved for the signification of Her Majesty's pleasure shall have any force or authority until the Governor shall signify, either by speech or message to the Legislative Council or by proclamation, that the Bill has been laid before Her Majesty's Council, and that Her Majesty had been pleased to assent to the same, and an entry shall be made in the journals of the Legislative Council of every such speech, message, or proclamation.

"4. Because the Commonwealth of Australia Constitution Act (an Imperial statute) recognises the continued existence of both Houses of Parliament of each State of the Commonwealth of Australia. Section 15 provides for filling a casual vacancy in the Senate by the Houses of Parliament of the State concerned sitting and voting together and choosing a representative for the State.

"5. Because the Australian States Constitution Act of 1907 recognises the continued existence of both Houses of Parliament of each State of the Commonwealth of Australia, and provides by section 1 (3) that the signification of the assent of His Majesty's pleasure to any Bill reserved shall be entered on the journals of both Houses of the Legislature of the State.

"6. Because the Queensland Legislature has no warrant or authority to alter any of the provisions of the Imperial statutes above mentioned, and effect could not be given to them if the Legislative Council were abolished.

"7. (a) Because the words 'alter' or 'repeal' in Article 22 of the Order in Council of the sixth day of June, 1859, and the reference to other legislative body or bodies which might at any time hereafter be substituted for the then Legislative Council and Legislative Assembly in section 13 of the Constitution Act of 1867, and Article 14 of the Order in Council, cannot be strained to include the 'abolition' of the Legislative Council, but apply to an alteration which involves a substitution of a 'body' where only one of the present bodies (Council or Assembly) is affected, or the substitution of 'bodies' when both Houses are affected, and in either case a necessary consequent repeal of some portion of the present Constitution.

"(b) Because the proviso to Article 22 of the Order in Council impliedly shows that there could be no abolition of the Legislative Council, inasmuch as express provision is made for the reservation of a Bill altering the constitution of the Legislative Council by making it wholly or partly elective, and it is scarcely possible to conceive the absence of such a provision with respect to a Bill having the wider effect of the abolition of the Council if such were contemplated as part of the powers of the Queensland Legislature.

"8. (a) Because the Colonial Laws Validity Act of 1865, section 2, expressly contains an enactment rendering void, to the extent of repugnancy, any colonial law which is or shall be in any respect repugnant to the provisions of any Imperial statute extending to the colony, or repugnant to any order or regulation thereunder.

"(b) Because the same Act (section 5) expressly declares the power of the Colonial Legislature to establish and to abolish and reconstitute courts of judicature, and to alter the constitution thereof; but uses significantly modified language with respect to the power to make laws respecting the constitution, powers, and procedure of the Legislature, omitting, it would appear, studiously, any reference to a power to abolish, or to abolish and reconstitute.

"9. Because the Constitution Act Amendment Act of 1903 was not duly reserved for the signification of His Majesty's pleasure thereon, as required by the Australian States Constitution Act of 1907, and has therefore no force or validity in Queensland.

"And in consequence thereof, the Parliamentary Bills Referendum Act of 1908 (the title of which shows that it is an Act to amend the Constitution of Queensland) is also invalid because the second and third readings were not passed with the concurrence of two-thirds of the members of the Legislative Council and Legislative Assembly then in existence, as required by our Constitution Act of 1867 (section 9), a provision which must be observed, even assuming that the provisos themselves to that section could be repealed by simple majorities, by an Act duly reserved and assented to by His Majesty.

"10. Because even assuming the validity of the Constitution Act Amendment Act of 1908 and the Parliamentary Bills Referendum Act of 1908, the latter Act necessarily requires for its operation the continuance of both Houses of the Queensland Legislature. It, in broad terms, provides for a referendum to the electors in the event of differences arising between the two Houses.

"A construction of the Act as being wide enough to include as a difference between the two Houses the abolition of either, thus involving the practical abolition or reduction to a nullity of the Act itself, is too strained to be accepted, and is consonant neither with the scope nor the language of the Act itself."

I thought I would read this in full because the reasons appear to be very cogent and very carefully drawn up. They have already been placed before the Imperial authorities,

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and possibly they will be placed before them again. Those reasons will indicate to hon. members that it is not such an easy matter to abolish this Council as hon. gentlemen opposite might think. If they think by simply passing a Bill of this sort they are going to abolish the Council, they make a very big mistake, because only the Imperial authorities have power to do that. A referendum was taken on the question in 1917, when, by a majority of 63,000, the people voted in favour of the retention of the Legislative Council, and I am quite satisfied in my own mind that the great bulk of the people of Queensland have enough common sense to know that if the second Chamber is removed the safeguards to their liberties are to a great extent removed also. The ordinary man in the street is not so ignorant of the position as we give him credit for. On the occasion I refer to, I met a very strong Labour supporter in the street who said he would not vote for the abolition of the second Chamber because he did not know what might happen in the future if we only had a single Chamber. I do not suppose anything I can say will alter the opinions of hon. gentlemen on the other side of the Chamber, but referring to the Bill itself, although it is a very short one, there is one clause in it that deserves some consideration. Clause 3 provides—

“The Governor in Council may by notification published in the “Gazette” declare that the existing members of the Legislative Council shall, during life or for such period of time as is fixed in such notification, retain and continue to be entitled to exercise the privilege of a free pass upon the railways of the State and the use of the parliamentary library, and such other existing privileges of such members as may be mentioned in such notification. Every such notification shall have the same effect as if it were enacted in this Act.”

That is quite a new feature in connection with this reform Bill, and I should like to have some reason given as to why it should be inserted. Personally, once this Council is abolished, I do not think hon. gentlemen have a right to expect free passes or any other privileges. That is a clause I hope to see amended. I do not think it is right that we should vote a perpetual tax in the way of free passes on the railways.

HON. G. PAGE-HANIFY: I confess that I approach the task of speaking on this question without any great feelings of joy. I am approaching a serious question.

Hon. A. G. C. HAWTHORN: Cheer up.

HON. G. PAGE-HANIFY: I am not at all down-hearted, but I do feel a very strong sense of responsibility.

Hon. A. G. C. HAWTHORN: Vote against the Bill.

HON. G. PAGE-HANIFY: I feel that the statement I am going to utter, coming from this side of the Council, will probably place me somewhat in the position of a lone voice crying in the wilderness. Nevertheless, the sense of responsibility urges me that it is my duty to say what I have to say, offend whom it may. Realising my own helplessness, I have felt tempted to take the line of least resistance, and realising the futility of setting up my own opinions on this matter against that of my comrades, to give a silent vote. But though I am a comparative cypher

and rather less than a cog in the political machine, and, as I say, realising my own helplessness, my sense of right and wrong tells me that to retain my self-respect I must speak my thoughts on this very important measure. I think it is Tennyson who said, “Because right is right, to do the right ’twere better, in scorn of consequences,” and “to do the right” means, in this instance, to speak freely, hoping that it may not alienate me at all from my political comrades, with whom I am in unison in most matters, but with whom I am out of unison to some extent on this measure. No political party, in my opinion, can thrive by abandoning principle, and I feel that to separate this Bill from its corollary, the Initiative and Referendum Bill, and the forcing of it through Parliament with what one may reasonably call unseemly and indecent haste in the last days of the session, does, in existing circumstances, indicate to me an abandonment, at any rate, of political consistency.

THE SECRETARY FOR MINES: Not unseemly haste.

HON. G. PAGE-HANIFY: That is just a matter of opinion.

THE SECRETARY FOR MINES: You have helped to force Bills through in a day in this Chamber.

HON. G. PAGE-HANIFY: I have helped a great deal. I have been a very loyal and consistent and conscientious supporter of the Government.

Hon. A. G. C. HAWTHORN: You are endorsing what we have been saying over here all along.

HON. G. PAGE-HANIFY: Do not make my task any harder than it is.

THE SECRETARY FOR MINES: You have no right to say that it is unseemly haste.

HON. G. PAGE-HANIFY: I have a right to express my opinion, and it seems to me that in a matter of constitutional amendment such as this, the bringing in of this measure in the Legislative Assembly as hurriedly as it was introduced, after it was generally understood that it was not going to be brought in this session, was unseemly haste. I may be wrong. I am not asking anyone to endorse my opinion.

THE SECRETARY FOR MINES: It was in the Governor's Speech.

HON. G. PAGE-HANIFY: Quite true. I know a good deal more than some other hon. members in this Chamber know, and I am always in fear of saying something that I should not. I do not wish to divulge anything which is a party confidence, but I do say that, on the facts, there has been undue haste. How much do the public generally know about the matter even now.

THE SECRETARY FOR MINES: Why speak in innuendoes? If you have anything to speak, say it.

HON. G. PAGE-HANIFY: I am not speaking in innuendoes. I am accustomed to speaking straight out, and the Hon. the Minister knows it. Nevertheless, I say that it was generally understood by members of this party a very few days ago, as lately as the 12th, that this Bill would not be coming forward this session. And the first I knew, as a member of the party, of that intention was about last Friday. I am not making any innuendoes or any wrong assertions. I

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have no such thought. All I say is that those who disagree with me in my party are just as conscientious as I am. I believe the same with regard to hon. gentlemen opposite, with whom I have been so often in disagreement. I do say I have the right to my opinions, and I should be very sorry to think that a Labour party has so far degenerated as to stifle free speech. I have never experienced that yet. Let me briefly recapitulate the circumstances as they appear to me. The Labour party's platform is a carefully constructed document. I do not know for how many years the initiative and referendum and the abolition of this Chamber have been associated, but it has been so for as many years as I can recollect. The platform was constructed by the founders of the movement, who showed statesmanlike ability, to my mind, in placing these reforms at the forefront of the political platform, and they subdivided it into three subsections—not three planks, not matters to be dealt with separately, but matters which were meant to be perpetually associated, and were so associated. They were grouped together. They stand in the platform to-day, as I say they have stood for many years, under the heading of constitutional reform, which is Plank 2 of the fighting platform and Plank 1 of the general programme—(a) immediate abolition of the Legislative Council; (b) abolition of the position of State Governor—which, of course, we recognise we cannot bring about directly; and (c) immediate institution of the initiative and referendum. The party has always interpreted these as part and parcel of the one plank.

The SECRETARY FOR MINES: Not necessarily.

HON. G. PAGE-HANIFY: I say it has been so, and I would point to the actions taken. In 1916, I think it was, these two Bills were brought into Parliament, into this House. They were brought by the Hon. the Minister who was in charge of this House—I do not think it was the Hon. Mr. Jones at that time.

The SECRETARY FOR MINES: I introduced the initiative and referendum here three times.

HON. G. PAGE-HANIFY: It was massacred by the other side.

HON. A. G. C. HAWTHORN: No; it was amended by putting in the recall.

HON. G. PAGE-HANIFY: No. Hon. members on the other side mutilated it completely. They tried to force something on the Government which neither it nor the party were willing to take, and amended the measure, making it a Six o'Clock Closing Bill.

HON. A. G. C. HAWTHORN: And the recall.

HON. G. PAGE-HANIFY: No; you are talking of later history. I have not got up to that yet. The Initiative and Referendum Bill was also brought in somewhere about the same time, showing that the party then interpreted the two together. The Abolition Bill, of course, was not expected to pass this Chamber. It was sent here as the necessary preliminary, in any circumstances, to submitting it to the electors. It was brought in again, and I think it was in May, 1917, as the result of its rejection by this Chamber, it was submitted to the people. After that we know what happened. I will not touch that just now. After that the same course was pursued by the party all the way through. I think I had the privilege of

voting twice on the Abolition Bill, and I have not gone back on any of the opinions I then expressed. I then said I believed that the second Chamber was not desirable or necessary as a portion of our parliamentary machinery, but I also said that I voted for the Bill knowing that it was a preliminary again to the submission of the matter to the people. I held then, and I hold now, that when the people vote yes or no on any questions submitted to them their verdict should stand until it is reversed by them. That is democracy; but to attempt to force a thing through, as we are doing, by direct legislation, is not right.

HONOURABLE GENTLEMEN: Hear, hear!

HON. G. PAGE-HANIFY: This party has never hitherto claimed the right for Parliament to govern without any check or control. It is quite true that when the Abolition Bill was put to the people by referendum the initiative and referendum was not put to them. But they knew of the initiative and referendum. There has been an attempt to put it into law, and the people had reasonable ground for expecting that if they carried the referendum in favour of abolition the safeguard and check which was intended to be put on the Legislature would be a re-enactment at once of the initiative and referendum measure. That has been, I am satisfied, the action and the intention of the Labour party in Queensland right through, and I do not see anything—I cannot conceive anything—that justifies the present apparent abandonment—for the time being, at any rate—of that position. Now

[8 p.m.] I ask, and I ask quite frankly, without any distinction of this party or that party, or the other, because I believe the Labour party has been the best and cleanest party we have had in Queensland politics; but, nevertheless, I ask, has any political party in Queensland at any time held the confidence of the people to such an extent as to justify this? And the answer I must give is "No."

HON. A. G. C. HAWTHORN: They represent a minority at present.

HON. G. PAGE-HANIFY: Are my comrades content to trust their opponents with such unlimited power? I ask them to think a little, to think for a moment over their confused and hazy ideas about the franchise, the power to be placed in the hands of the Assembly, in the event of this Bill being assented to and becoming an Act—an Assembly which at any time might become an unknown quantity, and not governed by Labour would be unlimited—a power, as has been suggested, of extending the life of Parliament, and it is not many years ago since gentlemen affiliated with the other side really seriously proposed the extension of the life of Parliament for five years. I think it was just at the time Labour came into power. I think about that time Mr. Denham had seriously proposed the extension of Parliament for five years. What would there have been to prevent, supposing this had become an Act, the Assembly from passing such a law? And you know how plausibly all sorts of things can be justified, and how slow the people are to realise and to move in the matter. That is why I say no Legislature—I do not care who they are—is entitled to be trusted with absolute power without check or control. I have fought for the initiative and referendum in this Chamber, and I dare

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say hon. gentlemen on the other side are a little sorry they did not accept the advice we gave them on this side in pointing out the position that might arise, and they could have had it to-day; and it would have been the check and control that is required. I do not want any more than that. If we had those two things coming along concurrently, then we would be safe, because you are trusting the people, providing the people have the right of veto and initiative.

Hon. A. G. C. HAWTHORN: What about the recall?

HON. G. PAGE-HANIFY: I am not so satisfied about the recall. Regarding the initiative and referendum, I am told—and I know, and was at the Townsville Convention—that there was a direct instruction from the Townsville Convention that this matter of the abolition of the Legislative Council was to be made an issue of the elections last October, and that, when returned to power, the party should proceed to pass this Bill. But the convention had done something previous to that. There were over 500 resolutions on the agenda paper, that came to the convention from all quarters, because our platform and our policy are built up right from the people. They come from the people in the various electorates and the organisations, some of them little concerns, and they have a right to put their ideas—and they do get their ideas right—on the Labour platform. They go on the agenda, and the delegates spend their time and decide which shall be adopted and which shall not be adopted. We are a people's party. We trust the people. We seem for a moment to be going away from that trust. That is where I join issue. I think it is possibly due more to misunderstanding than to anything else. But that convention, prior to passing that resolution, spent many hours in discussing the proposals with regard to the institution of the initiative and referendum. There was a proposal to add the word "immediate," and to make the plank read, "the immediate institution of the initiative and referendum and the recall." And there was nothing at that convention that was debated at more length, or with more interest, than that proposal; and the result was that an amendment was carried merely deleting the word "recall," and the plank was passed, as it now stands, strengthened by the addition of the significant word "immediate." That was a platform alteration. The other is a mere resolution which should not have had more immediate attention than this matter. My colleagues know my opinions with regard to this matter. I have fought to have these matters coupled together, and I have failed; and I consider it my duty to-day to speak to the larger circle of Labour people who read "Hansard."

Hon. J. S. COLLINGS: You do not accept majority rule?

HON. G. PAGE-HANIFY: I do; but it must be a majority of the whole of the people. I do not accept a majority of any clique or class. I favour majority rule.

Hon. J. S. COLLINGS: When it suits you, and not when it doesn't.

HON. G. PAGE-HANIFY: I do not think anyone should infringe my right to voice my own opinions.

Hon. J. S. COLLINGS: You know where the "Hear, hears!" are coming from.

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HON. G. PAGE-HANIFY: One is often obliged to be silent, because otherwise it helps the enemies of the party, but there comes a time when one must forget that and when a man has to either sink his self-respect or speak out. You have got to be a man or a mouse, and I prefer to be a man. This Bill coming to us under the existing circumstances gives the best evidence of how far unrestricted power will carry a governing party, and I claim the Labour party is an honest governing party, and a party, often though I differ from it, that is trying to do what it believes to be the right thing for the people. Men are apt to be carried away in a body in such a way as they would not be individually. That happens very frequently with political parties, and I think it is the natural outcome of the habit of control.

Hon. G. H. THOMPSON: It is the same in all parties.

HON. G. PAGE-HANIFY: Our party has a cleaner and better political record than any you can find back through the ages—right from the time Queensland has been working under parliamentary government. But it does not follow that one must follow everything; and I think we are doing wrong to-day. The Government is holding power with a slender majority, and hon. gentlemen are very fond of stuffing down our necks that we represent a minority of the electors. I believe that is a fact, and if in circumstances like that a party will venture to do what we are doing to-day, what might not be done by a party—any party—if it held office, as Labour did for a very considerable time, with a two-to-one majority—forty-eight to twenty-four? There was, undoubtedly, a considerable check and drag on the wheels of progress during that time, and I am not questioning that. I maintain that the general body of Labour opinion does not justify the action that we are taking to-day. I do not think it justifies the passing into law of the Abolition of the Legislative Council Bill without passing into law what, in my opinion, should have accompanied this Bill or preceded it—that is, the Initiative and Referendum Bill, such as we had before, to give the people the complete power of veto and control. I held very steadfastly to the people's right to initiate and veto on all matters, particularly matters that affect the Constitution under which they have to live. I believe in the doctrine of self-determination, and we have heard a lot about the doctrine of self-determination of late years. I am always prepared to trust the people, and I have always proclaimed that the Labour party is always prepared to trust the people—that it does not work in the dark; that its platform is a book published broadcast for everyone to read. It has open arms to welcome all people, who are in sympathy with its aims and objects, into its fold, and in every way it is what it claims to be—a people's party. But if you take away the right of initiative and referendum, and leave it for ever, when you have power to put it into operation, standing at the head of the platform, then there is not much truth in the boast I have made. I consider they are making a mistake, and for that reason I am taking this stand. I claim that a decision of the people, as in the matter of prohibition when they unfortunately voted "No," should be as jealously protected and respected as if they had voted "Yes." I am not in sympathy with the "No" vote, but I am in sympathy with protecting the vote until such a time as we can, by agitation

and education, teach the people that they are wrong, and convert the minority into a majority, and get them to vote "Yes." That is exactly where my own party has failed in this matter.

The SECRETARY FOR MINES: If the prohibition Bill came here you would vote against it?

HON. G. PAGE-HANIFY: I honestly believe I would. All the years I have been associated with politics and with reform, I have advocated prohibition by the will of the people. I do not think it would be a good or desirable thing if prohibition were brought in by legal enactment, because I do not think any Government could possibly enforce it.

The SECRETARY FOR MINES: The majority may be wrong.

HON. G. PAGE-HANIFY: The majority may be wrong. But you have to choose between two things: You have to trust either the majority or the minority, although very often the minority is right and becomes the majority eventually. In the matter of voting we are all level, and there can be no argument but that you must trust the majority and respect the verdict of that majority until such time as, by education and agitation, you have reversed any decision given. There is no difficulty about it if your case is a good one and proper work is put in. We could long ago have had that verdict of May, 1917, with regard to the abolition of this Chamber, reversed.

HON. A. G. C. HAWTHORN: You would have got a surprise again if you had tried it.

HON. G. PAGE-HANIFY: I honestly believe that if the matter were put by referendum to the people now, and a measure safeguarding their interests were put at the same time—or if they were assured that it was to come immediately—this Council would be effectively and completely abolished. There would be very little doubt about the Royal assent if we had the vote of the people reversed. I believe that is the position to-day.

HON. A. G. C. HAWTHORN: The Government are afraid to try it.

HON. G. PAGE-HANIFY: That may be held to justify the present action of the Government, but I do not think it does, because it is only an opinion. The way in which the Government should ascertain whether that opinion is founded on fact would be to put the matter before the people to give them an opportunity of deciding it. I believe the result would be abolition, because I do not think anyone can stand up and defend the continued existence of this Chamber as at present constituted.

HON. A. G. C. HAWTHORN: We would not attempt it.

HON. G. PAGE-HANIFY: As the Minister for Mines pointed out the other night, when the Council was not so constituted that our strength was on these benches, it was so constituted that there was nothing but the blocking of progress and the destruction of all sorts of measures by the other side, including the Initiative and Referendum Bill three times.

The SECRETARY FOR MINES: You must admit that Parliament must be ahead of the people in the matter of reform.

HON. G. PAGE-HANIFY: I think they are too far ahead when they set up their opinion against a majority vote of over 60,000.

Hon. L. McDONALD: You are violating your pledge now.

HON. G. PAGE-HANIFY: I do not think so. My pledge certainly does not deprive me of my rights as a citizen and my right of free speech.

Hon. L. McDONALD: You are violating your pledge.

HON. G. PAGE-HANIFY: I have an indication of what is likely to happen. Well, let it happen. My honour is the best guide as to whether I am violating my pledge or not. I am not violating my pledge in standing up straightforwardly, saying what I believe to be true and what I believe should be spoken in the interests of the very party whose platform I am pledged to support. I am surprised at the Hon. Mr. McDonald venturing to make such a remark.

Hon. L. McDONALD: You are violating your pledge.

HON. G. PAGE-HANIFY: You are not the judge.

Hon. W. STEPHENS: You will have to go out very soon.

HON. G. PAGE-HANIFY: It is refreshing to hear that, while the axe is to be applied to us collectively, something else may be applied to me.

HON. A. G. C. HAWTHORN: The usual tyranny.

HON. G. PAGE-HANIFY: I think it is paltry tyranny. It will not stop me delivering the speech I am going to deliver. Our parliamentary system is supposed to give representative government. Does it? Our cast-iron party system breaks it down. There is no representative government: there cannot be. See how hon. members suggest, when I speak up in the way I am speaking, that I am breaking my pledge. What sort of representative government is it if a man is not free?

A GOVERNMENT MEMBER: What did Peterson do in the other House?

HON. G. PAGE-HANIFY: Peterson was elected on a particular basis for a particular constituency. His constituents, apparently—

The PRESIDING CHAIRMAN: Order!

HON. G. PAGE-HANIFY: I should not take any notice of interjections, but it is very hard not to do so. The present Parliament in the Assembly is so constituted that neither the Government nor any of the parties who compose the Opposition can, on any question, speak for a majority of the electors. The electors themselves were appealed to on this question as a concrete issue, and they voted "No" by an overwhelming majority.

HON. J. S. COLLINGS: Why did you wait for this measure to protest? Every other measure has been on the same footing.

HON. G. PAGE-HANIFY: I have done a good deal of protesting, but I have never opened my mouth in public.

A GOVERNMENT MEMBER: Except once; you wrote to the paper.

HON. G. PAGE-HANIFY: I did not open my mouth in the paper. The Government party have associated the Initiative and

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Referendum Bill with the Abolition Bill in successive efforts to pass both. For several years they have allowed the electors to expect that they would be again appealed to on this Bill. In one Parliament, the whole of the members of the Assembly received £200 apiece in order effectively and efficiently to place the matter before the electors. It was expected they would continue as they had done hitherto, and respect the vote of the majority, until such time as that vote was altered. By what stretch of imagination can the present action of the Government be excused by men who belong to the party that places the initiative and referendum in the forefront of its platform, that believes in majority rule—because the Labour party does believe in those things. When I speak of the party, I speak of the movement, which believes in government of the people, for the people, by the people. It is claimed that what cancels that vote of the people is the return of the Government to power last October. That is all that can justify the action now.

THE SECRETARY FOR MINES: They were returned at the elections of 1918.

HON. G. PAGE-HANIFY: In the Parliament that succeeded those elections the same tactics were adopted with regard to these measures. They were passed, and it was understood they were going to be submitted to the people.

THE SECRETARY FOR MINES: Is this not a constitutional method?

HON. G. PAGE-HANIFY: I am not questioning that.

HON. A. G. C. HAWTHORN: Not as constitutional as the referendum.

THE SECRETARY FOR MINES: We believe in abolition in a constitutional way, and this is a constitutional way.

HON. G. PAGE-HANIFY: I am questioning the correctness of this party, who stand for the initiative and referendum and for majority rule, in defiance of that vote of the people, proceeding in this matter, when the people have not any opportunity of having a say. It is a flouting of the direct referendum vote of 1917. The election which sent this party back with a weakened majority and, as has been stated, representing a minority, does not cancel that position; and this Bill should not have come here until such time as that decision of the people was cancelled, unless it was accompanied by that Initiative and Referendum Bill, which would have placed the whole matter in the hands of the people, because then they would have had the right to initiate legislation, or to veto the legislation that had gone before.

THE SECRETARY FOR MINES: They are entirely two separate measures, and you know that.

HON. G. PAGE-HANIFY: I know that. I am not confused at all about the matter. I realise they are separate measures, but I claim they should have accompanied each other, as they have done hitherto. I have spoken plainly and frankly, not with any feeling of disloyalty to my party, but because I am loyal to my party. One colleague suggested I was violating my pledge by so doing. I do not consider that I have.

A GOVERNMENT MEMBER: Of course, you are; and well you know it, too.

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HON. G. PAGE-HANIFY: I have taken no pledge, nor would I ever take a pledge that would prevent me from expressing my opinion.

HON. R. J. MULVEY: We did not ask you to sign it.

HON. G. PAGE-HANIFY: I am quite willing to read to the Council what I have signed, if the hon. gentleman wishes it.

HON. A. G. C. HAWTHORN: They will not let you do that.

HON. G. PAGE-HANIFY: Although there may be individual members of the party who would wish to interpret things in that harsh and undemocratic fashion, I am quite sure the party itself is too big to victimise a man because he honourably speaks out the convictions he has in his heart. I am sorry this Bill has come forward. My obligations to my party will not allow me to vote against it, and I feel that I cannot vote for it.

HON. F. T. BRETNALL: I would not like to let this motion go to a vote without having a word or two to say upon it. My experienced friend, Dr. Taylor, has been a long time in this Council. He and I came in together, and we have worked in harmony all the way through. Some members, perhaps, are a little too personal; some of them, possibly, are too speculative; some of them are too full of experience. I do not know why this question is brought forward just now. The reason for it is, no doubt, known to those who have introduced [5.50 p.m.] the Bill. There must be some essential reason for it. I do not think anyone would pull to pieces the Constitution which has been in existence for many years, and which has resulted in considerable benefit to the people, just for the fun of the thing. But these gentlemen must have reasons of some kind, and they possibly form part of a good many of the declarations which have been made during the last few years of the intention, if possible, to wipe away everything in the form of opposition, clear the decks, and run the ship of State on their own lines for their own purposes. Sometimes the question arises in my mind as to whether we are a composite State or whether we are a conglomeration of States with separate interests and each with a certain determination, and consequently each fighting against the other. If we are not, we can form some idea as to where our opinions are leading us. I cannot help thinking sometimes that some of the resolutions which have been presented to us from time to time now partake a little of a revolutionary character. I do not think I am very far wrong when I say that at a meeting in this city a short time back, where this Council had its representatives—I was almost going to say its views advocated—but where some views contrary to the views of the majority of members of this Council were advocated. At that meeting there were propositions put forward and ideas developed and expressed that do partake of a revolutionary character. I could not help thinking, when I read some of those resolutions, how men who had taken the oath of fealty to the Crown and the Empire of Imperial Britain could express opinions of that kind—opinions which were contrary to our Constitution, and absolutely and essentially revolutionary in their character. The essential question as to whether this Chamber is a

useless encumbrance, has not been thoroughly dealt with. The transitory opinions of men young in political life and in political thought cannot have very much influence on men of experience. These hon. gentlemen who have sworn to uphold the British Constitution desire to go in for Sovietism or Bolshevism. I do not know that there is much difference between the two. When I see this I ask myself: Would those people with whom I have worked year after year in politics desire to see an exemplification of Bolshevism in this State of Queensland? Would they like it? Would they think it better for the welfare of the State and for the happiness of the people that these grand old principles of the British Constitution, which have been tested and tried through many centuries, should be superseded and cast aside, and a trial be given to those principles that have absolutely ruined that great Empire of Russia within a short time, and which has shattered many European nations? It would be better to go and see the effect of that system in other countries, where it has been illustrated, before we attempt to make any alteration here. What is it that brings us to such questions as the one before us to-day? I am at a loss to find out. Is it the influence of party feeling or is it the result of partivism as a system? Is it the influence of the political revolutionaries amongst our people? With a little give and take the people should be able to reconcile their differences and live in such a condition of amity that there should be no need for any alteration. There are people who seem to think that crime is a virtue if it is committed for party ends. If you take the Auditor-General's reports for the past six years, including the very latest one that we got just to-day, and see everything returned there by a highly-paid official of this State—an official who receives a large salary for telling the truth, for exposing that which he thinks ought to be exposed, and for urging the pursuit of right and truth—you begin to wonder whether those things are perfectly honest and perfectly just; you begin to wonder whether the principles of truth—whether nine-tenths of the men sitting in this Chamber have been taught to regard the truth; whether they follow out the principles of doing to others as we would have others do to us. These may be abstract questions, and we have plenty of hard, dry, practical questions to deal with in Queensland at the present time, and yet two-thirds of our legislators, taking both Houses together, are running after this abolition of the Council as if it were an essential and fundamental principle of our national life. One wonders whether we are striving to do the best we can, man for man and woman for woman; whether we are not all pulling to see how much we can drag out of the public Treasury for one thing, and out of each other's belongings for another thing. I know these ideas may not be pleasant to some people, but they are at the bottom of all these complaints we read of in our official reports at the present time, which portray some of the misdeeds of the men upon whom rest the moral responsibilities of the Government of Queensland. It is too late now in the life of this Parliament, apparently, to enter largely into this matter, but I wonder that some of the gentlemen who have had to do with the administration of the public affairs of this State are not ashamed to show their faces in Parliament after reading

some of the recent documents from the Auditor-General. In putting it in that plain form I am not slandering anybody. I am only referring now to what has come out, and which bears the imprimatur of a man set apart—one who is not exposed to criticism, not exposed to anything we can say derogatory of his character or his abilities, but one who is set apart because of his work in order that he may see that the affairs of this State are honestly and truly managed by the members of the Government who have charge of it. These men can do no harm apparently. They can draw their salaries. They can have their motors to ride about the country. They can enjoy every blessing and every joy of life that may be got by money or in any honest way. But we expect men who have come here and who have been working for years—as the Hon. Dr. Taylor and myself have been, as told us this afternoon, for thirty-five years—and without drawing any salary excepting for a little while when we occupied an official position of Chairman of Committees, but with no salary as members, that our reward shall be—what?—from the people of Queensland. I emphasise that expression, "The people of Queensland." It is a good expression, and one that has been thrown at us many times in this Chamber, for we have been told again and again, "You must obey the will of the people of Queensland." Who is obeying that will now?

HON. A. G. C. HAWTHORN: Not the Government.

HON. F. T. BRENTNALL: Who is carrying out the will of the people of Queensland? The people of Queensland, when they were appealed to not many years ago, voted by over 60,000 of a majority against the abolition of this Council, and the gentlemen now in charge of public affairs in this State have been for two or three years past deliberately setting themselves to upset that verdict; and now we are here, as I may say, on our last political legs, to bid adieu and say a lament because we are told, and we expect that by the end of this week we shall cease to exist as a legislative body. I ask, is it fair, on moral grounds and those of fraternity—I will not say anything about Christianity—that one set of politicians in a State like this should take up an attitude like that? It is an attitude not only of exclusion but also of persecution, and all the time they are taking the milk from the State cow, whatever that little expression may mean. To my mind, it has its own meaning.

THE SECRETARY FOR MINES: You always talk in riddles.

HON. F. T. BRENTNALL: One other point I must refer to. I was very sorry to read in the public Press a short time back that a personal attack had been made by the representative of the Cabinet in this Chamber because of my connection with a certain business proposition.

THE PRESIDING CHAIRMAN: I would call the hon. gentleman's attention to the fact that he is out of order in pursuing that argument. There is a Bill before the House, and I must ask him to confine his remarks to that Bill.

HON. F. T. BRENTNALL: Then I have heard a great many things this afternoon which are out of order if I am out of order. I have not wandered far away from the point. I was saying that, as a member of this Council, I was attacked by the Minister.

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The PRESIDING CHAIRMAN: Will the hon. member be seated?

HON. F. T. BRENTNALL: Was it fair for the Minister to attack me?

The SECRETARY FOR MINES: I made no attack upon you.

The PRESIDING CHAIRMAN: The hon. gentleman will have an opportunity if he wants to refer to the matter in a personal explanation, but not during the discussion on this Bill.

The SECRETARY FOR MINES: I read out a prospectus, that's all.

HON. F. T. BRENTNALL: It is only another example of the persecution to which I have referred.

HON. J. S. COLLINGS: You have done some persecuting, too.

HON. F. T. BRENTNALL: What hon. gentlemen opposite seem to want is that we should shut up; but so long as we say, "You are jolly good fellows" and endorse everything they do or say, that would be all right. I repeat that I was attacked in this Chamber.

The SECRETARY FOR MINES: No; read "Hansard."

HON. F. T. BRENTNALL: Well, I will withdraw all reference to the word "attack" if it is out of order; but may I be permitted to ask the Minister for Mines what possible harm could it do him or this country—what possible harm could it do anybody, if I chose to spend £10,000 in opening up a mineral field? I did not ask him or anyone else for help. However, I do not see that I should be held up to public ridicule, hatred, and contempt—I think that is the proper expression—because I chose to spend a little of the money which I have made in this country in developing a little of its resources. I maintain that I have a grievance—and a serious grievance—and I can only interpret it by saying that it is due to political ill-feeling.

The SECRETARY FOR MINES: No; you are wrong.

HON. F. T. BRENTNALL: Very well; I accept the disclaimer, and will say no more about it.

The SECRETARY FOR MINES: I never made any attack on you personally.

HON. F. T. BRENTNALL: I have said all I need say personally. I am only sorry that I have to talk in this strain at the close of the session, because I have been abstaining from taking part in debates lately for physical and other reasons, and I feel safest and happiest in keeping as quiet as possible. I want, in just a few moments that are left to me, to say that in my judgment it is an unwise and probably unsafe thing for any political party to tamper with the Constitution. I just put it in that brief form. We did not make the Constitution. What right have we to unmake it? We did not work it up, draft it, formulate it; but all at once we have a class of people who, against the opinions of the great majority of the electors of this State, wish to close these doors to the members who constitute it now, who say, "We will have no second Chamber and no interference." To my mind, as an old man and an old member—one of the oldest of the surviving members of this Council now—I say that it is a great mistake for the country, and I do not think the country will be any better for it, and I do not think that the interests of this State are likely to be improved

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by the proposed procedure. I have already emphasised, and I re-emphasise it, that it is not the principle of fair play between man and man, and between one set of men and another, that a party which hold the balance of power by a majority of one—just one man—should take it for granted that that majority of one is absolutely and irrevocably right, and all the rest of us are simply fools and absolutely wrong.

HON. J. S. COLLINGS: In addressing myself to the Bill now before the House, I want to say how much I regret the speech made by the Hon. Mr. Page-Hanify, who preceded me. I regret it because I feel sure that, on calmer consideration, that hon. gentleman will also very seriously regret the remarks he made. When that hon. gentleman comes to remember—

The PRESIDING CHAIRMAN: Order! I shall have to call the hon. gentleman's attention to the fact that the hon. gentleman's conduct or speech is not under discussion.

HON. J. S. COLLINGS: During the discussion reference was made to the question of the pledge, and an hon. gentleman opposite interjected that the party represented on this side of the House would have very serious objection to making that pledge public property, and because that statement is not in accordance with facts, I desire to read that pledge, because it explains the position that hon. gentlemen on this side of the House occupy in regard to the Bill under consideration. The pledge which we on this side have all signed reads as follows:—

"I, \_\_\_\_\_, being a duly nominated candidate for appointment to the Legislative Council of Queensland, pledge myself, if appointed to the said Council, to advocate and support the principles contained in the Queensland Labour party's State and municipal platforms and the Australian Labour party's platform, and on all questions affecting the platform to vote as a majority of the Parliamentary Labour party may decide at a duly constituted caucus meeting. But in the event of the question of the interpretation of any plank in the platform being in dispute, it shall be referred to the Queensland Central Executive for decision, and that decision shall be final.

"I also hereby give my pledge that, if appointed, I will faithfully attend to my duties as a Labour member and be constant in my attendance at the sittings of the Legislative Council, and in the event of my being unable to attend constantly I will tender my resignation when called upon by the Q.C.E. to do so."

I submit that there is nothing in that pledge of which the party to which I belong—

HON. G. PAGE-HANIFY: That is not the pledge the earlier members of this Council signed.

HON. J. S. COLLINGS: I am sure there is nothing in that pledge which the party to which I belong need be ashamed to make public, and consequently I have much pleasure in reading that pledge. I want to point this out: That that pledge binds us to a definite course of conduct with regard to all these matters, and that if every member of this party, pledged to a certain programme, containing certain planks, were to assert his individuality after having had an opportunity of fighting the questions out in the caucus

party and the Queensland Central Executive, which were open to and have been used by the hon. member to whom I am referring, and were to refuse to stand by a majority vote of the party, how long would we have any party, any platform, and what progress could we possibly make in the interests of the people who sent us here? I say that all these avenues are open to every member of the party. In addition to that, we are pledged to secrecy in regard to the caucus—

THE PRESIDING CHAIRMAN: I wish to say, how can the hon. gentleman connect his remarks with the Bill before the House?

HON. J. S. COLLINGS: I will not dispute your attitude in this matter, but I want to say that I regret, if I am out of order in adopting this line of argument, that you did not stop the hon. member who traversed the whole course I am now proceeding on.

THE PRESIDING CHAIRMAN: If the hon. member wants to dispute my ruling there is a proper time to do it. The hon. gentleman is not now proceeding on the proper lines of debate.

HON. J. S. COLLINGS: I am not now prepared to debate the position which the Presiding Chairman has taken up, because I want to address myself to the Bill proper. But I want to ask whether it can be held that my remarks are out of order, inasmuch as I am explaining the reasons why every man on this side of the Chamber must vote for this Bill. I want to make that quite clear, not because I am concerned about what was said here this afternoon, but because I am concerned about the crowd outside in whose interests we are here. When I made my entry into this Chamber, hon. gentlemen will remember that I said the whole business here was a farce, and when the Hon. Mr. Hall asked why I was here I said that I, in company with those who made their appearance that afternoon, were here to make it a tragedy, and I am particularly proud to be here and to be one of the stage hands that will be engaged in bringing down the curtain in the final chapter of the whole sordid business. I want to say that not one person who loves Australia can possibly regret the passing of this Bill—and that the Bill is going to pass is absolutely certain. If there is one thing upon which all the citizens of this Commonwealth can be agreed, regardless of party politics, it is the fact that with 7,000,000 people—men, women, and children all told—we have fourteen Houses of Parliament, six State Governors, and a Governor-General.

HON. P. J. LEAHY: Why don't you reduce the number of members in the Assembly?

HON. J. S. COLLINGS: I will come to that later on. I have been long enough in this Chamber to recognise that it is worse than a farce or a tragedy—that the continuance of this Chamber constitutes a crime against the people. First, there is the question of the expense, and the hon. gentlemen who sit opposite are continually raving about the need for economy, and when the first definite move was made in the direction of economy they took exception to it. There is not only the question of expense, but the question also of waste of time; and any hon. gentleman who has had experience of this House cannot possibly argue that the procedure in this Chamber is not one of the

worst methods of wasting time. Then there is the farcical ceremonial connected with the whole business—the hypocritical prayers with which we open proceedings.

HON. P. J. LEAHY: Is the hon. gentleman in order in describing the prayers as hypocritical prayers?

THE PRESIDING CHAIRMAN: He is not in order.

HON. J. S. COLLINGS: Then, there is the mockery of the King's Speeches, and the equal mockery of the Address in Reply. There is the formal opening with a firing of guns, and its guards of honour and other displays of uniformed force—remnants of our savage origin, and all used for one purpose, and that to awe the crowd and keep it in subjection. It is the knowledge of these things that makes me say that the whole thing is a crime against the people—against that large section of wealth-producers from whom alone the payment must be extracted. When federation was in the air, the people of this continent were promised unification of the important services. They were promised that there would be only one borrowing authority. A whole lot of promises were made by the people who did not represent Labour opinion in those days, and none of these promises have been made good. The Labour party, and the Queensland Government, stand for unification. That is part of the platform of the Australian Labour party. We believe in one National Parliament—of one House—making the laws, and advisory bodies administering the laws. We believe in the centralisation of the law-making and decentralisation of administration. I believe that is a popular policy, and that the people are entirely in accord with it. And when we have accomplished the abolition of the Council the people will recognise we have made a start in the right direction, and I hope we will have set the fashion which will ultimately be adopted by all Australia. Somebody has always got to do the advance work, and it is a notorious thing in all public movements that where the advance guard prepares the ground to-day the great army camps in safety to-morrow. When, during recent sessions, we have from this side of the Chamber asserted that the Government would honour its promises to its supporters, and abolish this Council, we were charged with insincerity, and were told that there was no business in it. The Press took me to task because, as the official organiser of the Australian Labour Party in this State, I said I knew what was going to be done, because I knew what the people we had to consider desired in this matter. Of course, we represent a section—the section which is alone worth representation, and which produces all the wealth which is produced. Now that we have proved, by the introduction of the Bill into this Council, that there was business behind the proposition, and that we were sincere, we are told that some outside body has put this thing on to the Premier, so that he could not escape it. We have been told that it has been sprung on the party during the last few days, in spite of the fact that it has been the first plank on our platform for years, and that in June, 1899, when the old Australian Labour Federation first put forward its political platform of a programme which contained only fourteen planks, the first plank read—

“Universal white adult suffrage for all  
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parliamentary and local elections: no plural voting; no nominee or property qualification Chamber."

Yet we have hon. gentlemen who either do not know the history of this party, or are wilfully concealing their knowledge—and that is not very difficult for them to do—professing to believe that this thing has been forced on to the Premier during the last few days. We have also a member of our own party practically subscribing to the same doctrine.

Hon. P. J. LEAHY: He ought to know.

Hon. J. S. COLLINGS: I know what have been the doings of this Chamber for at least the last forty years—during the last two years at first hand. I defy contradiction in saying that no hon. gentleman sitting here to-night can point to one useful deed that has been done during the last two years in this Chamber, and for a much longer period. I have sat here and listened—

Hon. P. J. LEAHY: Did you listen?

Hon. J. S. COLLINGS: The misery the hon. gentleman is in to-night is due to the fact that he has to sit here and listen to me. I have sat here and listened to statements made from the opposite side which were untrue, which were slanderous, and which misrepresented the truth so far as the policy of this party is concerned.

Hon. A. G. C. HAWTHORN: I rise to a point of order. Is the hon. gentleman in order in saying that we have made slanderous remarks here?

The PRESIDING CHAIRMAN: Times out of number I have asked hon. gentlemen on both sides of the Chamber to use temperate language. The more temperate the language which is used, the better will be the conduct of business in this Chamber.

Hon. A. G. C. HAWTHORN: Is the hon. gentleman in order? That is what I would like to know.

The PRESIDING CHAIRMAN: The hon. gentleman is not in order in using intemperate language.

Hon. J. S. COLLINGS: I am sorry that hon. gentlemen opposite have suddenly developed such a regard for temperate language. There is no need to finish the illustration. Everybody in this Chamber knows what has been the position ever since the advent of Labour representatives to it. These statements—correct or otherwise as you like to take them—have not been made merely against a party, but they have been made against the State in which we live, the prosperity of which ought to be the first concern of every member of this Council.

Hon. A. G. C. HAWTHORN: So it is.

Hon. J. S. COLLINGS: The bitter and unscrupulous remarks to which I refer have been made against the class to which we on this side belong.

Hon. E. W. H. FOWLES: You are not catching votes now. Talk sense.

Hon. J. S. COLLINGS: Because I am not catching votes you can, at least, believe I am sincere in what I am saying. Nobody has been more guilty in the direction I am indicating than the Hon. Mr. Fowles himself. Hon. gentlemen sit here, with their education, their culture, and all the advantages which follow in the train of wealth—

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perhaps I should say it applies to some of them—and use their position continuously to voice their cowardly anti-working-class propaganda. They know perfectly well that there has been no business in the speeches made here—that with our majority the Bills were bound to be carried. They made their speeches with one desire—to get them into "Hansard" in order that they may be circulated about the country to give their friends, the enemies of the toilers throughout the State, the opportunity of reading the propaganda and spreading it broadcast. Do they think we on this side do not know what use they on that side have been making of the privileges of this Council?

Hon. A. G. C. HAWTHORN: Four hundred thousand copies of the Lieutenant-Governor's Speech were distributed.

Hon. J. S. COLLINGS: We would be as ignorant as they say we are if we did not know that. To-night, I am prouder of the Labour movement than ever I have been before in its history.

Hon. E. W. H. FOWLES: They are not proud of you.

Hon. J. S. COLLINGS: I am not worrying about that.

The SECRETARY FOR MINES: Yes, they are.

Hon. J. S. COLLINGS: I know that outside, amongst the great rank and file of the working-class movement, the passing of this stumbling block will be received with absolute approval by those who gave the Labour Government the mandate to carry on its work.

Hon. P. J. LEAHY: They got no mandate for this.

Hon. J. S. COLLINGS: If there is one thing we can afford to be proud of, in addition to the passing of this measure, it is the splendid manner in which the Premier out-generalled the Opposition in the Lower House. If you want to know how splendidly he out-generalled the Opposition you have only to take their own party organs for it. I propose to tell hon. gentlemen, not because I care whether they know or not, but because I want my friends outside to know what their own party organs are thinking of the exhibition which their friends made in the Lower House last night and the night before. The "Brisbane Courier" said yesterday morning—

Hon. P. J. LEAHY: I rise to a point of order. Is the hon. gentleman in order in quoting a newspaper in reference to this debate?

The PRESIDING CHAIRMAN: If the newspaper report the hon. gentleman is going to quote is one alluding to the debate now before the Council, he will be out of order.

Hon. J. S. COLLINGS: The report from which I am going to quote does not allude to the debate in the Lower House.

Hon. P. J. LEAHY: It alludes to the Bill.

Hon. J. S. COLLINGS: It does not allude to the Bill. The Hon. Mr. Leahy would have us believe that with all his manifold qualifications he has also the qualification of second sight. But he does not know what I am going to read. I intend to read it anyhow, and if I am out of order the Presiding Chairman can pull me up. The "Brisbane Courier" of yesterday morning, alluding not to this Bill but to the sorry exhibition which

the friends of hon. gentlemen opposite made in the Lower House, said this—

“The action of the Opposition. . . . emphasises once more how a strong Opposition under dual leadership can display a lamentable weakness in the face of a really serious crisis.”

It goes on to say—

“Apparently the whole Opposition became temporarily bewildered, and the Government had the infinite satisfaction of seeing the two sections engaged in a useless internecine squabble about something which, so far as the business before the House was concerned, was in the clouds.”

The “Daily Mail” of this morning says—

“The result was hopeless confusion, which will be calculated to bring dismay to the large body of electors . . . The behaviour of the Country party . . . in allying itself with the Government on the motion for the second reading of the Bill showed a lamentable lack of political foresight. Its action in this respect cannot but sound a note of despair in regard to its pretensions of general administrative capacity.”

That is what the “Daily Mail” says about its own protege.

Hon. A. G. C. HAWTHORN: They are not far wrong, either.

HON. J. S. COLLINGS: The “Mail” goes on to say—

“The Bill, when passed, by a characterless second Chamber, will be presented for the Royal assent, and instead of the Imperial authorities contemplating a measure agreed to by a majority of one in a popular Assembly, they will have the knowledge that a preponderating majority of the Legislative Assembly desire a change to the unicameral system of government.”

Hon. P. J. LEAHY: That is not true.

HON. J. S. COLLINGS: The Hon. Mr. Leahy says it is not true; yet the second reading of this Bill was carried in the Lower House by thirty-nine votes to thirty, and the third reading of this Bill was carried by forty-six votes to seventeen. The “Daily Mail” goes on to say—

“No thin sophistry can disguise the fact that in this respect, the Country party has made a tragic mistake. This mistake could be expected if the party consisted merely of novices, but it is startlingly unexpected in view of the fact that Mr. Vowles has a long experience of Parliamentary procedure.

“On the question of the franchise itself, the Country party was surprisingly undemocratic. Its proposition of a restricted franchise could be understood if the idea was to avoid the danger of a second Chamber purely expressive of the opinion in the Lower House; but in view of the proposal advanced by the Nationalist party, it is impossible to understand such a retrogressive move.”

It says further on—

“We had faith in the Country party movement . . . but when it takes such a stand as it took on Monday we begin to have doubts as to its Liberal bona fides.”

Hon. members opposite squirm when I say that they and their party have been splendidly outgeneralled by the Premier.

Hon. P. J. LEAHY: They are not our party. We have no party here.

HON. J. S. COLLINGS: I want to say to hon. members that to those of us in this Chamber to whom politics are a serious business, to whom the Labour movement and all that it stands for, and all that it represents of earnest struggle and willing sacrifice, this final chapter in the history of the Legislative Council of Queensland is one of supreme interest. I remember the boastful arrogance of the Opposition in this Council in the years that have passed. I have had to sit here and listen to the ill-concealed gibes and jeers of recent days when a Labour party majority arrived. Hon. gentlemen know what took place on that afternoon. Those of us who did arrive on that and on previous occasions have nothing to be ashamed of as far as our records go, in spite of the fact that much was heard from some hon. members about some of us having been newly arrived from gaol, and all of us were fresh from the ranks of the working class—red raggers, as one hon. gentleman indecently described us.

Hon. P. J. LEAHY: Did I not welcome you to the Chamber? I was hoping to improve you.

HON. J. S. COLLINGS: Now the hon. gentleman is regretting that he has miserably failed. We are not sorrowing because this Bill is passing. It is only another illustration of the fact that the world moves, and in spite of the reactionary forces at work in society, wrongs do get righted in time and justice is ever done. As this will probably be the last opportunity I shall have of addressing the hon. gentlemen I see in front of me I just want to sound a serious note of warning. I believe that some hon. gentlemen who sit opposite—and I am sorry it can only be said to apply to some of them—know something of what is going on in the world to-day, as far as the working out of economic problems is concerned. I believe some of them understand the great forces that are at work, not only in this State and in Australia, but in every country in the world.

Hon. P. J. LEAHY: In Russia, in particular.

HON. J. S. COLLINGS: In Russia in particular—Russia, that we have heard lied about in this Chamber by hon. gentlemen who either do not know the facts or are wilfully concealing them.

Hon. A. G. C. HAWTHORN: Unfortunately, we do know the facts.

Hon. P. J. LEAHY: We know them too well.

HON. J. S. COLLINGS: I am not getting on to those facts just yet. I say that some hon. gentlemen opposite know how these forces are working in every country in the world, and yet, when their effects begin to show themselves in this State those hon. gentlemen profess to believe that this State, and this State only, is suffering from those ill-effects. They profess to believe that all those results are due solely to the action of the Labour Government, which has had control for a very brief period indeed.

Hon. E. W. H. FOWLES: Six years.

HON. J. S. COLLINGS: The hon. gentleman knows that that statement is not correct. He knows that the Labour Government did not have legislative control until less than

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two years ago, when they got a majority in this Chamber. They know that, thanks to the manner in which preceding Administrations filled the administrative offices in all the great departments with their specially trained friends, we have not even got effective administrative control yet, and yet they profess to believe that everything that is happening is the result of this Government, although they know the same things are happening with greater force and with more disastrous results in every other country of the world to-day. I say to these gentlemen that a great responsibility rests upon them; that social reconstruction is inevitable; that it is going to take place in Australia, as it is sure to take place elsewhere. I also want to say that Australia is probably the only country in the world where that social reconstruction can be brought to its culmination by the peaceful methods of evolution as against the other methods of revolution, and it is the sneering and jeering and the factious opposition of hon. gentlemen opposite towards every great question which comes before this Council, as well as the Bill now under discussion—it is these factors that have had more to do to bring about the revolutionary process than the principle or the platform of the party on this side of the Council. The social reconstruction will probably happen in countries like India, in Ireland, in Russia, in Egypt, in Britain, in Japan, and in America, almost inevitably through the horrors of civil war. But in this country of Australia, if the gentlemen who profess to lead society, who come here and boast they are the monuments of intelligence, and who accuse us of being one class; who accuse us of being of one idea; who say we only stand for one set of ideas in connection with all these questions—

Hon. P. J. LEAHY: That is quite true.

Hon. J. S. COLLINGS: It is quite true, of course; but if hon. gentlemen were to recognise that by their attitude and unbelief as to the reality of these matters—if they would only recognise that they owed a duty to society, then their attitude on all these matters would be quite different to what we see evidenced in his Chamber. In this country the conditions are different, and if those who ought to be leading the people—if those gentlemen who have had the opportunities of education and wealth, only really did lead the people, they would recognise the forces at work. If they would only recognise the trend of events to-day as far as civilisation is concerned, then there might be a possible hope for the future. It is time hon. gentlemen opposite recognised that the crowd will not stand for the kind of humbug we have been putting up to them by maintaining a Chamber of uselessness and wastefulness such as the Chamber we are seeking to abolish. I have no desire to detain the Chamber any longer. I wanted this opportunity, because it has been one of the aspirations of my life to have a hand in the extinction of this Chamber. I believe we are doing the right thing.

Hon. A. G. C. HAWTHORN: That is what you came here for.

Hon. J. S. COLLINGS: That is exactly what we came here for, and when we asserted in this Chamber we came here for that purpose; when we told you that we in our own good time would do this, you said we were dishonest and untruthful and did not mean it, and now we are here to-night to redeem

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our promise and to redeem our pledge. First you adopt the attitude that we would not, and now you take up the attitude that we should not. It is very difficult indeed to know how it would be possible to please hon. gentlemen opposite. Anyhow, we are not trying to do that. This is one of the best things which any party ever did. At least, it cannot be said that we have been considerate to ourselves. We are quite willingly effacing ourselves in this connection.

Hon. P. J. LEAHY: Not willingly.

Hon. J. S. COLLINGS: When the hon. gentleman makes remarks like that I notice there is no attempt to call him to order. When that hon. gentleman says that in reply to my statement that we are doing this willingly, at least I want to tell him I am doing it willingly. I want to know what inference can be placed on that remark? It is a reflection on my honour and on my truthfulness. That reflection has been hurled across this Chamber night after night when we have been sitting here and discussing this question. Nothing the party has ever done will stand more to its credit than this act of abolishing this Council, and I honestly believe in days to come, when the young generation which is coming on in Australia to-day realises what a splendid thing this is—realises what a splendid precedent we have created—it will be followed by the other States of the Commonwealth, and all the Upper Houses, including the Senate, will be abolished. I hope to see the time, and am prepared to work for it with all the energy I have, when all the State Houses will be abolished—Upper and Lower Houses—when we shall get down to something like a sane system of government, because the system we have to-day would not be tolerated in any other country in the world by a community containing less than 7,000,000 people.

Hon. R. BEDFORD: We have already worn, in the early debates, the arguments in favour of this Bill threadbare, and it now stands absolutely on its merits; and its merits are not questioned. Certainly one hon. gentleman, who is opposed to the Bill—the Hon. T. M. Hall—is engaged in propaganda outside, and a very unwarrantable statement has been made by a person expressly imported from Tasmania for the purpose—the very unwarrantable statement has been made in connection with this Bill that it is being put through by the Labour party as the minions of the Roman Catholic community. As a man who is not a Roman Catholic, who by accident of birth was born Church of England, and has since had leanings to Mohammedanism, except for the item which includes prohibition, I object to the statement that I am a minion of the Roman Catholic party, and, as such, am helping to put this Council out of commission. If we take the objections to this Bill as at present presented, they boil down to the story that the referendum having failed to remove the Upper House, therefore, although the Government has been returned twice with a general mandate, they have no right to put this Bill through. That objection is not as sound as it may appear to men of unbalanced intellect. That objection is absolutely answered by the fact that the Government have since been returned to power with a general mandate from the people.

On several hon. gentlemen interjecting—

Hon. R. BEDFORD: I would like to keep this debate on the lines introduced by the

Hon. Dr. Taylor, who delivered a very fine speech, and I do not wish to hear the raucous voice of the hon. member from Thargomindah or the general interjections by men who were appointed here because they were defeated for the Assembly: the Hon. Mr. Hawthorn, the Hon. Mr. Fowles, and the Hon. Mr. Leahy.

Hon. P. J. LEAHY: I was only defeated once, and you were defeated twice.

HON. R. BEDFORD: You got such a defeat once that you never dared stand again.

Hon. P. J. LEAHY: I was defeated by forty votes.

HON. R. BEDFORD: By forty votes out of a total ballot of fifty-two. We do not know why the Hon. Mr. Beirne was appointed.

Hon. A. G. C. HAWTHORN: It was only because of your connection with King George that you got into the Council.

HON. R. BEDFORD: That is why there will be no abolition. If His Majesty, after having had the sense to send for me twice, now reads his own letters to me in which he states I am trustworthy and well beloved, that I am full of wisdom and integrity, he cannot go back on himself and stultify himself. His assent to this Bill will be a matter of high treason, in which case he will have to prosecute himself, and carry out the sentence of hanging, drawing, and quartering himself—not a very graceful position for a king or any other man to be in. In reference to the double Houses in the United States, it is necessary to remember that all the American public services were made at a time when republics were a renaissance, from the point that they were not absolutely new to the world, and they started to erect a republic with the old cumbersome methods and machinery of monarchical government. They had had trouble by reason of the sovereign State business during the Civil war; although I think it was an excellent thing for Australia during the conscription campaign that this State was a sovereign State, because probably, had unification—which we hope to see as soon as possible—been then the law, there would have been sufficient power in the central authority to have made conscription possible, in which case Australia would have lost 150,000 men instead of 60,000, and would now be faced with a debt of £1,000,000,000. In any case that machinery has done its work and must be scrapped. Everybody knows that this Chamber of privilege is only a shadow of the hereditary House of Lords, and that was only a step down from absolute despotism. It is generally said that Magna Charta is the thing which gave the real charter of liberty to the people. It did nothing of the kind. It gave charter of liberty to a number of lords, leaving the feudal system practically working at its best or at its worst; and it only meant that one king's authority was clipped in order to make fifty or sixty or a couple of hundred new kings. We all know how the nominee Chambers were forced on Queensland and New South Wales. In New South Wales there was a time when William Charles Wentworth attempted to have a colonial peerage—the Lord of Woolloomooloo, the Lord of Parramatta, and so on. The men who had previously been lords of the land and had so arrived at peerages, and who had been replaced by the great manufacturing

lords, who were themselves afterwards replaced by the shopkeeping lords: these men objected to any such thing as a convict colony creating a peerage of its own—although I think in a convict colony the peerage would be in its proper place. Therefore, a sop was given that there should be an hereditary House—that men should be enabled to do all the harm they could during their lifetime: they should be able to bolster up all the little privileges which arrived from kings, and that, however free the people should be, they should be kept from any idea of common ownership. Subsequently, the property vote was dropped in the popular Assembly; and, finally, adult suffrage, payment of members, triennial Parliaments, and all these things came; and this Bill is a necessary corollary to adult suffrage, because it is utterly ridiculous that a Legislature elected by the men and women of the country should have all its proceedings stultified by a number of men appointed for life. We have seen cases in this Council—I allude with all respect to the older members of the Council—we have seen cases of men who have been in this Council for forty and forty-five years. A man who is in the position of having forty-five years in the Council undisturbed and unquestioned is almost as bad as a king who thinks the world will last his time, and who really does not care what happens to the rest of the community, and in any case, as has been pointed out to-day, we were asked was the sequence to this the abolition of the King. The Hon. Dr. Taylor raised the question that it was not possible for us to destroy one of the co-ordinate branches of the Legislature without destroying another.

As a matter of fact, every man knows that the world has moved in the direction of general republicanism. It must so move, because the war did the hurry up for it. The fact that a little oligarchy, pre-

[8 p.m.] sided over by the Kaiser, was able to cause the death of 3,000,000 men, and the loss of a tremendous amount of treasure, and the absolute smashing of the world and the breaking of the white man's ideals, so that the black man and brown man found us out—I say if it was possible for the Kaiser to do that as the head centre of militarism, and failed in his object, then that sounded the death-knell of all kings. We are told also that this does not represent the general belief of the people, and that it only represents the beliefs of party Governments, but what is party Government for, and how is it to be departed from? While men differ, and while they are subject to varying influences, how can we escape from it? The majority of men are led by a few men who do a little thinking and a lot more talking. There always will be party Governments.

Hon. A. G. C. HAWTHORN: You cannot substitute anything else for it.

HON. R. BEDFORD: Elective Ministries only mean that the biggest party will elect the Ministers.

Hon. E. W. H. FOWLES: That is not so in Switzerland.

HON. R. BEDFORD: Switzerland has a very imperfect navy. The defeat of legislation mandated by the people was the real job of this House. They never initiated anything, except to destroy. One of the Federal conventions proposed to include

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members of the Legislative Council in the Federal Parliament, but that idea was dropped because it would mean the bringing in of men from the dead houses of the States—men without any responsibility—and so was found to be useless. Melland explains that parliamentary control by two parties is no old, respectable affair, divinely sanctioned, like the Decalogue, nor hallowed by tradition like the vermiform appendix, nor the outcome of necessity like a loaf of bread. Just 205 years ago two parties formed in English politics because one wanted a German king named Guelph, with a love of beer and ugly women; while the other wanted a Scots-French king named Stuart, with a love of wine and pretty women. After the reason departed the habit remained. The custom whereby the Sovereign or Viceroy or Governor-General or State Excellency is not the leading member of the Ministry is based on no principle at all. About 205 years ago the King left off being Chief Minister and presiding at Cabinet Councils, because he knew no English and was too stupid to learn. The idea of a Prime Minister to whom other Ministers were responsible, instead of a lot of detached Ministers responsible to the head of the State, arose at the same time. Walpole said he was Prime—dashed prime, in fact—and no one was strong enough to contradict him; or if anyone was strong enough, Walpole paid him out of public funds to leave off contradicting. The accounts were not audited then, or there would have been no Cabinet. He created the Cabinet as a den of well-paid conspirators who bluffed the monarch and the Legislature at the same time. No records of its meetings were preserved, lest the police should get on to them.

The idea that Ministers must sit in Parliament—which prevails in all the self-governing British dominions, but is the exact contrary of the principle followed in the United States and Switzerland—really arose because Walpole was in Parliament and dared not leave it, just as a lion-tamer dare not take his eye off the animal. In the time of George II., Poutitenev, who was not in office and was cross about it, realised that the quarrel of the two parties about the two kings was bound to die out, because one king was drinking himself to death with edged drinks and had no children, while the other was partially mad and had more children than he knew of. Thinking this a pity, he organised the Opposition, to go on opposing on general principles.

Hon. E. W. H. FOWLES: Come back to the Bill.

Hon. R. BEDFORD: That is "A Plea for Parliamentary Government," by Edward Melland. There can be no general objection to this Bill, any more than is contained in the fact that on the other side we have nine hon. gentlemen who do not care and on this side we have the full strength of the party which does care. Two members are absent, not because they are slipping—the Hon. F. McDonnell, who is in Sydney because of illness in his family; and the Hon. Mr. Riordan, who is doing his job at Mount Morgan, which is a much more important matter than this. I do not intend to detain the House further, except to say that the one hope hon. gentlemen on the other side have is that assent will be refused to this Bill by the British Government on the lines quoted by the Hon. Dr. Taylor.

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I do not believe that is possible. I do not believe that in the present condition of the Empire the Government dare flout the smallest wish expressed by two Houses of Parliament represented in this Bill, and if assent is not given very soon it will be pressed for, and there is not the slightest doubt that the Legislative Council stands abolished as from the end of this session. I trust hon. gentlemen will have a peaceful and honourable burial.

Hon. E. W. H. FOWLES: The people will take a hand in this before long.

Hon. R. BEDFORD: I understand that the body is to lie in state until the report of assent has been received.

Hon. W. F. FINLAYSON: It was not my privilege to be in this Council when this question was previously discussed, therefore I may be pardoned for expressing the views I hold and the reasons for which I intend to support the Bill. It is also unfortunate for me that I missed previous debates, because I have been listening with some painful intensity to the arguments of hon. gentlemen on the opposite side, but have not heard any yet against the Bill.

Hon. E. W. H. FOWLES: They are all in "Hansard."

Hon. W. F. FINLAYSON: I refuse to indulge in the light reading which "Hansard" provides.

Hon. P. J. LEAHY: It is very good for insomnia.

Hon. W. F. FINLAYSON: I was particularly interested in listening to Mr. Leahy, some of whose remarks struck me as particularly interesting. He said the swamping of the House was responsible for the present position. I think the reverse statement would be much nearer the truth, because it was the then existing condition of affairs that led to the swamping. That proves the absolute inutility and uselessness of such an institution, which can be manipulated so as to serve any particular end, or any particular party. It is undemocratic to have a body which can be placed in such a position as will make it open to be simply submerged by the opinions of those outside the Chamber, and it is time that the abolition of such an institution was brought about. In my opinion, the Chamber accomplishes the purposes for which it exists much preferably to an elective Chamber. Five years ago I had the temerity to advocate in the House of Representatives the abolition of the Senate. I have always believed that these Upper Houses or second Chambers should be abolished. One of the remarks of the hon. gentleman struck me as peculiar. He was slightly wrong in some of his facts, but I am not going to build up an argument on that, as to the number of States in America which have second Chambers. The mere fact that these countries have second Chambers, and that they exist in all British communities, proves nothing. The mere fact that a thing always has been in existence is no proof that it should be allowed to continue for ever.

Hon. E. W. H. FOWLES: It is no argument for changing.

Hon. W. F. FINLAYSON: I say it is because these second Chambers in so long a time have failed to prove their usefulness that they should be abolished. Of recent years there has grown up practically everywhere a judging of institutions of this and

other kinds, on the grounds of their utility or otherwise, and it is insisted that they shall justify their existence if they are to continue. We are demanding absolute usefulness, and we ask as a test for further support, that they shall be judged by the standard of usefulness, and stand or fall by that. What are the facts in every country in the world to-day? You find this agitation against second Chambers in progress.

Hon. E. W. H. FOWLES: Oh, no; take Africa.

HON. W. F. FINLAYSON: It is quite obvious the reason of this growing agitation is because of the spread of democratic ideas which protest against patronage, privilege, and tradition. It is expected that the Government shall get as close to the people as possible, and the closer they get, the more satisfactory is it for all concerned. By this deduction these Upper Chambers have to justify themselves or cease to exist. Wherever you find democratic movements, you find a pronounced feeling against useless institutions, and one of the strongest facts in regard to this particular Bill is that it is not a new idea—it is not an unexpected thing. Hon. gentlemen must not think that it is something alarming that is suddenly being pushed before Parliament. It has been advocated in Parliament by the Labour party ever since it was an organised party, and we have always gone to the country with this as a first plank in our platform.

Hon. P. J. LEAHY: And the people voted for the Council.

HON. W. F. FINLAYSON: They voted for this Government, knowing that this was an inevitable part of its platform.

Hon. P. J. LEAHY: They were 30,000 behind last year.

HON. W. F. FINLAYSON: What does that prove?

Hon. P. J. LEAHY: That they do not possess the confidence of the people.

HON. W. F. FINLAYSON: This Government has quite as much legal right to exist as has the Federal Government. Let me take an historical review of this question. Legislative Councils and Upper Chambers generally are merely perpetuative of ancient customs; they are merely a concession to old-time prejudice, and thus are allowed to exist. The Constitution governing this Chamber was brought into existence many years ago, and, no doubt, if a Constitution were being drafted for this House in the present democratic age, it would be very different from the Constitution of fifty or a hundred years ago. Let us consider the Governments during the lifetime of our own nation. First, you had the autocratic rule, the King; then you had the second period, the aristocratic rule by the Council, called by the King. And then the democratic rule by the representatives of the people. There has been a steady progress towards democracy, and that development has been so extraordinary that the autocratic rule of the King has ceased, and the aristocratic rule of the House of Lords and Upper Chambers is fast disappearing; and the democratic rule of the people is looked upon as the real genuine essence of government of the people. That has spread throughout the world. If you look at the records of any Parliament you have this astounding fact, that in every case measures take much less time, and go through the Upper House at a

much greater speed than through the representative Chamber. That is obvious, because the great questions, the great proposals being debated and discussed from every point of view in the Lower Chamber, the debate in the Upper Chamber is only an echo of the other House, and a mere beating of the air and waste of time. The consequence is that people do not pay any attention to the debates in the Upper Chamber. One gentleman in the House of Lords said that "the cure for the admiration of the House of Lords was to go and look at it." The same thing applies to this Chamber. The cure for the admiration of this Council is to come and look at it.

Hon. P. J. LEAHY: You can say the same of the Assembly, and with more truth.

HON. W. F. FINLAYSON: That is not so, because you find that in every State in Australia, and, indeed, throughout the Empire, where you have a Legislative Assembly, you get the popular attendance and the popular consideration.

Hon. E. W. H. FOWLES: Do you believe in the "gag"?

HON. W. F. FINLAYSON: Sometimes the "gag" is necessary, even on the hon. gentleman. It does not need much "gag" here, because everything slips through. This House is supposed to be a House of revision. As a matter of fact, what has this House reviewed, and what is the effect of its reviewing of legislation? I have been reading some books on this question, and I will read a most interesting reference by Lord Macaulay, where he is writing to his sister, telling her about the conference between the House of Lords and the House of Commons, particularly with regard to the Corn laws. He said, talking about the Chamber—

"The Lords sat in cocked hats on one side of the table and we stood on the other side. I could not help thinking that the time would come when we would be sitting and they would be standing."

That was indicative of the movement abroad in the minds of the people then. I will quote the testimony of one of the greatest authorities on the Constitution. Lord Wellington, in his letter to Lord Derby re the Corn laws in 1846, said—

"The House of Lords came to be a Chamber with (in most cases) a veto of delay, with (in most cases) a power of revision, but with no other rights or powers. The question we have to answer is, the House of Lords being such, what is the use of the Lords?"

In every case, without one single exception in parliamentary history, the House of Lords has had to defer to the House of Commons. That is a perfectly right and proper thing, and the case is parallel with the experience here in Queensland. In every case this House must ultimately defer to the Assembly. In every case the Senate of the Commonwealth of Australia has to defer to the House of Representatives.

Hon. P. J. LEAHY: You are wrong. We rejected seven Bills, and the Government has not reintroduced them since.

HON. W. F. FINLAYSON: That just proves the truth of another quotation, where a member of the House of Lords said, "It is the right and duty of the House to arrest progress."

Hon. P. J. LEAHY: We don't say that.

*Hon. W. F. Finlayson.]*

HON. W. F. FINLAYSON: But you do it.  
 Hon. P. J. LEAHY: That is an hereditary Chamber; we are not responsible for it.

HON. W. F. FINLAYSON: There is no question about the fact that these Upper Chambers are duplicates of the House of Lords, and are simply perpetuating the old idea. When the Government has been unable in the Commons to carry measures, they have got kings and queens to appoint sufficient members to the House of Lords to carry their Bills. You remember the case during Queen Anne's period. The action that she took then has been repeated over and over again. It was repeated by William IV. You have that historic episode of Mr. Gladstone and Queen Victoria. You have the more recent experience of Mr. Asquith and King George. When the House of Lords refused to pass a Bill, he went down to that Chamber and said the King had empowered him to appoint additional peers unless the Bill was passed. There has been a continual reduction of the powers of the House of Lords, and even the right of veto or revision has practically been taken away from them. One of my earliest political reminiscences was the movement headed by Mr. Gladstone against the House of Lords when he was in difficulty with it. Another was a great demonstration that took place where placards were freely exhibited as follows, "The House of Lords cannot be mended, therefore it had best be ended." That movement has been going on, and gradually the powers of the House of Lords have been whittled away. It is only a matter of time when the powers of the House of Lords will have been whittled down to such an extent that it will have become a useless Chamber and scarcely an ornament, and its abolition will become a question of practical politics.

Mr. P. J. LEAHY: They propose to put something in its place there.

HON. W. F. FINLAYSON: They propose to put something here, too.

HON. P. J. LEAHY: What is it?

HON. W. F. FINLAYSON: The revision committee.

HON. P. J. LEAHY: That is not in the Bill now.

HON. W. F. FINLAYSON: I am delighted to hear that they have abandoned that revision committee. I could never see any reason for it. It was a blot on the Bill. I am certain that the people will get fair consideration from the Government without the necessity of having a committee or council to review what it has done. This is called a House of revision. One of the difficult things is to get an impartial reviewer of any other person's actions or words. It is a difficult thing to get respected and reliable reviewers and revisors. If you can get men of absolutely unbiased opinion and impartial judgment, then you have an unquestionable authority to review. The Hon. Mr. Leahy, in referring to that matter, says if you could get so-and-so, impartial and unbiased men, and if this Chamber were constituted of men of open judgment and sound mind, then you would get satisfactory results. Quite so. There is no denying that fact, and probably a number of gentlemen have come into this Chamber actuated by the purest of motives and with a genuine desire to do the right thing; and I am quite certain quite a number of the gentlemen here are anxiously determined to do the right and best thing for the

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country. But, unfortunately, the atmosphere has a deteriorating effect upon a man's independence.

HON. E. W. H. FOWLES: We have no pledges.

HON. W. F. FINLAYSON: It is because I have a pledge—and I am proud to have that pledge, and I am determined to honour it—that I am in favour of the abolition of the Council.

HON. E. W. H. FOWLES: How would you deal with a Bill you do not believe in?

HON. W. F. FINLAYSON: The hon. gentleman is so thoroughly well acquainted with the procedure of the Labour party that I cannot understand the reason for his question. He knows well enough that every member is pledged to the platform of the party—and if a Bill is brought in to carry out any plank of that platform I will certainly vote for it.

HON. A. G. C. HAWTHORN: Is not the initiative and referendum in the platform?

HON. W. F. FINLAYSON: Yes.

HON. A. G. C. HAWTHORN: Why don't you vote for it?

HON. W. F. FINLAYSON: The abolition of the Council is the first question in the Labour platform. It is also true that while I am prepared absolutely to stand for every plank in the Labour platform and to assist to put them into effect, that on any other question outside that platform every member on this side is a free and independent man, and over and over again, it is no new thing to find members voting against their party.

HON. P. J. LEAHY: But the platform includes everything.

HON. W. F. FINLAYSON: I thank the hon. gentleman for such a compliment to the foresight and sagacity of the Labour movement. That is the very point that proves that the Labour party is the one party in this country fit to rule, because they have sufficient foresight to see what the developments are that will lead to the triumph of democracy. They had foresight sufficient to see that the abolition of the Legislative Council was one of the necessary steps.

[8.30 p.m.] Long before there was any hope of such a procedure being adopted in this State, when it was looked upon as one of the most foolish and absurd thoughts, the Labour party put in their platform the abolition of this Council. The arguments that we are advancing are stronger to-day than they were ten or twenty years ago, because the developments have proved that our foresight and our arguments were sound. The hon. gentleman is aware also that the Labour party to-day are looking further ahead. They have put on their platform the abolition of the Senate, the abolition of the State Parliaments, and the abolition of State Governors, looking forward to the time when Australia will recognise its position as a nation, accept its responsibilities, and compass its work in the easiest and most effective possible way.

HON. P. J. LEAHY: Why not abolish all the Parliaments?

HON. W. F. FINLAYSON: One amendment I am in favour of in this Bill is to insert "Legislative Assembly" as well as "Legislative Council."

HON. P. J. LEAHY: I will give you a chance.

HON. W. F. FINLAYSON: I am a good Australian in regard to the government of this country. In this particular measure we are simply marking the beginnings of a movement that is not yet very assertive in the other States, because of their lack of opportunity. It is the beginning of a growing desire on the part of the people to get rid of the useless encumbrances that are hindering the good government of this country, adding to our expense, and advertising our foolishness. I was trying to point out my objection to this Council, or any Upper Chamber, being considered a House of revision. It just occurred to me that this is always called the Upper Chamber.

HON. P. J. LEAHY: It is your friends who call it that. We call it the second Chamber.

HON. W. F. FINLAYSON: It is called the Upper House, and yet it is called also the second Chamber. It has always occupied a subordinate position since the passage of the Reform Bill of 1832. That subordinate position has so exemplified itself, and so proved the inutility and encumbrance of these Upper Chambers, that you have the acceleration of the movement to get rid of them. Particularly during the last few years, because of the war, this movement against the multiplicity of Parliaments and authorities has grown. The movement in the world to-day is so democratic that the desire of the people is to get the Government down to the people as closely as possible. That is one of the strongest arguments I have in favour of adult franchise for municipal affairs, because the municipalities touch the ordinary every-day life of the people much more closely even than we do in the Legislative Chambers. If there is any place in our political life or our civil affairs where the representation ought to be right down close to the people, it is in regard to our municipal affairs.

HON. A. G. C. HAWTHORN: It did not work out as you thought it would at the last election.

HON. W. F. FINLAYSON: It did not work out as I hoped it would, I admit. But the hon. gentleman must be aware that the Labour party are never daunted by any such unexpected reversals. We know well enough that the principles we advocate are eternal. Principles are the things that give us standing and solidity. Here you have the principles of the Labour party in government stretching out to cover every department of life. Because we believe that the principles of government ought to be so spread as to benefit every man, woman, and child in the community, we demand that everything that interferes between the people and the government of the country should be removed, and that the people, directly through their representatives, should govern themselves.

HON. E. W. H. FOWLES: What has been the result of these Labour principles during the last six years in Queensland?

HON. W. F. FINLAYSON: I say without any hesitation whatever that the State Government of Queensland during the past six years have had a more difficult task, under more exceptionally trying circumstances, than any Government that has ever existed in this State or, perhaps, in Australia.

HON. P. J. LEAHY: No worse than the Governments of the other States.

HON. W. F. FINLAYSON: They have not only had the unexpected burden of the war—which, of course, has been a trial to every Government—but in addition they have had artificially created difficulties. They have had opposition that has been fostered in the most disloyal way to Queensland, including the delegation; men who have not hesitated to defame the history and the operations of their own country and to decry its credit in the markets of the world. In addition to that, they have had the opposition of this Chamber, which has absolutely prevented their carrying on the government of this country in the way the people wanted and the Government wished. They have had a majority here for less than two years. I frankly admit I am sorry that the Government of Queensland have hesitated until this time to put through this measure. It would have been better for the Government and the country if a number of gentlemen on this side—myself amongst the number—who came in last had never had any necessity for being called here to assist the Government to get this measure through. If the Government earlier in the day, when they had a possibility of carrying the measure through, had abolished this Council and carried on the government of this country, there would have been a much more successful result than has been achieved.

HON. P. J. LEAHY: How could they, when the people in May, 1917, voted against the referendum? Why do you not submit it to a referendum now?

HON. W. F. FINLAYSON: I am delighted to hear that the hon. gentleman is so fond of the referendum now. No more satisfactory referendum can be submitted to the people than that which asks, "Shall the Government continue or shall it be changed?" There the electors have a clear-cut issue.

HON. P. J. LEAHY: I shall be glad to see that submitted.

HON. W. F. FINLAYSON: It will be submitted in due time. The hon. gentleman is exhibiting now a degree of haste that is quite the opposite to his previous conduct. Elections were at one time matters he thought ought to come at very long intervals. Why does he want an election now when there was one last year?

HON. P. J. LEAHY: Because you have lost the confidence of the people

HON. W. F. FINLAYSON: Does not the hon. gentleman know that it would cost £30,000 or £40,000 to have another election?

HON. P. J. LEAHY: That is a small amount where a big principle is at stake.

HON. W. F. FINLAYSON: I am inclined to think we have altogether too many elections in this country.

HON. P. J. LEAHY: Keep in touch with the people. That is what you believe in, is it not?

HON. W. F. FINLAYSON: Very much so. It is not only the expense that I am thinking about. Why should we put hon. gentlemen on the other side to such alternating degrees of worry and excitement by having an election, because every election means the progress of the Labour movement, more or less? It means always that the education of the people is proceeding; that our ideas are getting another ventilation; and that the

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people are beginning to realise more than ever before that the ideas of the Labour movement are those which are going to make for progress and development.

HON. P. J. LEAHY: If what you say is true, why is it there were six Labour Governments in Australia seven years ago, and to-day there are only two?

HON. W. F. FINLAYSON: In the period the hon. gentleman refers to there were laws placed upon the statute-books of this country with which succeeding Governments have never yet ventured to interfere. We set a standard of legislation in the various States of Australia to which succeeding Governments have not only had to stand up, but have had to extend. To-day, the worry of the National Governments in the various States is that they have to administer the statutes placed on the statute-books by Labour Governments.

HON. P. J. LEAHY: Why did the people go back on you?

HON. W. F. FINLAYSON: Because the people are subject to influences at times, especially to these conservative influences which make them think that the progress is too rapid. We have also had to carry misrepresentation and vile abuse during recent years. We have been so vilified and misrepresented before the people that the people have been effectively scared during recent years. You may scare the people part of the time; you may frighten them with Bolshevism, syndicalism, socialism, and the like for part of the time; but the people are intelligent, and it is only a matter of time when they will recover their sanity. The hon. gentleman is quite well aware that as soon as the people of this and other countries recover their sanity and are able to look at things in a strong, sound, impartial, patriotic way, it is the Labour party to which they will turn for legislation and administration.

HON. P. J. LEAHY: They turn them out then.

HON. W. F. FINLAYSON: I do not think so. I think it was want of sense they showed when they turned out the Labour party. I am quite certain that, with the return of ordinary common sense, when the people look upon public questions from a plain, common-sense desire to advance the interests of the country, it is the Labour party to which they will turn, because the Labour platform is the one thing which gives them, not only a hope of immediate benefit, but some vision of the future, with prospects that will lead to advancement, edification, and progress on the part of every man, woman, and child, as well as of every institution in the country.

I want to finish by saying that, after all, these Chambers really are a concession to old prejudices. They were established at a time when conditions were altogether different to what they are to-day. The world has made immense progress during recent years, and the things which were considered quite legitimate and necessary years ago are now quite obsolete. It is the same in Parliament as it is in business—we have to discard the obsolete and get the most effective machine for our purpose. The development of Parliament has proceeded along remarkable lines, especially during recent years. We know in every representative Chamber that it is not the representatives that govern; it is the

Cabinet that governs the country. That is no new thing.

HON. P. J. LEAHY: Who governs the Cabinet?

HON. W. F. FINLAYSON: I know of no authority above the Cabinet other than the people themselves. But I am talking of parliamentary institutions and their development, and we have come to the stage when the people are demanding that the Government of the country shall be effective, that every useless encumbrance shall be scrapped: that everything that comes between the people and their desires shall be wiped away; whatever its past may be—however glorious, or however hoary, or however unworthy—let it be done away with, and the people are inclined more than ever to-day towards those systems of Government that will help the people more quickly to realise their ideas. We talk to-day about the disadvantages of direct action in connection with industrialism. But hon. gentlemen must see that the principle of direct action is in operation in the minds of the people in every direction to-day. We talk of direct action as if it were an injustice, yet the same idea is operating in commercial life and in political life, and the people are demanding the opportunity to get to close grips with the essential things of life, get rid of all those things which interfere with the people being able to accomplish what they desire, and if there is any institution in the Government of the country which hinders those things you have a demand immediately for its abolition. That is the best argument in favour of the abolition of this Council, and in favour of the abolition of every Legislative Council in Australia to-day. There is a movement to-day which is just beginning to exhibit itself. This is the first actual illustration of getting rid of the useless encumbrance that has simply come down to us from the past, and is only hoary with its traditions, and has not a single thing to its credit so far as helping the people is concerned. There is an old statement and a true one that the rent of our room on this earth is usefulness, and the most of us are heavily in debt. If there is any institution in the country, judged by the standard of being hopelessly in debt, it is the present Council.

HON. A. G. C. HAWTHORN: And the Government.

HON. W. F. FINLAYSON: How would the Hon. Mr. Fowles be able to carry on his propaganda unless he had a Labour Government to talk about? A few years ago the people really believed in the divine right of kings.

HON. P. J. LEAHY: That is a long time ago.

HON. W. F. FINLAYSON: It is not five years ago.

HON. P. J. LEAHY: In Japan, but not in Britain.

HON. W. F. FINLAYSON: Not in Britain itself, but in British communities they believed in it; but when they discovered that Parliament could try a king and execute a king and appoint a king, and that the king rules by Act of Parliament, the ideas of the people changed. They have gradually changed, and the power of the King has been whittled away, and the authority of the King has been whittled away, yet to-day the King, as such, is more respected than ever before in the history of the Empire.

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Exactly the same thing will happen in regard to Parliament. Get rid of all these ideas of tradition and autocracy and aristocracy, and come down to actual utility and usefulness, and then the people will appreciate its proper value. With regard to the proposal to have an elective Chamber, I am absolutely opposed to anything in the nature of an elective Upper Chamber, which I think is a worse form of Upper Chamber than even a nominee Chamber. The only illustration of an elective Upper Chamber in the world based on adult franchise to-day is the Senate in Australia. I have not yet heard a single member of the Federal Parliament who has had any experience who is not willing to admit that the Senate is an absolute farce. I have not heard one man say that the Senate accomplishes any useful or necessary work. In carrying out the idea of a Senate based on this wide franchise, you have simply accomplished the creation of a Chamber which is a mere echo of the House of Representatives without any independence, and with no freedom of thought. If there was a co-equality in regard to the transaction of public affairs there might be a possibility of an Upper Chamber being useful, but two Houses of equal authority and power is unthinkable. You could not carry on Government under such conditions.

HON. P. J. LEAHY: You could abolish the Senate, and carry on the Government just the same.

HON. W. F. FINLAYSON: You could have one Chamber with the Representatives and the Senators sitting together, but the House of Representatives, being the one most representative of the people, could accomplish all that is necessary, because it is in that House that the Government of the country is carried on. It is there that Governments are made and unmade. It is there that finance, the great question of government, is controlled. What control have we over finance? Hon. gentlemen most cheerfully passed a Bill for £9,000,000 last night.

HON. P. J. LEAHY: And the Government will just as cheerfully spend it.

HON. W. F. FINLAYSON: You are quite willing that they should spend it. And I was interested to hear the hon. gentleman say that while it was a huge sum of money, while there was not much information about it, and while there might be some arguments for and against it, still it was no use talking; that we might as well let it go, and then the hon. gentleman sat down. If ever there was an admission of the uselessness of the hon. gentleman's position, of his utter inability to have any effect in the Government of the country in its most vital place, that was one.

HON. P. J. LEAHY: That is only because of the limitation placed in the Constitution that prevents us dealing with money Bills. Give us more power, and you will see what we will do.

HON. W. F. FINLAYSON: What the hon. gentleman says just confirms my argument. You cannot have two Chambers of equal power: that is obviously impossible, and the mere fact that this Chamber has no power in regard to the most vital and most important factor of Government proved its usefulness in other directions is open to question.

HON. E. W. H. FOWLES: We can reject a finance Bill in toto.

HON. W. F. FINLAYSON: We can only temporarily refuse to pass Supply Bills that

come from the other Chamber. There must come a time in regard to finance and everything else when this Chamber must defer to the Assembly and accept the measures they send up. It is impossible for this Council, or any Chamber similarly constituted, to refuse to pass the Supply Bills of the Government.

HON. E. W. H. FOWLES: It was the right thing to do until we receive the Auditor-General's report.

HON. W. F. FINLAYSON: What the hon. gentleman is saying now is exactly the same kind of argument used in the Commonwealth House against the Nationalist party, and the same kind of argument put up in New South Wales, in Western Australia, and elsewhere. As far as the Upper Chamber is concerned in any State, their power to deal with finance is so limited that, as the Hon. Mr. Leahy says, "What is the use of talking about it?" Even when there was a majority in this Chamber against the Assembly, you had to accept the Government's financial proposal.

HON. P. J. LEAHY: We had a free conference on two occasions.

HON. W. F. FINLAYSON: What was the result of the free conference?

HON. P. J. LEAHY: They gave way on some of the taxation measures.

HON. W. F. FINLAYSON: You have no illustration to give us of any Upper Chamber in any country in the world which has not, sooner or later, been compelled to follow the lead of the representative Chamber. It has always proved its utter futility to stand up for any principle in opposition to the Government.

HON. P. J. LEAHY: What you say is not true of the American Senate.

HON. W. F. FINLAYSON: I know you have in America exactly the same experience as we have had here.

HON. P. J. LEAHY: In many matters the Senate is more important than the House of Representatives.

HON. W. F. FINLAYSON: The hon. gentleman is quite well aware that under the American Constitution the Senate has certain specific powers referred to it, powers with which the House of Representatives has no concern whatever. Then the House of Representatives in America has powers that even the Senate cannot interfere with, and, further than that, it has the power of veto, even over the President's veto. They can refuse to allow the President to veto their Bill. We have not reached that point yet. The point I am making is that the Upper Chamber have not proved that they have the power to defy the Government or the representative Chamber; that they must sooner or later acknowledge their impotence.

HON. E. W. H. FOWLES: Not at all; we threw out the notorious Meat Bill, and it has never appeared since.

HON. W. F. FINLAYSON: The House of Lords and every other Chamber have thrown out measures over and over again, with what result? Always the same—the measures have come back again, sometimes stronger, and sometimes reduced.

HON. T. J. O'SHEA: Dozens of them here have not.

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HON. W. F. FINLAYSON: It is only a matter of time, and in every case my argument is—and it is impossible to refute it—that the crucial time comes when [9 p.m.] it is a matter of actual contest between the two Houses as to which is to be supreme, and it is the Upper Chamber that has to give way every time.

HON. P. J. LEAHY: It is not so in America.

HON. W. F. FINLAYSON: It is this continual giving way, probably, which has been the cause of the undermining of that respect for Upper Chambers which has led to their being in disfavour by the people.

HON. P. J. LEAHY: Do you say that Upper Chambers should not give way?

HON. W. F. FINLAYSON: No. I am too far ahead of the times, but the hon. gentleman is holding on to traditional ideas. I am anxious that the Legislature should not be very far removed from the people, and that is why I am in favour of the abolition of this Council.

HON. P. J. LEAHY: I am in favour of the referendum, and you are not.

HON. W. F. FINLAYSON: I am in favour of a referendum as to whether the hon. gentleman should be a member of this Chamber.

HON. P. J. LEAHY: I would be willing to submit the question regarding the two of us.

HON. W. F. FINLAYSON: If the introduction of this Bill has succeeded in converting hon. gentlemen opposite to the principle of the initiative and referendum, then we have accomplished two things at the one time.

HON. T. J. O'SHEA rose.

The SECRETARY FOR MINES: Do not forget there are six Bills to get through to-night.

HON. T. J. O'SHEA: I regard that as impertinence to say that before I have opened my mouth. We have had a stonewalling speech for the last three-quarters of an hour, and as soon as I rise I am told that there are six Bills to go through: but that will not deter me. It is amusing to hear hon. members opposite contradict one another in regard to this matter. We have the Hon. Mr. Finlayson saying that we have no business to be here because nothing is done to the Bills in the way of revision, and we have the Hon. the Secretary for Mines saying that hundreds of amendments have been moved in this Chamber—which is true? We have had the Secretary for Mines saying that in this Chamber there were far more critical and keen debates than in the other Chamber, and that Bills received very much closer scrutiny here, and their defects are pointed out very much more explicitly than in the other Chamber.

The SECRETARY FOR MINES: I said it was an obstructive Chamber, and moved 460 amendments in one session.

HON. T. J. O'SHEA: Have you not made the statement I have quoted?

The SECRETARY FOR MINES: I made the statement that the debates here were superior to those of the Legislative Assembly.

HON. T. J. O'SHEA: Is that what the hon. gentleman who has just sat down has said? The Hon. the Secretary for Mines said when standing almost alone, with a

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following of only three or four members, that he got through more work, and that work was done more effectively than when he had an army behind him, and he is not alone in that opinion. The Hon. Mr. Hamilton also said the same thing. There is no doubt that when this Chamber was constituted as it was when the Minister had only four or five members voting for the Labour platform that better work was done than ever has been done since.

The SECRETARY FOR MINES: I said you constituted yourselves an Opposition which was really the Government here.

HON. T. J. O'SHEA: The hon. gentleman said that we gave great care and consideration to the Bills introduced, and there was an honest effort on the part of every hon. member to improve those Bills, and amendments were acknowledged in some instances by the Hon. the Secretary for Mines.

The SECRETARY FOR MINES: For four years you opposed the Government's programme here.

HON. T. J. O'SHEA: Always constructively. The party behind the Government are out for wrecking everything, State Governors, judges, belittling our courts, and belittling the State credit throughout the world. They are general iconoclasts and rebels. There is no doubt that the party now in power have a trend towards destruction. They would destroy everything. They are even destroying the Ministry. They are doing their level best in that direction, and they certainly have spoiled the credit of Queensland throughout the world.

HON. J. S. COLLINGS: It does not look like it.

HON. W. P. COLBORNE: The legal profession is not wrecked.

HON. T. J. O'SHEA: I ask hon. gentlemen opposite if their Government is able to go on the London market as the State has been doing for half a century?

HON. W. R. CRAMPTON: For political reasons we cannot.

HON. T. J. O'SHEA: London investors have nothing to do with politics. The question with them was, was Queensland a good State to which to lend money?

HON. W. P. COLBORNE: You do not know any better State.

HON. T. J. O'SHEA: The money lenders said, "No." They think you are not trustworthy, and it has been a salutary lesson to you.

HON. W. R. CRAMPTON: The delegation cried "stinking fish."

HON. T. J. O'SHEA: That is a silly fib which has been circulated far and wide.

HON. J. S. COLLINGS: They would have done the same thing in New York, but we beat them there.

HON. T. J. O'SHEA: This is most absurd—to think that the Government of Queensland could be foiled by any delegation or any other body; you failed ignominiously to secure money on the London market.

HON. W. R. CRAMPTON: We only failed because we carried out our programme.

HON. T. J. O'SHEA: You failed because the greatest business men in the world considered you unworthy of trust. The people of London, who have always been the money-lenders to Australia, would lend money

to-morrow if a Liberal Government were in power again.

HON. W. R. CRAMPTON: They would beat the Government for political reasons.

HON. T. J. O'SHEA: Do you mean to tell me that the money lenders in London have money to lend and are looking for investment, and that they will turn down Queensland if this State stands on the high level which it ought to stand on, and that any tale-bearing attributed to any deputation could prevent it?

HON. W. R. CRAMPTON: They are guided by their brokers.

HON. J. S. COLLINGS: What has this to do with the abolition of the Council?

HON. T. J. O'SHEA: It has this to do with it, that the present Government, with a majority of one, and not too sure of that one—

HON. W. R. CRAMPTON: Two, excuse me.

HON. T. J. O'SHEA: We have to-day heard a criticism of the way in which legislation is rushed through this House—of the indecent behaviour of the present Government in some respects. It is the comment of all Queensland.

HON. J. S. COLLINGS: To-morrow you will be ashamed of your pleasure.

HON. T. J. O'SHEA: That may be, but the hon. gentleman who made those criticisms had the courage to say what has been broadcast all over Queensland, and Australia, for weeks past.

HON. W. F. FINLAYSON: Is not that being said of every Government?

HON. T. J. O'SHEA: Not so much as of this Government. Can you, as an old parliamentarian, say that the procedure of this Government has been decent?

HON. W. F. FINLAYSON: I have seen worse in the House of Representatives.

HON. T. J. O'SHEA: There is such a thing as decency in behaviour in business and in behaviour generally. Do you think it is decent for a measure to be brought before a House, and that in fifteen minutes it should be gagged? The whole question is whether this Bill is or is not the will of the people of Queensland? I can safely say that it is not, seeing a majority of 63,000 of the people said no, and there is nothing that has happened since to alter that decision. The present Government is not game to send the Bill to a referendum, but perhaps this House should have a chance to say whether this Bill should not be referred to the people to be approved or rejected by them. If the Government adopted a decent procedure in connection with this matter, it would refer it to the country again. A majority of 20,000 said they did not want the present Government. The present Government is in a minority of 20,000. The Government was returned to the Treasury benches because it had not done its duty regarding the cleansing of the rolls and redistribution. They have done it now after walking in on the strength of it. Not only that, but the Commissioners had to take back the work they had done and recast it.

HON. J. S. COLLINGS: Only in a small principle.

HON. T. J. O'SHEA: In the main, vital principle.

HON. J. S. COLLINGS: It was only a question of names.

HON. A. G. C. HAWTHORN: No Government supporter objected to the results.

HON. T. J. O'SHEA: Why did not the Government make that redistribution before the last general election?

HON. J. S. COLLINGS: Why didn't your Government do it?

HON. T. J. O'SHEA: It did do so.

HON. J. S. COLLINGS: It did not. It sat there years and years with the same anomalies.

HON. T. J. O'SHEA: The mere fact that it did something wrong does not justify this Government in continuing to do wrong.

HON. J. S. COLLINGS: But it removes the sting from your criticism.

HON. T. J. O'SHEA: The question is whether this Bill, in its present form, is acceptable to the people of Queensland. I say it is not. In fact there is on the statute-book of Queensland a method of referring anything to the people.

HON. J. S. COLLINGS: Would not that position apply to any Bill?

HON. T. J. O'SHEA: Where a great national principle such as the alteration of the Constitution is involved, and where the people have been consulted on it before, and strongly expressed their opinion on it, who has the right to contradict that? The Labour party? When the question was referred to the people and they gave a decision on it, why was not that decision adhered to and supported? The Labour party is fond of saying "We are prepared to abide by the decision of the people." And when the people give a decision it is flouted. Although the people, by a majority of 63,000, decided this Chamber should not be interfered with, the Government is still going to wreck it.

HON. J. S. COLLINGS: We told them that last October and they said, "Go ahead."

HON. T. J. O'SHEA: They did not say anything of the sort. I have no hesitation in saying that this is one of the things Labour has taken up as a sort of blind, and means to throw dust in the eyes of the people. "Oh," they say "we are going to do great things, we are going to abolish the Upper House and you will see what benefits will result." What benefits have resulted where it has been tried? In almost every country where the bicameral system has been altered to the single Chamber system, they have regretted it.

HON. J. S. COLLINGS: Where has it been altered?

HON. T. J. O'SHEA: It has been altered in several instances.

HON. J. S. COLLINGS: We say that this is the first time in the history of constitutional government that this thing has been done.

HON. E. W. H. FOWLES: Greece had a unicameral system for four years and had to go back to the old system.

HON. W. P. COLBORNE: They have a bicameral system in Greece at the present time.

HON. E. W. H. FOWLES: Yes, they swung back to it. They tried it for four years and found it would not work.

HON. T. J. O'SHEA: Some reference has been made to this Chamber being a restraining influence on legislation. I remember the time when this Chamber was perhaps at its zenith in debating and critical power, that it could be honestly said that any Bill that came before the House was honestly dealt

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with and in many instances vastly improved by its handling here. The question of this Bill now going through without referring it back to the people is another instance of the repudiatory methods of the Government. Some remark was made here last night in regard to the Wages Bill. I can speak freely on that subject. One of the peculiarities of that Bill when it came here was its repudiatory nature. There was a clause in that Bill empowering a dishonest employer or a dishonest employee to break his contract, no matter what terms had been made. The Bill as it came here gave the dishonest man an opportunity of breaking his contract and repudiating his bargain. It was twice amended here, and it twice went back to the Assembly and on each occasion it was returned with that repudiatory clause in it. It was finally amended and went back, and to the credit of this Chamber that Bill was devoid of that peculiar invasion into commercial life that is so broadly adopted by hon. gentlemen. Then we are told that this Chamber has done nothing towards improving measures that come before it. I can give a score of Bills; and even the late Minister in charge, the late Mr. Hamilton, and the present Minister, Mr. Jones, have admitted, after debate, that it was helpful criticism, because it pointed out pitfalls, probably brought about by hurriedly drafted Bills—experimental legislation chucked in in haphazard manner. When these Bills came here they got shrewd criticism, and they were amended in a way that materially improved them but did not interfere with the purpose or effect of the measure. Then we are told that this Chamber has outlived its usefulness. When a Bill comes from the stocks of Caucus it goes through the Assembly without alteration, and when it comes here no member on that side of the House reads it.

HON. J. S. COLLINGS: That is very unfair of you.

HON. T. J. O'SHEA: They do not read it with a view to amending it. Many of them never even read it. You have discarded the idea of improving any Bill, and that is the mission of this Chamber.

HON. J. S. COLLINGS: Our comrades down below do all the amending.

HON. T. J. O'SHEA: They never touch the Bills. Once a Bill comes in, it is shoved through.

HON. J. S. COLLINGS: It is debated fully there.

[9 30 p.m.]

HON. T. J. O'SHEA: This is a moribund Government, who do not know how long they are going to exist. They are rushing into recess for fear they might lose their majority any day.

HON. J. S. COLLINGS: It is to our credit that, in spite of all the manipulations of the Opposition, we are still there with a majority.

HON. T. J. O'SHEA: Can it be said that the attitude of the Government towards this Council and towards the judges has improved the condition of affairs in Queensland?

HON. J. S. COLLINGS: We do say so. We think so.

HON. T. J. O'SHEA: I am sorry for the hon. gentleman's veracity, or his judgment. I have not heard one word with regard to anything done by this Council that has not been done honestly and straightforwardly in

the interests of the country. If some of those who are inclined to sneer and criticise this Chamber had better opportunity of seeing how the work is done, they might alter their view.

HON. J. S. COLLINGS: We have seen two years of it.

HON. T. J. O'SHEA: The hon. gentleman has not seen any business except the recording of votes in regard to anything which has come from the Assembly.

HON. J. S. COLLINGS: The futility of this Council has been continually demonstrated.

HON. T. J. O'SHEA: I would refer the hon. gentleman to the Secretary for Mines, who would give him a good deal of information on that subject. That hon. gentleman was grateful for the assistance he received from his alleged opponents, I amongst the number. The question of whether this measure should become law was vigorously debated in the Assembly two years ago, when it was thought wise to stump the country and try and convert the people to the view of Government members. It was suggested that members' salaries should be raised. This Chamber, at that time, considering the financial position of the country, thought it wise to say that it could not be done. Then the Government tacked on to an Appropriation Bill a provision for the payment of £200 to every member of the Assembly.

HON. J. S. COLLINGS: Could you live on the amount of the salary of a member of Parliament at that time?

HON. T. J. O'SHEA: If I could not I would not steal it. The members, when they were elected, knew what they would receive. They practically stole £200 each from the Treasury, and said they were going to do work for it. They never did the work and never refunded the money. Hon. members have twitted me as to whether I would vote for this Bill if it were referred to a referendum. I would. I will give hon. gentlemen an opportunity of voting on the point. I will vote for the Bill if there is in it a clause to refer it to a referendum of the people of Queensland; and if a majority of the people say they want this Council abolished, I will bow to their decision.

HON. J. S. COLLINGS: Your party went to the courts for an injunction to prevent us from getting it to the people.

HON. T. J. O'SHEA: That is not true. Is the hon. gentleman prepared to vote to put such a clause in it?

HON. J. S. COLLINGS: I am prepared to swing the axe as soon as possible. (Laughter.)

HON. T. J. O'SHEA: The hon. gentleman will get an opportunity of voting on it. If he then says he will not give the people an opportunity of approving or rejecting the Bill, he will have to take the responsibility. I suggest to hon. gentlemen that they consent to the insertion of a clause after clause 1, providing that the Bill be referred to the people of Queensland on the lines of the Parliamentary Bills Referendum Act; no shortcomings on it, no "nigger in the woodheap," no trap. If they are prepared to do that, I am prepared to vote for the Bill. I am quite convinced that if the people get an opportunity of saying whether or not this Bill should become law, they will do the same as they did before, but in a more emphatic way.

[Hon. T. J. O'Shea.]

\* HON. W. P. COLBORNE: I have not trespassed much on the patience of the members of this Council since I have been here, and I do not intend to trespass much on their patience to-night. I do not care to let this Bill go through with a silent vote, more particularly on account of one or two things which have been said during the course of the debate. When it came to such a vital question, affecting the existence of this Council, I certainly looked to see hon. gentlemen on the other side giving some good and cogent reasons for the continuation of what I consider is an excrescence on the body politic—a term which has been used before, but which I do not think you can improve upon. The Hon. Mr. Leahy wanted to know why we so suddenly had become imbued with the idea of wiping out this Council. It is rather strange that that hon. gentleman should make such a remark. I contested the Valley seat over thirty years ago, before we had any printed Labour platform. At that particular time my old friend, the Hon. Mr. Hinchcliffe, contested Toombul. I was asked at the time, "Would you be in favour of an elective Upper House?" I said, "No; I certainly would not strengthen the House by making it elective. It is an unnecessary institution, and I favour its abolition." Ever since that time I have been in favour of the abolition of this Council. When I was appointed I did not sign any direct pledge to vote for its abolition, but I certainly have signed the platform of the Labour party, one of the first planks of which is the abolition of the Legislative Council. I feel very proud of having been appointed to the position of a member of this Council in order that I might be here to-night to record my vote for its abolition. I do so freely, without pressure from anybody, because I have always believed in so doing. Whether it were a secret or open ballot, I would not go back on my principles on this occasion. The Hon. Mr. Leahy has made a quotation from some obscure individual in London who got a promise from the Premier that he would not abolish the Legislative Council without getting a fresh mandate from the people.

HON. P. J. LEAHY: I did not say that. That was an interview by Mr. Theodore published in the London "Times." I gave the date, and the paper is in the library.

HON. W. P. COLBORNE: The promise, I understand, was—

HON. P. J. LEAHY: It was not a promise; it was a statement.

HON. W. P. COLBORNE: I will say it was a statement. Admitting that that statement was made to the Premier, there has been a mandate from the people since then.

HON. P. J. LEAHY: No.

HON. W. P. COLBORNE: There was, in October last year.

HON. P. J. LEAHY: They were 20,000 to the bad, then.

HON. W. P. COLBORNE: As far as my memory serves me there were thirty-eight Labour members as against thirty-four other members in four different parties. They have now snared one "rat," and have brought the majority down to two—that is, thirty-seven to thirty-five. I think the Hon. Mr. Leahy misrepresented the case very much when he spoke. He said there was a majority of one in the Lower House on the main ques-

tion, and that the other questions on which the Labour party secured a big majority were trivialities. The question that the Legislative Council be abolished is not a triviality; and I saw the vote on that question, and it was fifty-one to fifteen. That was a straight-out vote on the abolition of the Legislative Council, and when we take the vote here I hope to see three or four hon. gentlemen on the other side walk over here and follow the fine example set them by their colleagues in the Lower House. I think the majority will be a thumping big one if hon. gentlemen opposite are not afraid to call for a division. One of the surprises to-night was to hear the Hon. Mr. Leahy and the Hon. Mr. O'Shea advocate the initiative and referendum—a thing they have never advocated at any time previously so far as I know, and they have never had a good word to say in favour of it. One of the reasons why the Hon. Mr. Leahy objected to this Bill coming forward was that he wanted to respect the referendum taken in 1917. I remember seeing at that time some big advertisements in the paper that the Hon. Mr. Leahy and others were applying for a writ to prevent the taking of that referendum.

HON. P. J. LEAHY: I rise to a point of order. Is the hon. gentleman in order in attributing to me some action taken at the time in which I took no part whatever? There is not an atom of truth in the statement that my name appeared in connection with any such thing. I ask the hon. member to withdraw.

THE PRESIDING CHAIRMAN: The hon. gentleman will, no doubt, accept the Hon. Mr. Leahy's denial.

HON. W. P. COLBORNE: If the Hon. Mr. Leahy denies what I stated I certainly will accept his denial. I thank hon. gentlemen for listening to the few words I have had to say, and I esteem it a very great honour to be allowed to participate in the vote which will be taken to abolish the Legislative Council.

HON. W. J. DUNSTAN: It was not my intention to speak on this Bill, but I wish to say, as the newest, if not the youngest, member of the Council, that I am pleased to have the opportunity of recording my vote for the abolition of the Council. I regret that the Hon. Mr. Riordan will not have an opportunity of being present to-night. I think it is only fair to that hon. gentleman that I should inform hon. gentlemen that a very important matter that affects the prosperity of Queensland—the question of the reopening of the Mount Morgan mine—is being decided at Mount Morgan to-day, and it was advisable that the Hon. Mr. Riordan should go to Mount Morgan and take part in the court proceedings there. It is only fair to the Hon. Mr. Riordan that that statement should be made, because it was impossible to get an adjournment of the case at Mount Morgan in order to make it possible for him to be present to-day.

HON. G. H. THOMPSON: I wish to deny the statements that have been thrown across this Chamber ever since we entered the Chamber—that we are not free agents. I always have been a free agent, and always will be. That is more than the Hon. Mr. Leahy can say.

HON. P. J. LEAHY: I never signed any pledge, not even the liquor pledge.

*Hon. G. H. Thompson.*

HON. G. H. THOMPSON: No hon. gentleman on this side of the Chamber has ever been guilty of allowing legislation to go through this Chamber that was a disgrace to Queensland. In the past, members of the Legislative Council have never raised their voices against the passing of any Bill, no matter how inhumane it might be. I am referring now to the blackbirding system that was carried on in the islands some years ago, when hon. members of this Chamber knew that the "blackbird" was knocked on the head when he came on board and that women who were absolutely naked were put in the hold with the men, and, although they knew those things happened, yet they never once raised their voices against it. We are just as honourable, if not more so, than hon. gentlemen on that side. There is only one hon. gentleman on the other side for whom we have any respect whatever, and that is the Hon. Dr. Taylor. I admit he has endeavoured to do the straight thing right throughout the whole of his career, but I do not think the same can be said of any other hon. member on the other side. To my knowledge, and I have had a good deal of experience in political life in Queensland—I was one of the first members to introduce Labour into politics in Queensland, and before that time there was not one Act on the statute-book in Queensland that contained one humane item in it so far as the Labour class was concerned. The only Act that had any reference to Labour was the Master and Servants Act, and that was imported from the old country. Now there are dozens of Acts on the statute-book dealing with labour. Hon. gentlemen opposite spent thousands before last election when they thought they had the Labour party by the "wool"; but what was the result? We won, and so far as the next election is concerned hon. gentlemen opposite will be in the same boat. I deny the statement that I am not a free agent. I always will be a free agent, and I am pleased to be here to record my vote for the abolition of this useless Chamber.

HON. A. G. C. HAWTHORN: The hon. gentleman said he was a free agent, and we have to accept his assertion under the forms of the Council; but, after the pledge that was brought here and read to-night, can any hon. gentleman on the other side say he is a free agent? They have each signed a document that they would resign when called upon. There was never an hon. gentleman on this side who was ever asked to sign any pledge.

HON. J. S. COLLINGS: We are not the paid agents of trusts and combines.

HON. A. G. C. HAWTHORN: Is that an inference?

HON. J. S. COLLINGS: You can take any interpretation you like out of it.

HON. A. G. C. HAWTHORN: If you say that I am a paid agent of a trust or combine, I say it is a lie. I throw the insinuation back in your teeth.

THE SECRETARY FOR MINES: It is unparliamentary to say it is a lie.

HON. A. G. C. HAWTHORN: It is more unparliamentary to make accusations of that kind that are absolutely false. However, it is no use debating this question, as we know what the fate is going to be. We know hon. gentlemen opposite are in full force, and no matter what is said they are going to carry this Bill through.

[Hon. G. H. Thompson.]

AN HONOURABLE GENTLEMAN: Your portfolio is up the spout.

HON. A. G. C. HAWTHORN: I am not worrying about portfolios or about the position of hon. members generally; but do they consider the effect of this Bill [10 p.m.] upon the unfortunate officers of this House which they are proposing to abolish? The Secretary for Mines, no doubt, will retain his portfolio, and so will lose nothing, but the abolition of this House will affect its officers.

THE SECRETARY FOR MINES: I can say with all truthfulness that my position has never been discussed.

HON. A. G. C. HAWTHORN: Unless I am a false prophet, I think we will see the Hon. Minister will retain his portfolio for many a day.

HON. H. G. MCPHAIL: Why should he not?

HON. A. G. C. HAWTHORN: It is one of the heartless features of the Bill that the officials will be abolished.

HON. G. LAWSON: You are not worrying about the officials.

HON. A. G. C. HAWTHORN: You are not, but this is not going to be the end of it. This Bill will be reserved for the consent of the King.

AN HONOURABLE GENTLEMAN: How do you know?

HON. A. G. C. HAWTHORN: The Premier said so, and the King will look at it very carefully, or his representatives will do so. The authorities at home may be chary of acting in a matter like this. I think when the thing is properly represented—

HON. J. S. COLLINGS: Aha, another delegation!

HON. A. G. C. HAWTHORN: They will hesitate before they interfere with a position like this, because there has been a breach of the Constitution. This Constitution was brought in by an Imperial Act, and you cannot by an Act apart from this House wipe out an Imperial Act, which distinctly says that the Constitution was to consist of the King, the Upper House, and the Lower House. You need not flatter yourselves that this is going to be the end of it. It has to be reserved for decision at home, and I do not think there is the slightest likelihood—

AN HONOURABLE MEMBER: The other House voted for it.

HON. A. G. C. HAWTHORN: If the Country party likes to do a silly thing like that, let them. Queensland would be in a queer position if we had only one Chamber, because in Australia generally, and in all other parts of the Empire, we have two Chambers. There are also legal aspects of the question, such as the amending of the Federal Constitution, which provides that when a Senator dies before his time is up the matter has to be referred to both Houses of the State Legislature. How can that be done if this House is abolished? The proper thing for the Government to do is what was emphasised before. They should have referred it to the people under the 1908 Referendum Act. The Hon. Mr. Sumner referred to that Act, and to the fact that Mr. Kidston approached it. He did so in a proper manner. He gave the people an opportunity of saying what Bills they

wanted. If the Government was in earnest before they brought in this Bill, seeing it has been rejected twice, they would refer it to the people.

HON. J. S. COLLINGS: We are taking a short cut this time.

HON. A. G. C. HAWTHORN: And a slippery one, too. The Government are afraid to trust the people. What is the use of a referendum if the Government will not avail themselves of it? They are afraid to go to the people for authority to abolish this House. There is a further fact. Hon. members will probably remember that when the question of the abolition was before Parliament before it was the subject of legal proceedings, and went through several courts—the Supreme Court, the Full Court, the High Court, and, eventually, the Privy Council.

HON. R. BEDFORD: And as a result it did not get a fair deal.

HON. A. G. C. HAWTHORN: It did get a fair deal, and the people by 63,000 majority still wanted the Upper House.

HON. R. BEDFORD: The issue was clouded.

HON. A. G. C. HAWTHORN: It was not clouded. Lord Haldane did not treat it as a simple, paltry, little matter as hon. members opposite are treating it. Lord Haldane, the then President of the Privy Council, said after Mr. P. L. Lawrence had referred to the Colonial Laws Validity Act—

“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 is the question of the alteration of the Constitution. Viscount Haldane goes on—

“That Act was passed—a very reasonable 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 this 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.

“Lord Dunedin: Other dogs might be allowed to bark besides you.

“Mr. P. L. Lawrence: Yes, my Lord.

“Viscount Haldane: 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 see that there should be a repre-

sentation 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.”

Viscount Haldane goes on—

“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.

“Mr. P. L. Lawrence: 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?

“Lord Dunedin: Obviously not.

“Viscount Haldane: Not in the least. It should be raised, if it is ever raised, in such a form that the magnitude of the question may be duly safeguarded by enabling representation to be given before this board. We had the same sort of point not long ago, a question from Canada as to whether the prerogative right of appeal to the Sovereign in Council could be taken away by a Dominion statute.”

HON. R. BEDFORD: Practically what he says is that the people of the other parts of the Empire shall determine the matter for us.

HON. A. G. C. HAWTHORN: He says, in effect, that we should carry out the Constitution in common with other parts of the Empire. That is a big question, which cannot be settled by a House with a swamped majority, and another House which has not a legal majority.

HON. R. BEDFORD: The King did it.

HON. A. G. C. HAWTHORN: The Lieutenant-Governor did it. If these facts were known to the people on the other side, they would hesitate before assenting to the reserved decision.

HON. R. BEDFORD: They better hesitate before they withhold their assent.

HON. A. G. C. HAWTHORN: Do not threaten them yet. It is a question which must be settled by the whole of the Empire, unless we go first to the people and ask them “Yes” or “No” as to whether they wish the House abolished. We are living in the British Empire, but there seems to me that this is a sort of Bolshevik way of trying to strike out a most important part of the Constitution. It is only within the last two years that this House has become ineffective. The Imperial Government brought us into existence, and they alone can deal with us. The people of Queensland also are satisfied with this House, and decided by a majority of 63,000 votes in our favour. I, therefore, challenge hon. members opposite to go before the people with this Bill.

At 10.15 p.m.,

The PRESIDING CHAIRMAN called on the Hon. Lewis McDonald, Temporary Chairman of Committees, to relieve him in the chair.

HON. E. W. H. FOWLES: The matter which we are debating is a matter that concerns, not merely a few members who may

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happen to be in Parliament to-day, but a matter that concerns every person outside of Parliament, and a matter which concerns the future years of Queensland. I might just indicate that I would like to speak briefly indeed on the legal point, and very briefly also upon the advantages and the disadvantages of the bicameral system, and still more briefly, owing to the lateness of the hour, upon the Bill before us. Surely, with regard to the legal point, it may be said in a nutshell it is not yet settled whether this Parliament can abolish either the Assembly or the Legislative Council. That is a question that has still to be fought out before the Judicial Committee of the Privy Council. I have the case that went before the High Court. The decisions of the various judges in that court and other courts are well known. For the sake of reference, the full report of the proceedings appears in the Commonwealth Law Reports, vol. 23, pages 443 and onwards. I am referring to that in order that the reference may be made use of on the other side. Several of the judges laid it down that we as a Parliament could alter the Constitution, and that we could alter it back to from one to two Houses. Section 22 of the original Order of the Constitution and section 5 of the Colonial Laws Validity Act gave us full power to do that. That case was argued in Sydney, more on a question of costs than anything else. But before a decision on the matter of costs could be come to the merits of the case have to be gone into. Before the case reached Melbourne the referendum had been taken here, and public interest in the case ceased. I believe it went on to the Privy Council on the matter of special leave to appeal. Both sides were represented in that hearing. The Privy Council saw no special reason why leave of appeal should be given in the matter, as a referendum had been taken and the people themselves had decided the matter; but the views of the Lord Justices there that on a matter such as this, affecting not merely Queensland but the status of Queensland in regard to all other States in the British dominions, and also indirectly affecting the fate of the Constitution of the Parliament of those States, were that there should be counsel not merely representing Queensland interests, but counsel representing the interests of the British Empire as represented by the Attorney-General of England, and the interests of other parts of the British Empire which may be faced with the same problem. So that, in a nutshell, the legal position has not yet been settled, and it is not yet known whether, if carried to a higher court in the land, this Parliament has the power to abolish either House. It is not necessary to give one's own personal opinion on the matter. Looking at it from all points of view, one is inclined to think that the home authorities might treat it in the same way as they did the proposal to abolish the Governor. They said, "Until this matter is brought up in all the States affected in a similar way, we will not give a decision; but when all Australia agrees to the abolition of imported Governors we may consider the question; but it would be manifestly unfair and would introduce a lop-sided state of things if one State were allowed to have a local Governor and the other States preferred to have overseas Governors." In the matter of Governors, their Lordships at home did not feel bound to make any special decision, and I think

that, on the matter of a reconstitution of the Parliaments in Australia, probably the same view will be held on the other side. With regard to the advantages and disadvantages of the bicameral system, I would point out that several of the new members who came into the House on the 9th February last year did not have the advantage of hearing the two preceding debates. In these debates, in 1917 and 1918, the whole subject was most exhaustively discussed, and, no doubt, hon. gentlemen on this side thought they would be guilty of tedious repetition if they reviewed all those arguments over again. There is a perfect arsenal of arguments in these two debates. Many authorities were quoted, and I think it was a debate which probably reached as high a plane as any debate in an Australian Parliament. At all events, the voting on the first occasion was twenty-three to three, and on the second occasion nineteen votes to three. It is almost unnecessary to review even all the arguments that were found in favour of the bicameral system and all the arguments in favour of the one-House Parliament. But one might be permitted to point out that there is hardly a case in the whole civilised world where they have not the bicameral system. There are a few cases, but they are negligible and do not really enter into the arena of first class States. Mexico is one and Bulgaria is another. It is necessary in making these remarks to be as accurate as possible, because hon. gentlemen opposite make statements very wide of the truth. Mr. Collings said that this is the first time in the history of the world that the experiment has been made of reducing the two Houses to one—at any rate the first time in the history of the British dominions. That is a wild statement, and it is not true. In Manitoba the two Houses have been reduced to one, and the same applies to New Brunswick and Prince Edward Island.

HON. P. J. LEAHY: But there was the veto of the Canadian Parliament.

HON. E. W. H. FOWLES: Yes, I will come to that. I will point out in these matters it is just as well that we should be accurate. I would suggest to the hon. gentleman that, instead of going on with this policy of destruction in every possible direction, he tries his hand at construction. There are those who would destroy the Legislative Council who could not construct a mouse trap.

HON. J. S. COLLINGS: Either is preferable to obstruction.

HON. E. W. H. FOWLES: The hon. gentleman accuses the House of obstruction, and another hon. gentleman accuses the House of giving way to the Legislative Assembly. How we can be both giving in and being an obstruction I do not know. With regard to the arguments that may be advanced, I have them summarised here—arguments that may be fairly adduced as reasons why this Bill should not pass. The first is that there has been no public desire or mandate for such an abolition. It cannot be said that the last two elections were fought principally on the question of the abolition of the Upper House. I don't think we can fairly say that. The abolition of the Upper House has been in the Labour platform for a considerable time. They will be accused of going slow on this matter. But no one can say that it was the chief plank at the last election. I think the chief plank at the last

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election—well, I do not really know what it was. It might have been the whirlwind of dust that played up around a delegation.

HON. P. J. LEAHY: Their chief plank was to get back into power.

HON. E. W. H. FOWLES: Their chief cry at the previous election was probably cheap food. I ask hon. gentlemen, will this Bill feed the Hungry? Will this Bill make a single blade of grass to grow in Queensland? Will this Bill be of the slightest use in increasing production in Queensland? Will it increase employment in Queensland?

HON. J. S. COLLINGS: It is not professing to deal with unemployment.

HON. E. W. H. FOWLES: The Government ought to deal with those questions instead of such a futile question as this. The first thing is to find employment for those who want it. If the hon. gentleman [10.30 p.m.] man met the cases I meet every week he would give his attention to matters of this kind. Now that the Government have a majority in the Legislative Assembly and in the Legislative Council how can they contend that this is an obstructionist Chamber? Instead of facing the difficulties of the situation, the Government are running away from them. They obviously are anxious to dodge their duty and get into recess. I have no doubt if the Hon. Mr. Collings expressed himself fully and frankly on the matter he would tell us how disgusted he is with his own Government. He will not say that because he is pledged not to say it.

HON. J. S. COLLINGS: I am proud of all their doings. This has been the most fruitful session and the most satisfactory to the people.

HON. E. W. H. FOWLES: The hon. gentleman is proud of the fact that they have so mixed up the accounts that the Auditor-General cannot produce his report.

The DEPUTY PRESIDING CHAIRMAN: Order!

HON. E. W. H. FOWLES: There has been no public desire and no mandate for this abolition. On the contrary, before the unparalleled swamping, we were continually relied upon to secure the people's liberties and defend their rights from encroachment.

The second reason why we should oppose this Bill is that, since all the other States retain the bicameral system, its destruction in Queensland would be a fatal prejudice of the rights of this State, reducing it to a level below the others and dislocating the provision by which due representation in the Federal Parliament is secured. In so vital a matter Queensland might well look before she leaps.

Thirdly, we should oppose this Bill because, in a sovereign State with no veto exercisable by the Federal Government, the very existence of the State Parliament as a representative body would be imperilled, as there would be a temptation for any party Government, once elected, to extend its own life arbitrarily, to adopt Star Chamber methods, even deprive the electors of the right of a general election, practically disfranchising the whole community. Unbridled power always leads to tyranny. A House that has not the slightest check upon it could do anything it liked. It could introduce a measure to abolish the Opposition. Fancy a

party of men calling themselves a Labour Government, calling themselves democrats, and absolutely suppressing free speech in the people's Parliament! That is what is being done at the present time in another place. The Minister himself has said there are nine Bills to put through this Council to-night after this is finished with. This "gag" Government are putting through Bills before hon. gentlemen have had time to read them.

The fourth reason is because some revising Chamber is necessary in order to obtain equity, harmony, and consecutiveness in legislation, as a single Chamber, unbridled and acting before election heat has time to cool, is tempted to force measures through that are partisan, haphazard, and due to momentary impulse. No alternative proposal for a second Chamber, whether elective or otherwise, has at any time been submitted to this Council by the Legislative Assembly. The present Bill proposes even to deprive the people of their constitutional option of having an elective second Chamber.

The fifth reason is because the abolition of the Legislative Council would remove all checks upon the Legislative Assembly, by referendum or otherwise, and the people would be robbed of their rights of appeal.

The sixth reason is because the abolition of the Legislative Council would place the judiciary and the Land Court at the mercy of any dominant party. This Council has changed in the last two years. It used to be representative of the people. At one time it contained the finest representatives of every industry and every part of Queensland. We had the very best intellects we could get.

At 10.43 p.m.,

The PRESIDING CHAIRMAN resumed the chair.

HON. E. W. H. FOWLES: The seventh reason is that this Bill was suddenly gagged through in another place, in the dying hours of a short session, by a discredited and fugitive Government who, although only representing a minority of the electors at the recent general election, nevertheless hold temporary office in Parliament by a majority of one vote, and continue on a policy of "gag" legislation in defiance of widespread public protest.

The eighth reason is that, if the Parliamentary Bills Referendum Act of 1908 is valid, the Legislative Council's veto or amendments are always subject to a referendum of the people. That is a complete answer to the charge of obstruction.

The ninth reason is—

"Because the Council, properly constituted, acts as the permanent co-trustee of the public safety and welfare, and no valid reason has been adduced why the Queensland community, an integral part of the Empire, should be deprived of such protection."

The tenth reason is—

"Because, in the present world-wide turmoil, industrial, political, racial, and otherwise, there appears to be need rather for strengthening than for undermining any of the constitutional safeguards in any part of the Empire."

This Council has changed considerably in its character in the last two years. For half a century this Council enjoyed the confidence of Queensland, and it has achieved a magnificent record in humane, sound, and well-

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ordered legislation. This Council has attended to the rights of every individual. It has maintained these five principles for more than half a century; but it has thrown these five principles to the wind during the last two years—

“1. The principle of honouring all contracts.

“2. The principle of passing no legislation that was unjust to individuals.

The other place introduced a Bill to abolish Thynne and Macartney. That was another case of abolition. This Council has always stood for the rights of minorities. Minorities are not made to be trampled on. The hon. gentleman thinks he is riding a juggernaut car, and he thinks he can trample over everybody. He forgets that the majority asked for Barabbas. The third principle for which this Council has always stood is this—

“It had to keep a close and strict oversight over public finance.”

The other House may run away with public money, and has done so, and it is proposing to run away with £17,000,000 in the next nine months.

“4. There was the principle of proper control over delegated legislation.”

I refer to the legislation we delegated to local authorities and other authorities. This Government has thrown that vital principle to the wind. They say the local authorities can borrow as much as they like. They say the Water and Sewerage Board can borrow £1,000,000 or £1,500,000. They are running, not only themselves into insolvency, but they are giving a free hand to local authorities and harbour boards—

“5. This Council has always stood for the integrity of the courts of justice until the last two years, and then the super-swamping of this Council has made a great difference.”

As a matter of fact, we had a Constitution here that was not fool-proof at all. We had a Constitution that always presumed that those who were working under that Constitution had wisdom, and integrity, and a conscience. There is no political machinery, however carefully designed, that is immune from abuse. What has happened in the last two years in regard to this? In February of last year this Council was suddenly swamped by the introduction of fourteen members, and they made the effective strength of the caucus party approximately thirty-five to twenty-eight. The normal number of this Council is forty-four.

The SECRETARY FOR MINES: There is no limit to the number of members.

HON. E. W. H. FOWLES: Of course, there is no limit, but instructions were sent out from the Secretary of State. This swamping was brought about in this way. There was, first of all, in the “Government Gazette” a proclamation that the Hon. William Lennon, Speaker of the Assembly was appointed Lieutenant-Governor. Mr. Lennon, as Lieutenant-Governor, called Mr. Lennon, as a private citizen, to a seat in the Council. As Lieutenant-Governor in the Executive Council, he appointed Mr. Lennon, now a member of the Council, to the post of President of the Council, and he also called fourteen other citizens to be members of this Council, and each of those citizens was pledged to do his duty according to his

[Hon. E. W. H. Fowles.

conscience. Since then, by a party vote, certain measures have been forced through this Council which are open to the charge of repudiation, and the Council, as a result, has naturally forfeited to some extent public confidence, but that is no argument against a bicameral system. If the people of Queensland were asked to-day what they wanted, they would say “We want a change in the Upper House.” In the referendum in 1917, 179,105 votes were given in favour of the retention of the Council, and 116,196 votes in favour of the abolition of the Council, leaving a majority of 62,909 in favour of the retention. That is the last specific utterance of the people of Queensland on the question of two Houses. Summarising the position: there has been no mandate for the abolition of the Council. In fact, the contrary is the case. It was not brought up at the last election. It was brought in suddenly by an expiring Government representing a minority of the people. It is part of the general plan to destroy the judiciary, to destroy credit, and to destroy this Council. There is not a single atom of construction in the whole of the policy. The only thing this Government can construct is deficits. Furthermore, there is no alternative for this Bill. It is simply naked abolition and no alternative. If the people of Queensland were asked whether they wanted an elective Upper House or not, they would say, “Yes, we certainly want two Houses.” We are not going to expect Parliament to walk on one leg any more than we expect a man to do it.

If a referendum was submitted to the people of Queensland to-day on this question, they would say, “Yes, we should have an elective Council, with a six years’ tenure, half the members retiring every three years. Five electorates, returning six members each, and probably six nominated members.” The right thing to do would be to refer this Bill to a Select Committee of experts, who would take evidence, and find out the best form of Constitution to adopt. We have to bear in mind that there are changes impending in regard to the Federal Constitution. I do not suppose two years will pass before there will be a revision of the Federal Constitution, and that is the time when a revision of the State Parliament should take place. The State would do very well to hold fast to the two-House system, because it is really one of the safeguards of modern democracy.

Question—That the Bill be now read a second time—put.

HON. E. W. H. FOWLES: I move—

“That the words after ‘That’ be omitted, and that the following words be inserted in lieu thereof:—

with a view to securing the best possible Constitution for the State of Queensland, having due regard to the march of democracy, the growth of States, the relations with the Empire, and all local conditions of population, industry, and distance, this Bill be referred to a Select Committee.”

The PRESIDING CHAIRMAN: Order! The hon. gentleman had resumed his seat when I put the question. He has already spoken, and he cannot move an amendment at this stage. The question is—

“That the Bill be now read a second time.”

Question put; and the Council divided:—

## CONTENTS, 28.

Hon. R. Bedford	Hon. A. J. Jones
" R. J. Carroll	" H. C. Jones
" W. P. Colborne	" T. L. Jones
" J. S. Collings	" C. Kilpatrick
" F. Courtice	" G. Lawson
" W. R. Crampton	" H. Llewelyn
" W. H. Demaine	" L. McDonald
" J. F. Donovan	" H. G. McPhail
" T. J. Donovan	" R. J. Mulvey
" W. J. Dunstan	" I. Perel
" W. F. Finlayson	" E. B. Purnell
" J. S. Hanlon	" A. Skirving
" E. J. Hanson	" R. Sumner
" A. Hinchcliffe	" G. H. Thompson
Tellers: Hon. W. H. Finlayson and Hon. G. Lawson.	

## NOT-CONTENTS, 10.

Hon. T. C. Beirne	Hon. C. F. Marks
" A. Dunn	" T. J. O'Shea
" E. W. H. Fowles	" A. H. Parnell
" A. G. C. Hawthorn	" W. Stephens
" P. J. Leahy	" W. F. Taylor
Tellers: Hon. A. Dunn and Hon. A. H. Parnell.	

Resolved in the affirmative.

The SECRETARY FOR MINES: Mr. Presiding Chairman, I move—

"That you do now leave the chair, and that the Council be put into a Committee of the Whole to consider the Bill in detail."

HON. P. J. LEAHY: Does the Minister seriously intend to put this Bill through its Committee stage to-night?

The SECRETARY FOR MINES: Yes.

Question put and passed.

## COMMITTEE.

(Hon. L. McDonald in the chair.)

Clause 1—"Short title"—

HON. E. W. H. FOWLES' moved the omission of the word "amendment" in line 7, with the view of inserting the word "destruction" in lieu thereof.

The CHAIRMAN: The amendment is quite frivolous, and I rule it out of order.

HON. P. J. LEAHY: Speaking on the point of order, he would point out that the Chairman was just as subject to the Standing Orders of the Council as any other member of the Council.

HON. E. W. H. FOWLES: If the Chairman insisted on his ruling, he would have to give notice of dissent from the ruling. He had moved an amendment, which was ruled out of order in consonance with the brutal policy of the Government.

The SECRETARY FOR MINES rose to a point of order. Was the hon. gentleman in order in reflecting on the Chairman, and saying that the Government was adopting a brutal policy?

The CHAIRMAN: The hon. gentleman is not in order in using the word "brutal," and must withdraw it.

HON. E. W. H. FOWLES: He withdrew it, but he substituted the word "blank" instead. He had moved an amendment, and the Chairman had ruled it out of order.

The CHAIRMAN: Order! The hon. member cannot discuss an amendment which has been ruled out of order.

HON. E. W. H. FOWLES: He hoped that the Chairman would give members on both

sides a fair hearing. He moved the addition, after line 9, of the words—

"This Act shall not come into operation until its provisions have been duly submitted to and ratified by a referendum of the electors of Queensland."

The people ought to be given this opportunity, especially by a party who had consistently paraded their belief in the referendum. This was an opportunity for that party to prove their sincerity. The only objection the Government could raise was that of expense. The last referendum had cost £14,000. Surely a matter affecting the rights of every citizen in Queensland should be settled by the people!

The SECRETARY FOR MINES: He did not propose to accept the amendment. The hon. gentleman never on any occasion had supported him in connection with the Initiative and Referendum Bill. The hon. gentleman had made reference to a referendum that had taken place on this question. He (Mr. Jones) contended that the Bill had been introduced in a perfectly constitutional way. If this were a constitutional method of abolishing the bicameral system of government, they had a right to use it. Immediately after the last referendum on the subject the Government had appealed to the country, and had been returned with a very large majority. The leader of the Opposition at the time was Mr. Macartney. In his policy speech that gentleman said—

"A Government which is pledged to do away with the Legislative Council, the only safeguard against the dictatorship which spells the wiping out of all those institutions and provisions which stand for honest government, and that freedom which is the right of every citizen."

The "Daily Mail," in announcing the policy of the Government, said—

"There is, let it be repeated, no room for misunderstanding. Between the people and a complete one-chamber domination stands the barrier of the Legislative Council. Which is to prevail will be determined on the 16th March."

He contended that that had been made by their opponents the issue of that particular election. The people returned the Government with a majority of twenty-four members—forty-eight to twenty-four. On both occasions when the people had been appealed to, the abolition of the Legislative Council had been in the forefront of their platform. He was a member of the Government who submitted this question to the people; that was one of the constitutional methods of abolition. The present was another constitutional method. He did not propose to accept this or any amendment moved to destroy the principle of the Bill, and moved with the sole purpose of obstructing its passage.

HON. P. J. LEAHY: He did not think the Minister could say he was an opponent of the referendum. He had assisted very materially in passing the Bill through that Chamber two or three years ago, with two or three minor amendments. It was he who had moved for the insertion of the provision for the recall. The remarkable thing was, that this Government would not accept those minor amendments, but made them the excuse for dropping the Bill. The Government had no mandate to abolish the Council, or anything else, and if there was any spark of

*Hon. P. J. Leahy.*]

democracy left in hon. gentlemen they would not deny the people the opportunity of deciding the question on a referendum.

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

## CONTENTS, 9.

Hon. T. C. Beirne	Hon. T. J. O'Shea
" A. Dunn	" A. H. Parnell
" E. W. H. Fowles	" W. Stephens
" P. J. Leahy	" W. F. Taylor
" C. F. Marks	

Tellers: Hon. T. C. Beirne and Hon. T. J. O'Shea.

## NOT-CONTENTS, 27.

Hon. R. Bedford	Hon. A. J. Jones
" R. J. Carroll	" H. C. Jones
" W. P. Colborne	" T. L. Jones
" J. S. Collings	" C. Kilpatrick
" F. Courtice	" G. Lawson
" W. R. Crampton	" H. Llewelyn
" W. H. Demaine	" H. G. McPhail
" J. F. Donovan	" R. J. Mulvey
" T. J. Donovan	" I. Perel
" W. J. Dunstan	" E. B. Purnell
" W. F. Finlayson	" A. Skirving
" J. S. Hanlon	" R. Sumner
" E. J. Hanson	" G. H. Thompson
" A. Hinchcliffe	

Tellers: Hon. J. F. Donovan and Hon. H. G. McPhail.

Resolved in the negative.

HON. T. J. O'SHEA: He desired to move the insertion of a new clause to follow clause 1, providing the machinery for taking a referendum. The suggested amendment contained all the essentials necessary for taking a referendum. It would give the Council an opportunity of saying whether or not it should go to the people of Queensland, and give them an opportunity of deciding whether or not they approved of the abolition of the Council. His amendment practically included clauses 2 to 9 of the Popular Initiative and Referendum Bill, previously introduced in the Council, and which contained all the machinery for taking a referendum of the people on the question of retaining the Council.

The SECRETARY FOR MINES rose to a point of order. The amendment provided for submitting the question to a referendum of the people, and the Council, by the vote just taken on the Hon. Mr. Fowles's amendment, had decided that they would not submit it to a referendum. He would like the ruling of the Temporary Chairman on the question.

The ACTING CHAIRMAN: The Minister has raised the question as to whether this amendment is in order. The Committee, by 27 votes to 9, just defeated an amendment by the Hon. Mr. Fowles that the Bill should be submitted to and ratified by the people at a referendum.

Hon. P. J. LEAHY: No, it did not say "ratified."

The ACTING CHAIRMAN: The amendment, which was defeated, read—

"This Act shall not come into operation until its provisions have been duly submitted to and ratified by a referendum of the electors of Queensland."

That is in the handwriting of the Hon. Mr. Fowles. The amendment just proposed by the Hon. Mr. O'Shea makes provision for the machinery for submitting this question to a referendum of the people.

Hon. T. J. O'SHEA: No.

[*Hon. P. J. Leahy.*]

The ACTING CHAIRMAN: The Hon. Mr. O'Shea moved the insertion of a new clause 2, and, so far as I can see, his amendment contains practically all the provisions of the Popular Initiative Referendum Bill. The motion to submit the Bill to a referendum having been already defeated, I rule the Hon. Mr. O'Shea's amendment out of order.

Hon. P. J. LEAHY moved—

"That the Temporary Chairman's ruling be disagreed with."

Hon. T. J. O'SHEA supported Mr. Leahy's motion.

Hon. J. S. COLLINGS rose to a point of order. Was the motion in order, and could it be debated without a special resolution submitted in writing?

The ACTING CHAIRMAN: If the Hon. Mr. Leahy wishes to disagree with my ruling, he must give notice in accordance with Standing Order 116A, which reads—

"If any objection is taken to a ruling or decision of the Chairman of Committees, such objection must be taken at once and be stated in writing."

Hon. P. J. LEAHY thereupon submitted the motion in writing.

Hon. T. J. O'SHEA pointed out that his amendment provided the necessary machinery for taking a referendum. The amendment moved by the Hon. Mr. Fowles provided for the taking of a referendum, but his (Mr. O'Shea's) amendment was something totally different. It proposed to place in the Bill facilities for taking a referendum if it was so desired.

The ACTING CHAIRMAN: The hon. member's amendment consists of new clauses to follow clause 1, which has not yet been passed. I shall, therefore, put clause 1.

Clause 1 put and passed.

Hon. T. J. O'SHEA moved the insertion of new clauses, to follow clause 1, page 1. He had handed a copy to the Chairman.

The ACTING CHAIRMAN: Although the hon. member has handed a copy to me, he must recognise that members of the Committee are not aware of its contents, and he must, therefore, read it.

Hon. T. J. O'SHEA: He moved the insertion of the following new clauses:—

"In this Act, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say,—

'Elections Act'—The law in force for the time being relating to the election of members of the Legislative Assembly;

'Elector'—An elector entitled under the Elections Act to vote at the election of a member of the Legislative Assembly;

'Minister'—The Home Secretary or other Minister of the Crown charged for the time being with the administration of this Act;

'Petition'—A petition under this Act: the term includes any copy or duplicate of a petition;

'Prescribed'—Prescribed by this Act or by any regulation;

'Promoter'—The person concerned in promoting any petition;

'Proposed law'—A law proposed in a petition;

'Referendum poll'—The poll of referendum votes provided for by this Act;

'Regulations'—Regulations made under the authority of this Act;

'Speaker'—The Speaker of the Legislative Assembly;

"And generally the terms used have the same meanings as are respectively assigned to them in the Elections Act.

"A petition under this Act for the reconstruction of the Legislative Council of the State of Queensland may be presented to the Speaker of the Legislative Assembly.

"Such petition shall be submitted to the electors by a referendum in accordance with the provisions of this Act, and the petition may pray that a Bill shall be prepared for giving effect to a proposed law which is not set out in detail in the petition, but the substance and effect whereof are set out in general terms therein.

"Such petition presented under this Act must be signed by at least ten thousand of the electors of the State.

"The persons concerned in promoting such petition shall send notice of their names and addresses and of the proposed petition to the Minister, who shall thereupon satisfy himself that—

(a) The proposed petition will comply with section 4 of this Act;

(b) There is a bona fide desire on the part of the promoters that the matters set forth in the petition be submitted to a referendum, and there is a likelihood of the requisite number of signatures to the petition being obtained;

(c) In a proposed petition relating to any proposed law set out in detail, the title of the proposed law is a fair indication of the contents thereof, the proposed law is so framed as to be clearly intelligible, and it is not of doubtful or ambiguous meaning.

"The promoters shall also deposit with the Minister the sum of one hundred pounds.

Upon being so satisfied, the Minister shall—

(a) Cause the petition to be printed;

(b) Issue a sufficient supply of copies of the petition (each of which shall bear upon the face thereof the date of issue) to the returning officer of each electoral district for transmission to each clerk of petty sessions, each clerk of a local authority, each head teacher of a State school, each officer of police of or above the rank of acting sergeant in charge of a police station, and to such other officers of the public service, justices of the peace, and other persons as may be approved by the Governor in Council within and for each electoral district;

(c) Declare the roll for each electoral district which shall be used as an official roll for the purposes of this Act: the roll so declared shall be conclusive evidence of the right of any person whose name is included therein to sign the petition;

(d) Forward a sufficient supply of the official roll of the electoral district, including all electoral divisions thereof, to the returning officer of such district for transmission to each of the persons mentioned in paragraph (b) of this subsection within such electoral district, and direct that each of such persons shall have the custody of such official roll and of the copy of the petition received by him from the returning officer.

"The petition may be signed by any person whose name is on the official roll of the electoral district before any of the following persons, who shall be regarded as approved witnesses, namely:— A clerk of petty sessions, clerk of a local authority, head teacher of a State school, officer of police of or above the rank of acting sergeant in charge of a police station, and such other officers of the public service, justices of the peace, and other persons as have been approved by the Governor in Council as aforesaid within and for the electoral district.

"No person shall sign the petition except before an approved witness.

"Every person claiming to sign the petition shall—

(i.) State his surname and christian name to the approved witness; and

(ii.) If so desired by such approved witness, state any other particulars necessary for the purpose of identifying his name on the official roll.

"Before any person signs, the approved witness shall put to him the following question:—

'Is your name on the official electoral roll of this district?'

and unless such question is answered in the affirmative, the person shall not be permitted to sign.

"The approved witness shall attest the signature, and shall write opposite thereto the number of the elector's name on the official roll, and shall make a mark opposite such number on the roll to show that such person has signed.

"No person shall sign the petition more than once, or at any place outside the electoral district for which he is enrolled.

"Every signature shall be written upon the sheets bearing or attached to the petition itself, and not pasted upon or otherwise transferred thereto; but signatures may be obtained to several copies or duplicates of the petition, and all such copies and duplicates shall be deemed to constitute one petition.

"All signatures to the petition must be obtained within three months from the date of the issue of the petition or such further time as the Governor in Council may grant on the application of the promoters.

"Not later than fourteen days after the expiration of the time allowed for obtaining signatures, each person having the custody of the official rolls and copies of the petition shall forward to the returning officer of the district—

(a) The copy of the petition as signed;

(b) A statutory declaration verifying the signatures witnessed by him, and

*Hon. T. J. O'Shea.]*

deposing to the best of his knowledge, information, and belief that this Act has been duly complied with as regards each such signature; and

(c) The official rolls as marked by him:

"Provided that the said period of fourteen days may, before the expiration thereof, be extended for a further period not exceeding thirty days by the Governor in Council on the application of the promoters.

"The returning officer, on receipt of the copies of the petition and the marked official rolls, shall make a mark against the corresponding numbers on a clean official roll kept by him, and shall thereafter certify the number of signatures which have been obtained in his electoral district, and that so far as he is concerned the relevant provisions of this Act have been complied with, and shall forward to the Minister such certificate, together with the copies of the petition and the marked rolls and statutory declarations received from the approved witnesses, and also his official roll so marked as aforesaid.

"Upon the receipt from all the returning officers of certificates, copies of the petition, declarations, and marked rolls as aforesaid, the Minister shall satisfy himself that the requisite number of signatures has been obtained, and shall make out and sign a certificate to that effect, and shall publish the certificate in the 'Gazette.' Such certificate shall be conclusive evidence of the matters stated therein. Upon the publication of such certificate, the Minister shall repay to the promoters the sum of one hundred pounds deposited by them as aforesaid. But, if the requisite number of signatures to the petition has not been obtained, the said sum shall be paid into the Consolidated Revenue Fund.

"As soon as may be after the signing of the certificate, the Minister shall present the petition, together with a copy of the certificate, to the Speaker.

"When such petition has been presented to the Speaker, he shall, at the expiration of ninety days after such presentation, issue his writ for the submission of such specified enactments to the electors by a referendum in accordance with the provisions of this Act.

"The Governor in Council may appoint, by commission under his hand and seal, a fit person to be the returning officer for taking a referendum poll under this Act.

"In case of sickness or other cause preventing the returning officer from acting, the Governor in Council may in like manner appoint some other person to act as returning officer in his stead.

"Notification of the appointment of the returning officer shall be published in the 'Gazette.'

"The returning officer, in addition to the powers and duties vested in and imposed upon him by this Act, shall have such of the powers and shall perform such of the duties of a returning officer appointed under the Elections Act as are necessary for carrying this Act into effect.

"Every returning officer appointed under the Elections Act shall be an assistant returning officer for the pur-

poses of this Act, and, in addition to the powers and duties vested in and imposed upon him by this Act, shall have such of the powers and shall perform such of the duties vested in and imposed upon a returning officer under the Elections Act as are necessary for carrying this Act into effect.

"The writ for a referendum poll shall be directed to the returning officer.

"A copy of the writ shall be published in the 'Gazette.'

"The referendum poll of the electors on any submission under this Act shall take place on the date named in the writ, not being later than ninety days after the date on which the writ is issued.

"The persons entitled to vote at the taking of a referendum poll shall be the electors, and no other persons.

"The mode of exercising the right to vote at a referendum poll, and of ascertaining such right, shall be the same as at elections of members of the Legislative Assembly.

"And generally (except as may otherwise be provided in this Act, or any regulation made thereunder) every enactment contained in the Elections Act regulating and making provision for the holding and conduct of elections, the proceedings before and at and subsequent to such elections, and all incidental matters shall, so far as applicable thereto, apply mutatis mutandis to the referendum poll to be taken under this Act: Provided that the provisions (if any) of the Elections Act for securing the absolute majority of votes shall not apply.

"Regulations may provide for preferential voting at a referendum where two or more matters relating to the same subject or to a similar subject are submitted to the electors at the same time.

"Every act or omission which would be punishable by law, if the same had occurred in connection with the holding of an election, shall be held to constitute the like offence, cognisable in the like manner, and punishable by the like punishment if the same occurs in connection with a referendum poll.

"Every assistant returning officer shall, in manner provided by the Elections Act, ascertain the number of votes respectively recorded at the referendum poll in favour of and in opposition to the matter or matters respectively submitted at the various polling-places within the electoral district for which he is the returning officer, for which purpose the presiding officer at each such polling-place shall make a return (certified by him to be correct) to the assistant returning officer of the number of votes so given respectively at such polling-place; and the assistant returning officer shall thereupon forthwith make out and furnish a return for such district (certified by him to be correct) to the returning officer appointed under this Act.

"Every return to be made under this section may be transmitted by telegraphic message or messages under the Telegraphic Messages Act of 1872.

"The total number of votes respectively recorded at the referendum poll in favour of and in opposition to the matter

or matters respectively submitted, showing the respective votes in each electoral district, shall be endorsed upon the writ by the returning officer, who shall forthwith return the writ so endorsed to the Speaker.

"The result of the referendum poll so endorsed shall be published by the Minister in the 'Gazette' within twenty-eight days from the return of the writ.

"Such publication shall be conclusive evidence of the result of the referendum poll.

"When a referendum poll has been taken on any proposed law, and a majority of the electors casting valid votes thereon have approved of the proposed law, it shall be presented for assent, and may be assented to by or on behalf of His Majesty (and for that purpose shall be deemed to be a Bill), and if assented to shall have the force of law.

"The enacting provision of every such law, when so assented to, shall be:

"Be it enacted by the King's Most Excellent Majesty, by and with the consent of the people of Queensland, and by the authority of the same, as follows:—

"A proposed law approved under this Act on a referendum poll may be assented to, and shall be valid and effectual notwithstanding that it is an amendment of the Constitution of Queensland or of any amendment thereof, or that its enactment, by means of Parliament, would have been subject to any special provisions.

"Nothing in this Act shall be deemed to affect or prejudice the provisions of the Constitution of Queensland relating to the reservation of Bills by the Governor for His Majesty's assent.

"Except as herein otherwise provided, the provisions of the Acts Shortening Acts shall apply to any law enacted under this Act as if it were an Act passed by Parliament in the usual manner.

"The validity of any writ shall not be questioned in any proceedings or by any person whatsoever except as hereinafter provided, that is to say:—

- (a) Within twenty days after the issue of any writ any electors not being less than one hundred in number may, on depositing with the Registrar of the Supreme Court the sum of one hundred pounds as security for costs, move the elections tribunal to quash the writ on the grounds that any condition necessary to authorise the issue thereof or the submission of the Act, enactments, or proposed law has not been fulfilled.
- (b) Notice of such motion shall be addressed to and served on the Attorney-General and one or more of the promoters.
- (c) The elections tribunal, on the hearing, may either quash the writ, which shall thereupon become null and void, or dismiss the motion, and may make such order as to costs and as to the disposal of the money deposited as shall be just.

"The Governor in Council may from time to time make all such regulations

as he deems necessary for carrying this Act into full effect, and as to the form of the writ and of the ballot-paper, and for directing, assisting, and safeguarding the promoting, signing, making, and presentation of petitions and the taking of referendum polls, and may by such regulations impose a penalty not exceeding fifty pounds for any breach thereof.

"Such regulations shall, on being published in the 'Gazette,' have the same effect as if they were enacted in this Act.

"All such regulations shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament is then sitting, or, if Parliament is not then sitting, within fourteen days after the commencement of the next session of Parliament.

"If either House of Parliament, by resolution passed within one month after such regulations have been laid before such House, resolves that the whole or any part of such regulations might not continue in force, in such case the whole or such part thereof as is so included in such resolution ceases to be binding, but without prejudice to the validity of anything previously done thereunder."

The ACTING CHAIRMAN: I rule that the amendment moved by the Hon. Mr. O'Shea is out of order, as it proposes to set up machinery to give effect to a principle which has been rejected by the Committee on the amendment to clause 1 moved by the Hon. Mr. Fowles. This ruling is in accordance with "May" on Parliamentary Practice, 370, in which it is stated—

"Amendments are out of order if they are irrelevant to the Bill, or beyond its scope; governed by or dependent upon amendments already negatived."

HON. P. J. LEAHY moved—

"That the Chairman's ruling be disagreed with."

The SECRETARY FOR MINES: He considered that the Chairman's ruling was sound. He would appeal to the Committee to get back to a serious mood. This was the third occasion on which the Bill had been before the House. It had been before them in 1917 and 1918, when a high standard of debate was observed, and they should maintain that standard now. The tone of debate in the Council compared more than favourably with the tone of debate in the Assembly.

HON. T. J. O'SHEA disagreed with the Chairman's ruling. The two amendments were essentially different.

HON. W. F. FINLAYSON: The Chairman had given a very wise ruling, and was supported by an unimpeachable authority in "May."

HON. E. W. H. FOWLES: The amendment proposed to give the people an opportunity to reconstitute the Council.

The CHAIRMAN: If the amendment provided for the re-establishment of the Council, it was equally out of order, because it was outside the scope of the Bill.

Question—That the Chairman's ruling be disagreed with (*Mr. Leahy's motion*)—put and negatived.

*Hon. T. J. O'Shea.* ]



HON. E. W. H. FOWLES moved the insertion of a new clause to read—

“This Act shall not come into operation until its provisions are passed by an absolute majority of the members of this Council.”

The CHAIRMAN: I rule that the amendment is out of order, as it is not relevant to the subject-matter of the Bill.

HON. P. J. LEAHY: If an amendment referring to the date of the coming into operation of an Act was not relevant, he was at a loss to know what was.

Clause 2 put and passed.

On clause 3—“*Existing privileges of members of the Council*”—

HON. W. F. TAYLOR advocated negating the clause, as it provided for the retention of the free passes by hon. members of the Council, and the assumption was that the Bill would not have been passed if that clause had not been included.

Question—That clause 3, as read, stand part of the Bill—put; and the Council divided:—

CONTENTS, 28.

Hon. R. Bedford	Hon. A. Hincheliffe
“ R. J. Carroll	“ A. J. Jones
“ W. P. Colborne	“ H. C. Jones
“ J. S. Collings	“ T. L. Jones
“ F. Courtice	“ C. Kilpatrick
“ W. R. Crampton	“ G. Lawson
“ W. H. Demaine	“ H. Llewellyn
“ J. F. Donovan	“ H. G. McPhail
“ T. J. Donovan	“ R. J. Mulvey
“ A. Dunn	“ I. Perel
“ W. J. Dunstan	“ E. B. Purnell
“ W. F. Finlayson	“ A. Skirving
“ J. S. Hanlon	“ R. Sumner
“ E. J. Hanson	“ G. H. Thompson

Tellers: Hon. W. R. Crampton and Hon. J. S. Collings.

NOT-CONTENTS, 6.

Hon. T. C. Beirne	Hon. T. J. O'Shea
“ E. W. H. Fowles	“ W. F. Taylor
“ C. F. Marks	“ A. H. Parnell

Tellers: Hon. A. H. Parnell and Hon. E. W. H. Fowles.

Resolved in the affirmative.

On clause 4—“*Repeals, etc., of certain enactments.*”—

The SECRETARY FOR MINES said there was nothing in the assumption that the privileges granted to members would induce them to vote for the Bill, because on all previous occasions when the Bill was introduced such a clause was not included, and yet hon. members supporting the Government had voted for the abolition of the Council.

Clause put and passed.

HON. E. W. H. FOWLES moved the insertion of a new clause to follow clause 4, reading—

“Notwithstanding anything to the contrary in the preceding sections of this Act, it is hereby provided that unless a Legislative Council for the State of Queensland, partly or wholly elective, is duly constituted within three years from the first day of January, 1922, this Act shall not have any force or operation whatsoever.”

The ACTING CHAIRMAN: I would call attention to the fact that the amendment, if carried, would bring about a position of absurdity.

[Hon. E. W. H. Fowles.

HON. W. F. FINLAYSON asked whether the amendment was in order.

The ACTING CHAIRMAN: I rule that the amendment is not in order.

Schedule put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

THIRD READING.

The SECRETARY FOR MINES moved—

“That the Bill be now read a third time.”

HON. P. J. LEAHY moved the omission of the word “now” and the addition of the words “this day six months,” for the following reasons:—

“1. The proposal to abolish the Legislative Council was submitted to the electors of Queensland by way of referendum in May, 1917. The electors rejected the proposal by a majority of 62,909 votes.

“2. The Government has not, since that date, referred the matter of abolishing the Council to the electors, and have not received a mandate from the electors to abolish the Council. At the general election last year the political parties opposed to the Government (and in favour of some form of second Chamber) polled 20,000 votes more than the Government candidates.

“3. Because the Commonwealth of Australia Constitution Act (an Imperial statute) recognises the continued existence of both Houses of Parliament of each State of the Commonwealth of Australia. Section 15 provides for filling a casual vacancy in the Senate by the Houses of Parliament of the State concerned sitting and voting together and choosing a representative for the State.

“4. Because the Australian States Constitution Act of 1907 recognises the continued existence of both Houses of Parliament of each State of the Commonwealth of Australia, and provides by Section 1 (5) that the signification of the assent of His Majesty's pleasure to any Bill reserved shall be entered on the journals of both Houses of the Legislature of the State.

“5. Because the Queensland Legislature has no warrant or authority to alter any of the provisions of the Imperial Statutes above mentioned, and effect could not be given to them if the Legislative Council were abolished.

“6. Because the proviso to Article 22 of the Order in Council impliedly shows that there could be no abolition of the Legislative Council, inasmuch as express provision is made for the reservation of a Bill altering the constitution of the Legislative Council by making it wholly or partly elective, and it is scarcely possible to conceive the absence of such a provision with respect to a Bill having the wider effect of the abolition of the Council if such were contemplated as part of the powers of the Queensland Legislature.

“7. Because, since all the other States of the Commonwealth retain the bicameral system, its destruction in Queensland

would fatally prejudice the standing and rights of this State, reducing it below the level of all the others, and dislocating the provisions by which due representation in the Federal Parliament is secured to Queensland.

"8. Because some revising Chamber is necessary in order to obtain equity, harmony, and consecutiveness in legislation, as a single Chamber, unbridled and acting before election heat has time to cool, is tempted to force measures through that are partisan, haphazard, and due to momentary impulse. No alternative proposal for a second Chamber, whether elective or otherwise, has at any time been submitted to this Council by the Legislative Assembly.

"9. Because the abolition of the Legislative Council would remove all checks upon the dominant party in the Legislative Assembly by referendum or otherwise, and the people would be robbed of their right of appeal.

"10. Because the abolition of the Legislative Council would place the Judiciary and the Land Court at the mercy of the dominant party in a single-Chamber Legislature; and would shake the security of tenure of officers such as the Auditor-General, the Commissioner for Railways, and the Commissioner of Police, whose duties are such that they should be freed from all political temptation or menace.

"11. Because there has been no public desire or mandate for such abolition.

"Wherefore the Council orders that the foregoing resolution be forwarded by the Honourable the President to His Excellency the Governor, with a request that His Excellency will be pleased to transmit the same to the Right Honourable the Secretary of State for the Colonies for submission to His Majesty the King."

The SECRETARY FOR MINES said he did not propose to accept the amendment, as it would defeat the intentions of the Bill.

Question—That the word proposed to be omitted (*Mr. Leahy's amendment*), stand part of the question—put; and the Council divided:—

CONTENTS, 28.

Hon. R. Bedford	Hon. A. J. Jones
" R. J. Carrell	" H. C. Jones
" W. P. Colborne	" T. L. Jones
" J. S. Collings	" C. Kilpatrick
" F. Courtice	" G. Lawson
" R. Crampton	" H. Llewelyn
" W. H. Demaine	" L. McDonald
" J. F. Donovan	" H. G. McPhail
" T. J. Donovan	" R. J. Mulvey
" W. J. Dunstan	" I. Perel
" W. F. Finlayson	" E. B. Purnell
" J. S. Hanlon	" A. Skirving
" E. J. Hanson	" R. Sumner
" A. Hinchcliffe	" G. H. Thompson

Tellers: Hon. H. G. McPhail and Hon. E. J. Hanson.

NOT-CONTENTS, 8.

Hon. A. Dunn	Hon. C. F. Marks
" T. C. Beirne	" T. J. O'Shea
" E. W. H. Fowles	" A. H. Parnell
" P. J. Leahy	" W. F. Taylor

Tellers: Hon. T. C. Beirne and Hon. E. W. H. Fowles.

Resolved in the affirmative.

HON. E. W. H. FOWLES pointed out that the hon. members were appointed by the Governor, and not by the Governor in Council, and a provision in the Bill might destroy the whole Bill.

The SECRETARY FOR MINES, on behalf of the Government, wished to mention that the Hon. Mr. McDonnell was absent on that historical occasion because of the illness of his daughter, and the Hon. Mr. Riordan was absent, as he was engaged on important work at Mount Morgan.

Question—That the Bill be now read a third time—put and passed.

The SECRETARY FOR MINES moved—  
"That the Bill do now pass."

Question put and passed.

The SECRETARY FOR MINES moved—  
"That the Bill be returned to the Legislative Assembly by message in the usual form."

HON. E. W. H. FOWLES moved the omission of the words "in the usual form," with a view to inserting the words—

"It is recommended that provision shall be made by resolutions respectively of the Legislative Council and of the Legislative Assembly that, before this Bill is presented to the Governor for the signification of His Majesty's assent thereto, this Bill shall be referred to a revisory committee consisting of ten members—five to be appointed by the Legislative Council, and five by the Legislative Assembly.

"It shall be the duty of the members so appointed—(a) to take such Bill into consideration with the object of ensuring that the provisions of such Bill are a clear expression of the will and intention of the people of Queensland, and that, so far as such Bill deals with existing legislation, it deals with the same clearly and effectively; and (b) within a time to be fixed by such resolution to present a report on such Bill to the Legislative Council and to the Legislative Assembly, together with such recommendations as will, in the opinion of the Council, ensure the objects aforesaid."

Amendment put and negatived.

HON. P. J. LEAHY said the day was not far distant when, phoenix-like, the Council would rise from its ashes and be restored.

Question put and passed.

MINERS' HOMESTEAD PERPETUAL LEASES ACT AMENDMENT BILL.

COMMITTEE.

(Hon. L. McDonald, Acting Chairman, in the chair.)

Clauses 1 to 3, both inclusive, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly in the usual course.

[Hon. A. J. Jones.

## JOINT COMMITTEES.

## CONTROL DURING RECESS—CONCURRENCE OF ASSEMBLY.

The PRESIDING CHAIRMAN announced the receipt from the Assembly of a message as follows:—

“Mr. Presiding Chairman,

“The Legislative Assembly having had under consideration the Legislative Council’s message of this day’s date, relative to the control of the library, refreshment-rooms, and parliamentary buildings during the recess, beg now to intimate that they concur in the resolution contained in that measure.

“W. BERTRAM, Speaker.

“Legislative Assembly Chamber,  
“Brisbane, 25th October, 1921.”

## MOUNT MULLIGAN RELIEF FUNDS BILL.

## FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

## SECOND READING.

The SECRETARY FOR MINES—I beg to move—

“That the Bill be now read a second time.”

He wished it placed on record that they all appreciated the heroic rescue work engaged in by very many of those who were near at hand when the accident occurred; and, as Secretary for Mines, he desired to state how much he appreciated the action of the officers of the Mines Department who were near at hand when the accident took place. He also understood that a great many private people also did splendid work.

Question put and passed.

## COMMITTEE.

(*Hon. L. McDonald, Acting Chairman, in the chair.*)

Clauses 1 to 7, both inclusive, put and passed.

HON. E. W. H. FOWLES said an amendment should be inserted providing that any final small balances to the credit of those funds should be handed over to the consolidated revenue.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

## THIRD READING.

The SECRETARY FOR MINES moved—  
“That the Bill be now read a third time.”

HON. C. KILPATRICK said that everything possible had been done so far as rescue work at Mount Mulligan was concerned, and he paid a tribute to the women of Mount Mulligan for what they had done.

Question put and passed.

On the motion of the SECRETARY FOR MINES, the Bill was passed and ordered to be returned to the Assembly by message in the usual form.

[*Hon. T. Nevitt.*

## COMMONWEALTH POWERS (AIR NAVIGATION) BILL.

## FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

## SECOND READING.

The SECRETARY FOR MINES moved—

“That the Bill be now read a second time.”

The Bill would make air navigation uniform throughout the Commonwealth, but it would not come into operation until similar legislation was passed by all the States.

Question put and passed.

## COMMITTEE.

(*Hon. L. McDonald, Acting Chairman, in the chair.*)

Clauses 1 to 4, both inclusive, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

## THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

## SECOND-HAND WARES BILL.

## FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

## SECOND READING.

The SECRETARY FOR MINES moved—

“That the Bill be now read a second time.”

This Bill was the result of a Royal Commission. It was a very useful and necessary measure, and would give greater protection in a certain direction, and was one that was badly needed.

HON. E. W. H. FOWLES protested against the Bill being passed at 2 o’clock in the morning.

Question put and passed.

## COMMITTEE.

(*Hon. L. McDonald, Acting Chairman, in the chair.*)

Clauses 1 to 4 put and passed.

Clause 5—“*Collectors to be licensed*”—

HON. E. W. H. FOWLES said the Government should give notice of a Bill such as that, so that those concerned would have an opportunity of becoming acquainted with its provisions.

Clause put and passed.

Clauses 6 to 10, both inclusive, put and passed.

Clause 11—“*Suspicious offering of goods*”—

HON. E. W. H. FOWLES: The clause provided that “a dealer or his servant or agent may arrest such person.” It was a wise thing that only a police constable could arrest any person.

Clause put and passed.

Clauses 12 to 16 put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

#### THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

### MAGISTRATES COURTS BILL.

#### FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

#### SECOND READING.

The SECRETARY FOR MINES moved—  
“That the Bill be now read a second time.”

That was one of three Bills introduced by the Government providing for law reform. The District Courts had been abolished, and the jurisdiction of the magistrates courts had been increased up to £200.

HON. E. W. H. FOWLES moved the adjournment of the debate.

The SECRETARY FOR MINES said he proposed to go on with the Bill, as it had really been discussed previously, and hon. gentlemen knew its provisions.

HON. T. J. O'SHEA said the Minister would be well advised if he allowed the Bill to stand over, and gave hon. members an opportunity of at least reading it.

Question—That the debate be adjourned—put; and the Council divided:—

#### CONTENTS, 4.

Hon. E. W. H. Fowles	Hon. A. H. Parnell
„ T. J. O'Shea	„ A. Dunn
Tellers: Hon. A. H. Parnell and Hon. A. Dunn.	

#### NOT-CONTENTS, 27.

Hon. R. Bedford	Hon. T. L. Jones
„ W. P. Colborne	„ C. Kilpatrick
„ J. S. Collings	„ G. Lawson
„ F. Courtice	„ H. Llewelyn
„ W. R. Crampton	„ F. McDonnell
„ W. H. Demaine	„ H. G. McPhail
„ T. J. Donovan	„ R. J. Mulvey
„ W. J. Dunstan	„ I. Perel
„ W. F. Finlayson	„ E. B. Purnell
„ J. S. Hanlon	„ A. Skirving
„ E. J. Hanson	„ R. Sumner
„ A. Hinchcliffe	„ R. J. Carroll
„ A. J. Jones	„ J. F. Donovan
„ H. C. Jones	

Tellers: Hon. R. J. Carroll and Hon. J. F. Donovan.

HON. E. W. H. FOWLES said that Bill was the foundation of all small litigation in Queensland, and was of more importance to the people than even a Supreme Court Bill or a High Court Bill.

Question—That the Bill be now read a second time—put and passed.

#### COMMITTEE.

(Hon. L. McDonald, Acting Chairman, in the chair.)

Clauses 1 to 4, both inclusive, put and passed.

Clause 5—“Courts to be courts of record”—

HON. E. W. H. FOWLES asked if there was any provision in the Bill for a jury.

The SECRETARY FOR MINES: No.

Clause put and passed.

Clauses 6 to 14, both inclusive, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

#### THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

### WHEAT ADVANCES AGREEMENT RATIFICATION BILL.

#### FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

#### SECOND READING.

The SECRETARY FOR MINES moved—  
“That the Bill be now read a second time.”

It was merely a ratification Bill.

Question put and passed.

#### COMMITTEE.

(Hon. L. McDonald, Acting Chairman, in the chair.)

Clauses 1 and 2, and schedule, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

#### THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

### WORKERS' ACCOMMODATION ACT AMENDMENT BILL.

#### FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

#### SECOND READING.

The SECRETARY FOR MINES: This was a necessary Bill to improve the workers' accommodation and make the conditions better for the workers. It was the policy of the Government to improve the conditions of the workers wherever possible. He moved—

“That the Bill be now read a second time.”

Question put and passed.

#### COMMITTEE.

(Hon. L. McDonald, Acting Chairman, in the chair.)

Clauses 1 to 6, both inclusive, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

Hon. A. J. Jones.]

## THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

## MARYBOROUGH CEMETERY BILL.

## FIRST READING.

On the motion of the SECRETARY FOR MINES, this Bill, received by message from the Assembly, was read a first time.

## SECOND READING.

The SECRETARY FOR MINES: The purpose of the Bill was clearly set out in the preamble. It was to convert an old cemetery at Maryborough into a park. He moved—

“That the Bill be now read a second time.”

Question put and passed.

## COMMITTEE.

(*Hon. L. McDonald, Acting Chairman, in the chair.*)

Clauses 1 to 4, put and passed.

Clause 5—“*Right to remove tombstones and remains*”—

HON. E. W. H. FOWLES said it was necessary that the Government should advertise to see if it was possible to ascertain the addresses of any of the relatives.

HON. W. H. DEMAINE said those concerned had advertised fifteen to twenty years ago, and had had practically no response.

Clause put and passed.

Clause 6, schedule and preamble, put and passed.

The Council resumed.

The ACTING CHAIRMAN reported the Bill without amendment.

The report was adopted.

## THIRD READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a third time, passed, and ordered to be returned to the Assembly by message in the usual form.

## PAPER.

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

Regulations under the Public Service Acts, 1896 to 1920.

## SPECIAL ADJOURNMENT

The SECRETARY FOR MINES moved—

“That the Council, at its rising, do adjourn till 3.30 p.m. to-day.”

HON. E. W. H. FOWLES: Was there any special reason for meeting at 3.30 p.m.?

The SECRETARY FOR MINES: The business will be the Cheese Pool Bill and the Income Tax Act Amendment Bill.

Question put and passed.

The Council adjourned at 3.25 a.m.

[*Hon. A. J. Jones.*

## LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 OCTOBER, 1921.

The SPEAKER (*Hon. W. Bertram, Maree*) took the chair at 11 a.m.

## WHEAT ADVANCES AGREEMENT RATIFICATION BILL.

## INITIATION IN COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

The SECRETARY FOR AGRICULTURE (*Hon. W. N. Gillies, Eacham*): I beg to move—

“That it is desirable that a Bill be introduced to approve, confirm, and ratify an agreement dated 5th April, 1921, between the Commonwealth of Australia, the State of Queensland, and certain banks respecting advances of money required to pay for wheat delivered to the State Wheat Board, and for other consequential purposes.”

Question put and passed.

The House resumed.

The CHAIRMAN reported the resolution to the House.

The resolution was agreed to.

## FIRST READING.

The SECRETARY FOR AGRICULTURE presented the Bill, and moved—

“That the Bill be now read a first time.”

Question put and passed.

## SECOND READING.

The SECRETARY FOR AGRICULTURE: I beg to move—

“That the Bill be now read a second time.”

This is purely a formal Bill. I gave the leader of the Opposition a copy. There are two clauses in the Bill, and they ratify the existing agreement between the Commonwealth and State Governments and the various banks for financing the State Wheat Board in connection with the harvesting of wheat. It is purely a formal matter, and there is no need to say more at this stage.

Question—That the Bill be now a second time—put and passed.

## PROPOSED COMMITTEE.

The SECRETARY FOR AGRICULTURE: Mr. Speaker,—I beg to move—

“That you do now leave the chair, and that the House resolve itself into Committee to consider the Bill in detail.”

Mr. T. R. ROBERTS (*East Toowoomba*): Surely you are not going to put a Bill through all its stages without giving hon. members an opportunity of seeing a copy of it. I would like to see the Bill in any case. I enter my protest against the way the Government rush Bills through this House. Although the Bill may be one containing only two clauses, I think members are entitled to see it. We should get copies of all Bills passing through the Assembly. Surely the Bills are being printed? We had a Bill rushed through the other night before we had