

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 4 OCTOBER 1922

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WEDNESDAY, 4 OCTOBER, 1922.

The SPEAKER (Hon. W. Bertram, *Marce*)
took the chair at 11 a.m.

PAPERS.

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

Regulations under the Health Acts, 1900
to 1917, dated 18th August, 1922,
entitled the Sanitary Conveniences
and Nightsoil Disposal Regulations,
1922.

Regulations under the Health Acts, 1900
to 1917, dated 29th September, 1922,
entitled the Epidemic Diseases Regu-
lations, 1922.

Regulations under the Health Acts, 1900
to 1917, dated 29th September, 1922,
entitled the Plague Regulations of
1922, for the control of goods traffic.

QUESTIONS.

CLOSURE OF POLICE COURT IN SOUTH BRISBANE.

Mr. FERRICKS (*South Brisbane*), without
notice, asked the Attorney-General—

“Will the hon. gentleman answer the
question which I asked on Friday, 8th
September, with regard to the Police
Court at South Brisbane, namely—

1. From what date was the Police
Court at South Brisbane closed?
2. What has been the saving, per
annum, on account of such closure?

3. What extra cost, if any, has been incurred per annum in conducting Police Court proceedings at Brisbane from the transfer up to the initiation of the Magistrates Court?

4. What number of officers were transferred on account of the closure?

5. Have any additional officers been needed at the Central Court? If so, how many?"

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) replied—

"1. 1st November, 1915.

"2. At least £600 per annum in salaries since 1st January, 1916; and £690 per annum in office rentals, the building being occupied by the Commissioner of Public Health.

"3. None.

"4. Three.

"5. No."

REQUEST FOR RENEWAL OF SUGAR AGREEMENT BY COMMONWEALTH GOVERNMENT.

Mr. TAYLOR (*Windsor*), without notice, asked the Treasurer—

"Has the Treasurer received a letter from the City Council of Bundaberg with regard to the sugar agreement asking that this Parliament before the session is closed will send a united protest to the Federal Parliament, and ask that the sugar agreement be continued?"

"If the Premier has received such a letter, I would like to know what action he has taken?"

The PREMIER (Hon. E. G. Theodore, *Chillagoe*) replied—

"I have received a letter from the Bundaberg City Council, and a letter has been despatched in accordance with the wish expressed in that letter. It is apparent that all sections of the Queensland Parliament are in favour of the continuance of the sugar agreement. All political parties in Queensland have at one time or another expressed themselves in favour of the continuance of the agreement, and, if they will continue to advocate that course, it will have a good effect."

FRIENDLY SOCIETIES' ASSOCIATION DEPUTATION TO THE ATTORNEY-GENERAL.

Mr. T. R. ROBERTS (*East Toowoomba*), without notice, asked the Attorney-General—

"Has the Attorney-General come to a decision yet in regard to the matter brought before him by a deputation from the Friendly Societies' Association which recently waited upon him?"

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) replied—

"Yes. I have come to a decision which is mutually satisfactory to the friendly societies and to all parties concerned."

MINISTERIAL TRAVELLING EXPENSES.

HON. W. H. BARNES (*Bulimba*), without notice, asked the Premier—

"Is it the intention of the Premier, before the House rises, to place on the table of the House the return asked for by the hon. member for Murilla in connection with Ministerial travelling expenses?"

The PREMIER (Hon. E. G. Theodore, *Chillagoe*) replied—

"The return has not yet been presented to me, and I am unable to table it. This will be the last opportunity of doing it this session. The matter has been in the hands of the department to collect the statistics, but for some reason it has not been completed."

CRIMINAL CODE AMENDMENT BILL.

INITIATION.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Criminal Code in a certain particular."

To expedite business, I might mention that it is intended to amend section 60 of the Criminal Code, dealing with the bribery of members of Parliament. The Bill really provides for the forfeiture of property used in connection with the bribery of members of Parliament. That practically is all the Bill. I will give full particulars in Committee.

Question put and passed.

INITIATION IN COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

"That it is desirable that a Bill be introduced to amend the Criminal Code in a certain particular."

As the Bill will be circulated in a few moments, and I have stated the main purpose of it, it is not necessary for me to give any further particulars until I make my second reading speech, when I will give full particulars.

Mr. VOWLES (*Dalby*): I would like to find out whether this is a retrospective Bill, or whether it applies only to the future.

The ATTORNEY-GENERAL: The Bill applies to any offence, whether committed before or after the 1st July, 1922.

Mr. VOWLES: Then it is retrospective, and applies to certain funds now held by the police.

The ATTORNEY-GENERAL: The Bill applies to no fund. It is of general application. (Opposition laughter.)

Mr. VOWLES: The Bill is brought in for a particular purpose. Certain moneys are now in the hands of the police as a result of a certain prosecution.

Mr. PEASE: Where did they come from? (Interruption.)

Mr. VOWLES: My point is that, if we are going to adopt this principle, we are going to affect the rights of certain men who have been convicted and sentenced. One portion of their sentence was that they should pay certain fines. If that money is their own personal property, will they not be precluded from paying those fines, merely because the Government are going to confiscate money which would permit of the payment of the fines?

The ATTORNEY-GENERAL: Why not wait until you see the Bill?

Mr. VOWLES: We are considering the principle now, and, if the Government are going to deprive those men of the power to pay those fines out of moneys in their possession—which we must assume belongs to them—are they not putting them in the position of having to carry out a term of the sentence which otherwise they might avoid?

Mr. GLEDSON: Why suppose that they have no more money?

Mr. VOWLES: It is a remarkable state of affairs that the Government are prepared to deprive a man of funds of which he is in possession in order to incarcerate him.

The PREMIER: It was mentioned in court that they had no money. Mr. Feez said that they had not 3,000 pence, let alone £3,000.

Mr. VOWLES: I did not follow the evidence up, but, from what I know, these men were in possession of a certain sum of money. That money was taken from them, and they have been fined.

Mr. GLEDSON: Their counsel said that they had no money.

Mr. VOWLES: That does not matter. That money is theirs. I presume they can pay those fines.

Mr. GLEDSON: How do you know?

Mr. VOWLES: I presume they can.

The PREMIER: The judge said that the fines would be paid, not by Sleeman and Connolly, but by somebody behind them.

Mr. VOWLES: I do not know anything about that. Those men are entitled to authorise the department to deduct the fine from the funds which are in possession of the Crown at the present time.

Mr. BRENNAN: They have no such right; you know that. Let Feez get his fee from the right quarter.

Mr. VOWLES: I am not worrying about Feez or any one else, or the hon. gentleman either. It would be a little more decent of the hon. member if he were to keep quiet on this matter.

Mr. BRENNAN: I won't keep quiet. You knew all about it, on that Saturday on the racecourse.

Mr. VOWLES: Is the hon. member game to say that outside? If he does say it, I will give him a writ.

Mr. BRENNAN: Turn up "Hansard," and you will see that that is so.

Mr. VOWLES: This is not a matter that should be discussed with any heat. The Bill is brought in to meet a particular case—that of confiscating a fund, and by doing so depriving certain individuals of certain rights which they otherwise would be entitled to.

Mr. GLEDSON: It is not their money at all.

Mr. VOWLES: That is not the point. I strongly object to the passage of legislation to meet a particular case. The law should be of general application. When the Government deal with matters in this way they are not carrying out the functions of government in the proper way.

Mr. MORGAN (*Murilla*): I think that the Government, in introducing this particular measure, are showing that they are out not only to prosecute those who committed a certain offence but to persecute them. Evidently the Premier is annoyed that the judge did not take notice of the conference that he had with the Attorney-General and the

Solicitor-General in respect of the sentence which was to be imposed upon these particular men.

The CHAIRMAN: Order! I call upon the hon. gentleman to withdraw that insinuation.

Mr. VOWLES: The Solicitor-General said that that was so in court.

Mr. MORGAN: What I am saying appeared in the evidence given in court. The Solicitor-General stated in court that he had an interview with the Attorney-General and with the Premier in respect of the sentence; and the judge said he was not prepared to hear what had passed between the Premier and the Solicitor-General. I am perfectly in order in the suggestion that I made.

The CHAIRMAN: Order! I did not understand the hon. gentleman to say that; his second statement is entirely different to his first.

Mr. MORGAN: No, Sir.

The CHAIRMAN: Pardon me, I listened intently to what the hon. gentleman said.

Mr. MORGAN: I was referring to what occurred in the court.

The CHAIRMAN: The hon. gentleman will be in order in referring to a statement which was made in court.

Mr. MORGAN: Owing to the fact that the judge did not take notice of this particular conference and did not impose what might be regarded as a vicious sentence, but one which he thought was sufficient to meet the requirements of the case, the Premier now, by Act of Parliament, is going to impose another sentence upon these unfortunate men. (Government dissent.)

OPPOSITION MEMBERS: Hear, hear!

Mr. MORGAN: The Premier evidently is annoyed that the sentence was not heavier, and now he is going to use this Parliament for the purpose of imposing a further penalty on these particular men. There is no doubt whatever about that. Right from the very commencement of this case the facts show that the Premier has been in collusion with others respecting this particular charge. The court case showed that he was consulted not only by Mr. Brennan in the first instance, but by the detectives, who visited him at his home and in his office for the purpose of getting instructions from him in regard to the case. It seems to me to be an extraordinary thing for the Premier to do. A man who represents the whole of Queensland should be above such tactics, he should not enter into collusion with others, he should not be at the head of a plot for the purpose of convicting men in connection with a case of this sort.

The ATTORNEY-GENERAL: Why not wait until you see the Bill?

Mr. MORGAN: I am going to oppose this at every stage and in every way I can. (Government laughter.)

The ATTORNEY-GENERAL: We expected that.

Mr. MORGAN: I believe in justice. These men have been tried by a British court of justice. The judge sentenced them and they are paying for their offence. The Government are now going to increase the penalty. (Government interruption.) The Minister has told us that the Bill will apply

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to any offences committed since the 1st July, 1922. If the hon. gentleman will tell us straight out that the Bill is not intended to apply to the money now in the hands of the police, it will be a different thing altogether. By inference he has led us to believe that this Bill is going to apply to that particular money.

The PREMIER: If it is sound to apply the Bill to the money of the future, it is just as sound to apply it to the money of the past.

Mr. MORGAN: When the judge sentenced the prisoners he stated that he took into consideration the fact that there was £3,200 in bonds and cash practically belonging to those men. He knew that the money was available to pay the fines that were imposed upon them. The Government are dissatisfied with the punishment inflicted, and now they are going to victimise the men to a further extent. I am against that principle. It is not British fair play. (Government interruption.) Here is the hon. member for Mitchell, who always prates about British fairplay, now prepared to kick men who are down. (Interruption.)

GOVERNMENT MEMBERS: No.

Mr. MORGAN: That is not the attitude of a sport. (Uproar.)

The ATTORNEY-GENERAL: We want to prevent persons attempting to corrupt members of Parliament.

Mr. MORGAN: The Government are not satisfied with the sentence imposed.

The ATTORNEY-GENERAL: We are not dealing with the sentence; we are dealing with tainted money.

Mr. MORGAN: No matter what the hon. gentleman might say, we know that he is dissatisfied with the sentence imposed upon the prisoners, and he wants to bring in this Bill to confiscate their money.

The ATTORNEY-GENERAL: That is not true.

Mr. MORGAN: The tactics are cowardly tactics on the part of the Government, but it is only what we might expect from hon. members opposite. Hon. members opposite have always professed that, when a man is sentenced to a long term of imprisonment, and he serves that term of imprisonment, he should have the right again to become an honest citizen. The Government are not satisfied with the punishment, and they desire further to trample the men in the dust of humiliation by taking away from them the wherewithal to pay their £500 fine. It is a disgraceful and unsportsmanlike state of affairs to think that we have a Government that would stoop to such low-down tactics.

Mr. TAYLOR (*Windsor*): The Committee desires the fullest explanation from the Premier as to the action he took in connection with this case after the men had been found guilty. We are entitled to know whether he wrote a letter to the Solicitor-General or what recommendations he made, if any, with regard to this matter after the men had been found guilty. We are entitled to know that, because it is evident that something was done that was wrong. If it was not wrong, the judge would have listened to what the Solicitor-General intended to tell him with regard to an interview which the Solicitor-General stated he had had with the Premier. The Premier has the right to get up and tell us everything that occurred with regard to instructions, the writing of a letter, or anything else that took place at

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that interview with the Solicitor-General. We are not here in this Chamber to condone the bribery of any member of Parliament, no matter which party he may belong to.

OPPOSITION MEMBERS: Hear, hear!

Mr. TAYLOR: If that kind of thing was going to be permitted or to be condoned by any member of this Chamber, then his place is outside the Chamber and not inside.

OPPOSITION MEMBERS: Hear, hear!

Mr. TAYLOR: All we want to know is that the game is being played fairly.

Mr. HARTLEY: You are not going to say it is not right for the Premier to instruct the Solicitor-General?

Mr. BRENNAN: It was a State trial.

Mr. TAYLOR: I say the Premier had no right to communicate with the Solicitor-General after these men were convicted. He had a perfect right to communicate with him while the case was being heard, as the Crown was prosecuting in this case, but to attempt to do anything at all after the men were found guilty was highly improper.

Mr. HARTLEY: Why? On what ground?

Mr. TAYLOR: I say it was highly improper. When the judge passed sentence on these men, he undoubtedly took cognisance of the fact that £3,200 was held by the court, and he also knew that by passing the sentence which he did the means would be made available so that those men would serve a short sentence and each pay the fine of £500 which the judge inflicted on him. Now we find the Government coming in and endeavouring, as far as they possibly can, to make these men serve twelve months' imprisonment.

The ATTORNEY-GENERAL: They won't serve twelve months. You know that.

Mr. TAYLOR: The Government are bringing in a Bill to override what the judge did in connection with that case. I contend—I do not think any hon. member can deny it—that the judge took into consideration the fact that there was sufficient money to pay the fine, and he inflicted a fine accordingly. Here is what His Honour said to the prisoners when passing sentence—

“You have the bonds and money in your possession; I must inflict some punishment beyond a fine. The sentence of the court is that you be imprisoned without hard labour in Brisbane Gaol for three months, and each of you pay £500, and if the fine is not paid you be imprisoned for a further period of nine months.”

Before that His Honour had said—

“I have given full weight to their good characters, and full weight to the recommendation to mercy, but I do not altogether agree with the grounds upon which the latter was made. The only way to deter a serious offence is to make an example of the offender. I always try to be as lenient as possible to men of good character, but I cannot give you the benefit of section 19, and a fine will not come out of your pockets.”

The PREMIER: Hear, hear! (Government laughter, and interruption.)

Mr. TAYLOR: When you have finished your cheering and jeering I will continue.

The ATTORNEY-GENERAL: Keep going. (Government laughter.)

Mr. TAYLOR: I contend that this action of the Government is nothing but unadulterated persecution—(Government interruption)—because these men have been tried in the court; they have had what we call British fair play and justice.

Mr. RYAN: Where did they get the money?

Mr. TAYLOR: They may have got it from you; they did not get it from me.

Mr. DUNSTAN: The money will not come out of their pockets.

Mr. J. JONES: They have the money now to pay.

The ATTORNEY-GENERAL: They have not the money now. (Government laughter and interruption.)

The CHAIRMAN: Order! I appeal to hon. members to respect my call to order. It is impossible for the hon. member to continue his speech if he is subjected to a running fire of interjection. I ask hon. members to restrain themselves, as they will have an opportunity of discussing the Bill if they wish to do so.

Mr. TAYLOR: I will read this once again for the information of the House—

“His Honour: I have given full weight to their good characters, and full weight to the recommendation to mercy, but I do not altogether agree with the grounds upon which the latter was made. The only way to deter a serious offence is to make an example of the offender. I always try to be as lenient as possible to men of good character, but I cannot give you the benefit of section 19, and a fine will not come out of your pockets. You have the bonds and money in your possession. I must inflict some punishment beyond a fine. The sentence of the court is that you be imprisoned without hard labour in Brisbane Gaol for three months, and each of you pay £500, and if the fine is not paid you be imprisoned for a further period of nine months.”

A GOVERNMENT MEMBER: What paper are you quoting from?

Mr. TAYLOR: The “*Courier*” of Thursday last. This Bill is simply persecution in order to endeavour, as far as the Government possibly can, to make these men serve a sentence of twelve months, after the judge has investigated the case thoroughly. If the Bill, as the hon. member for Murilla said, was simply dealing with any future action which might take place with regard to the confiscation of money which came into the possession of the Crown where bribery was attempted, I would support it every time; but to endeavour to do what is being done in this particular measure—simply to persecute men who have already been found guilty and are serving a sentence—is a shame and a disgrace. The Premier owes the House an explanation of what occurred between himself and the Crown Solicitor after those men were found guilty.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): The hon. member seems to infer that I and the Attorney-General did something wrong when we had a consultation with the Solicitor-General in regard to the attitude of the Crown after the verdict of guilty was found in the case referred to. I want to assure the hon. member that is nothing wrong, nor is it anything unusual, for the Crown's attitude in a prosecution

for a grave offence is always made known to the court. The Solicitor-General had a consultation with the Attorney-General with regard to the attitude which he should adopt when the men came up for sentence. The Attorney-General—not the Solicitor-General—consulted me, and we went into this matter. I had a conversation with the Attorney-General, and he agreed that we ought to take a grave view of an actual attempt at bribery where a member of Parliament was concerned.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: Surely no one can underestimate the gravity of the charge itself—an attempt to subvert the principles of parliamentary government and import corruption into our public life. This is by no means the first attempt, but it was the first conviction which enabled the court to sheet home to the prisoners the charge that the Crown had levelled against them. Does the hon. member say that there is anything wrong in the Crown specifically stating its attitude in a court of law? It was not an expression of view to attempt to influence the judge.

Mr. VOWLES: Why did the judge turn it down?

The PREMIER: The judge can explain that himself. If there were any improper attempt to influence the judge in his sentence, I would be worthy of censure, and so would anyone else, but we decided to proceed in the ordinary way by a statement made openly in the court by the Solicitor-General representing the Crown. The Solicitor-General used his own judgment in mentioning that he had had a conversation with the Attorney-General and myself. The Attorney-General consulted me in the presence of the Solicitor-General. That was the attitude the Crown adopted in the matter.

Mr. MOORE: You did not say that at first.

The PREMIER: The attitude of the Crown was that they regarded the case—not as some newspapers regarded it—as a trivial offence to be lightly brushed aside, but as a most grave offence; and the gravity of it was increased because we knew that other attempts at bribery had been made, and it was practically impossible in normal circumstances to sheet home such a charge. But in this case it was sheeted home to the satisfaction of the jury, which led to the conviction of the culprits, and the court took a grave view of the offence. Some people may think that it is a matter of no consequence to offer £3,500 to a member of Parliament—some people may think that a member of Parliament will accept it, perhaps, but this party does not take that view.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: This party thinks that there can be nothing more serious in the public life of the country than the corruption and bribery of public men. If that kind of thing was looked lightly upon by the courts, by the public, or the Press, what would it lead to? The section of the community which had the biggest bags of money would always rule the State. That is why I say we ought to deprecate any attempt at the bribery and corruption of public men.

Mr. G. P. BARNES: The objection is that you are overriding the judgment of the court.

The PREMIER: I am coming to the point stressed by the hon. member for

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Murilla and also mentioned by the leader of the Nationalist party, that this Bill will override the sentence of the court.

Mr. VOWLES: Hear, hear!

The PREMIER: It will do nothing of the kind. Nothing of the kind! What are the circumstances? Let us examine the real circumstances. There were £3,000 in bonds and £200 in cash found upon these men, used by them or attempted to [11.30 a.m.] be used by them for bribery.

They attempted to use this money for the bribery of a member of Parliament, and they were caught red-handed. They were found guilty by a jury of their own countrymen.

Mr. FRY: They were trapped.

The PREMIER: They were attempting to bribe a member of Parliament, and this money was found on them. What can you do with the money found on them? Should we return to them the money that they were going to use for some nefarious purpose? What is done by the authorities when a burglar is convicted? Do they return the burglar's kit to him? What is done if a man is found with an illicit still in his possession and a quantity of whisky upon which the excise duty has not been paid? Is the still returned to him, or is the whisky forfeited?

Mr. KING: Nobody has any right to have an illicit still in his possession. It is always illegal.

The PREMIER: And nobody has any right to have money in his possession for bribery purposes.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: This money obviously was handed to these men to be used for a nefarious purpose—for an illegal purpose. They were convicted for attempting to use the money for that purpose. Are you going to return money which we know was to be used for a nefarious purpose? If there was any attempt to increase the penalty of the court there would be some argument in the hon. gentleman's contention, and some grounds for the opposition to this Bill. What are the facts? Mr. Feez, counsel defending the prisoners, during the course of the trial said—

“These men do not possess 3,000 pence, let alone £3,000.”

Mr. VOWLES: How are they going to pay their fines, then?

The PREMIER: The hon. member knows how the fines will be paid, and I know.

Mr. VOWLES: They should pay it out of this money.

Mr. J. JONES: How do you know how the fines will be paid?

The PREMIER: Because the judge said so. The judge said that this money did not come out of the pockets of these men, but from the men behind them.

Mr. BEBBINGTON: It will come out of the funds in their possession.

The PREMIER: I have here a copy of the report of the Justice Department, a copy of which was supplied to Mr. Feez. In this report I find that the judge said—

“I think, at all events, that those behind the prisoners will pay the fines.”

It is true that, if the fines are not paid, these two men will have to serve an additional nine months. There is no danger of them

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having to serve those additional nine months. The fines will be paid. It would be nothing short of a public scandal if this money had to be given back to those who originally owned it—not the men who were convicted, but the men who originally owned it, and who intended to use it for a nefarious purpose. This money ought to be forfeited. The men in whose possession the money was found were merely tools. I should be sorry to see them serve a long term of years in prison. If they had been sentenced to a long term of imprisonment, the Crown would have exercised clemency. The Crown would have exercised the prerogative of mercy, and a remission of the sentence after a certain term had been served would have been granted. I recognise that they are only tools in the case—mere salaried tools in the pay of certain parties who wish to accomplish a nefarious purpose. Seeing that the money belongs to these people, it ought to be forfeited to the Crown. Money found in that way should be forfeited to the Crown, not only in future cases but in this case also.

Mr. FLETCHER: Did you not aid and abet the crime?

The PREMIER: What do you mean by that?

Mr. FLETCHER: I mean what I say. You aided and abetted the crime.

The PREMIER: What do you mean?

Mr. FLETCHER: You led them into a trap.

The PREMIER: I do not know what the hon. member means. If the hon. member has a direct charge to make, he should state it clearly. I assisted the police to catch a criminal.

Mr. MORGAN: Then why didn't you give evidence in the Court?

The PREMIER: After the two agents had gone to Mr. Brennan and offered him a bribe, the hon. member for Toowoomba did the only thing an honourable man ought to do. He brought them to the authorities and he enabled the authorities to catch the criminals. There was no other way in which it could be done.

Mr. FLETCHER: You took them into your office and had an interview with them, although you had secret stenographers in another part of the office. (Uproar.)

The CHAIRMAN: Order! I appeal to hon. members to restrain themselves. The Premier is making an important statement.

Mr. VOWLES: He is electioneering.

The PREMIER: The hon. member for Port Curtis refers to a certain interview I had in my office. The hon. member for Toowoomba very properly came to me on the Monday, the day that the bribers approached him. He told me that an offer had been made to him. The matter was immediately placed in the hands of the police. Three days afterwards—it was on the Thursday following—I saw Mr. Garbutt.

Mr. VOWLES: On the Thursday you asked me to move a want of confidence motion.

The PREMIER: Yes, because they told me you were going to do it.

GOVERNMENT MEMBERS: Hear, hear! and laughter.

Mr. VOWLES: You admit that you asked me to move it.

The PREMIER: The hon. member for Toowoomba told me that an offer had been

made to bribe him for the purpose of getting him to vote against the Government on the want of confidence motion.

Mr. VOWLES: Which you asked me to move.

The PREMIER: Was I to fall into the trap with them, or was I to protect myself? I protected myself.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: I protected myself effectively—much to the discomfiture of members on the other side. The bribers said to the hon. member for Toowoomba what Boyce and Garbutt told me—that they knew that there was going to be a want of confidence motion brought before the House in a few days. Can hon. members opposite give me a scintilla of argument in favour of returning this money to the original owners, the people who set this conspiracy on foot? I have not heard anyone put up a scintilla of argument in favour of the return of this money. There is every justification for the forfeiture of the money. The money should go into the hands of the Crown, because of the nefarious practices that were adopted. This Bill will not penalise the two convicted men one iota. They will not serve the full length of the term of imprisonment. The fines will be paid by the real culprits, and we will forfeit this money.

HON. W. H. BARNES (*Bulimba*): The Premier has taken the debate out of the channel in which it started. The Premier said that every member of the House should deal with it calmly and dispassionately. I say that the Premier was perfectly right when he made that statement. Whatever we may like to think, the fact remains that these men were arraigned for doing something which the judge and jury—the judge by his sentence, and the jury by their qualified verdict—said they were guilty of doing. I want to say this morning that no member of Parliament can justify anything that is improper. One has got to take a stand. Speaking as a Nationalist member, I cannot get up and argue that, if a Nationalist does something wrong, it is right, and then get up and say that, if a Labour member does it, it is wrong. There must be justice in one's judgment. I make that statement deliberately. No member of Parliament who has a shadow of self-respect could for one moment justify wrong in any direction. (Hear, hear!) I have said before in this House, and I repeat it in this Committee this morning, that if I, as an individual member, want for some reason or other to get on to the other side—to change my views—there is only one way in which to do it—that is, to go to the people and tell them that my convictions have altered.

HONOURABLE MEMBERS: Hear, hear!

HON. W. H. BARNES: I say that is one way of doing it.

A GOVERNMENT MEMBER: What about the hon. member for Port Curtis?

HON. W. H. BARNES: I am not hinting at anybody. I am speaking for myself. The matter is too grave to try to drag anybody else into it. Elected as a Nationalist—confining the question to myself, and not including any other man—my judgment is that, if I want to depart from that party, there is only one course for me. Other hon. members may not view it in the same light.

The PREMIER: You are quite correct.

HON. W. H. BARNES: Let us follow the argument of the Premier, as he said we should do, calmly and dispassionately. I have no sympathy with any man, whether he be Nationalist, or Country party, or Labour, or of any other persuasion politically, who is seeking to do something wrong. So far as I can ascertain—and I want to look at this thing all round—not a single member of this House had anything to do with it.

OPPOSITION MEMBERS: Hear, hear!

HON. W. H. BARNES: Let us go another step. The Premier had certain facts brought before him, and he decided to take action. Having decided to take action—and having to take it on behalf of the State—in my judgment no one can say that he was wrong in following it up whilst that action was proceeding, but the Premier has failed to disclose this one important particular. We talk of British justice—well, that justice should apply to everyone. (Government interjections.) I am trying to be absolutely fair, and I hope that hon. members on the other side will give me the opportunity to put the matter in the way in which it strikes me, not as a matter of politics, but as a matter from my soul. The Premier and, I take it, the Attorney-General did something. No one can find fault with them, if the Premier believed that those men were guilty, and no one can find fault with him, up to a certain point, for saying, "I want you to do your best to secure a conviction"; but here is where I believe he committed a grave error of judgment—that, after the jury had heard the evidence, and had sat down and deliberated, and after they had brought in a verdict of "guilty," then the Premier should not come along and say, "Attempts have been made to get at other men," and, through the Solicitor-General, try to put that before the judge before he passed his sentence. That is the weakness of the business. I take it that up to one point, if the Premier believed that these men had committed a grave misdemeanour, he was right.

The PREMIER: You are wrong there. (Interjection.)

HON. W. H. BARNES: I am dealing with a grave matter which concerns two men who have been brought before their judges and sentenced. Who were their judges? I believe the Government were right when they said, "We want the men in the street to sit on the jury." Those men were called upon to adjudicate, and, judging by the hours which they gave to the consideration of their verdict, I think it is perfectly certain that they adjudicated according to their consciences and according to their abilities. No man can find fault with them. But after they have brought in their verdict the Premier, as the chief citizen of the State, should have closed his mouth and never dared to send the Solicitor-General there to try to influence the judge.

The ATTORNEY-GENERAL: What is the difference between the Premier and the Attorney-General?

HON. W. H. BARNES: I say that the Attorney-General had no right to do it, either.

The ATTORNEY-GENERAL: Suppose I had been a professional man—could I not have gone there?

HON. W. H. BARNES: It had got beyond the Attorney-General. If other men were

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implicated, that other evidence should have been brought before the jury before they retired to consider their verdict.

The PREMIER: Such evidence could not have been brought before the court?

HON. W. H. BARNES: He tried to bring it in.

The PREMIER: After the conviction.

HON. W. H. BARNES: All the worse—to try to influence the judge. What is the position this morning? Because the Government do not get all they want, they come along and say, "Hang justice. We are going to get behind it and see what we can do to get at these men still further."

Mr. STOPFORD: Are you speaking for the prisoners or the men behind them?

HON. W. H. BARNES: Nobody can say that I have ever fought for that which has been crooked, and I am not fighting for that which is crooked now, but I am fighting for the men who have been before their judges.

Mr. GLEDSON: You are fighting for the money behind them.

HON. W. H. BARNES: I am sure that, if the hon. member had the slightest chance of grabbing money, he would grab it at once. I am fighting for a principle.

Mr. GLEDSON: You are totally wrong.

Mr. STOPFORD: Your judgment regarding one member of our party was wrong.

HON. W. H. BARNES: My closing remarks are these. Those men went to the jury, and the jury brought in a verdict of "guilty." On that verdict the judge passed the sentence, and that should be the end of the business.

The PREMIER: You are dodging the issue.

HON. W. H. BARNES: I am fighting the issue. The hon. gentleman does not want the issue fought at all. He wants to dodge it. He wants to carry on a vendetta against men who have paid the penalty. I always understood that, when a man had stood his trial and had been convicted and condemned, once he had paid the penalty he was a free man again. But this Government would drag anything and everything into the dust. Their idea of principle! Perish the thought of principle! They have no principle in them.

Mr. PAYNE (*Mitchell*): It is really remarkable to hear members opposite arguing against the passage of this measure. Some time ago the leaders of both Opposition parties rose in their places and wiped their hands clean of having had anything to do with this bribery and corruption case, and I took them at their word. To-day they are practically working themselves up into a white heat because the Government are doing something—

Mr. VOWLES: That is unfair.

Mr. PAYNE: I do not want to indulge in anything but quiet argument on this matter. For the life of me I cannot understand how members of the Opposition can rise in their places and justify the retention of that money by the prisoners, or rather, argue that it should go back into the hands of the people who supplied it.

Mr. MORGAN: I thought you were "Honest John."

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Mr. PAYNE: So I am. I sit here and listen to these arguments, and I ask myself, "Is there any sincerity in the Opposition at all?" (Interruption.)

Mr. WARREN interjecting,

The CHAIRMAN: Order! Order! I ask the hon. member for Murrumba to obey my call for order.

Mr. PAYNE: Any disinterested person must ask himself why the Opposition are working themselves up to a such a boiling heat because the Government have seen fit to introduce legislation to confiscate money in a case the like of which has never occurred before in the history of Australia. They want us to pass it by lightly. I cannot possibly understand them. It appears to me to be beyond any doubt that they have some interest in this money, else they would not be squealing so loudly because the Government are going to take possession of it. Any man who would stoop to that to which these men have stooped would deserve to be dealt with.

Mr. MORGAN: They have been dealt with.

Mr. PAYNE: Listening to this debate, the thought has been running through my head, What is the use of adult suffrage in this country; what is the use of the most liberal and democratic franchise in the world—if you are going to tolerate men coming along, because they have plenty of money, and polluting the public life of this country? Any man worthy of the name of a man—I do not care on which side of the House he sits—who would tolerate anything of this kind is not fit to sit in this House.

GOVERNMENT MEMBERS: Hear, hear!

Mr. PAYNE: The Government have done the right thing. I congratulate them on the action they have taken. They have done the only thing that an honest Government could do. If they did not confiscate this money, they would be more or less condoning the action of these wretched people who supplied the money to upset Parliament.

Mr. CORSER (*Burnett*): It is necessary to discuss this question in a cool frame of mind. The Government have introduced this measure for the one reason—that they were unable to connect any member of the Opposition with this matter.

Mr. PAYNE: What are you doing now?

Mr. CORSER: The Government are, no doubt, hoping that certain opposition will be shown to this measure, so that they will be given a cry to go to the country with, so that they will be able to say, "Here are the Opposition defending some of their friends." The Premier and other Government members claim that these funds belong to someone outside, and they have endeavoured to couple that unknown person with us. It is my conviction, and the conviction of quite a number of others who have followed this case, that these funds belonged to the Government party. (Ironical Government laughter.) It is our conviction that it is a person known to them who has made these funds available. They have failed to draw any hon. member of the Opposition into it. The judge himself has said to these men, "You have the funds;" and now that the Government find that they are likely to lose the bonds, they are introducing a Bill to retain possession of them. That is the reason for the Bill. (Government

laughter.) It is proved by yesterday's "Standard," which said that the claim would have to be made by those who owned the bonds. The Government saw by that statement that they would have to show their hands, so they come in with a Bill to claim the money. (Disorder.) By that argument we carry the war into the Government's own camp. This proved conclusively that the Government are responsible for the finding of the money, and not the unknown person about whom they speak and about whom nobody knows anything.

Mr. COLLINS: You are a liar.

The CHAIRMAN: Order! Did I understand the hon. member for Bowen to term the hon. member for Burnett a liar?

Mr. COLLINS: Yes, I said he was a liar if he said we had anything to do with the finding of the money.

Mr. BEBBINGTON: So you had.

The CHAIRMAN: Order! I ask the hon. member to withdraw.

Mr. COLLINS: What have I to withdraw, Mr. Chairman? I said something that is true.

Mr. CORSER: If you say we have done it, you are liars.

The CHAIRMAN: Order! The hon. member for Bowen must know that it is not parliamentary to refer to another hon. member by that term, and I ask him to withdraw it.

OPPOSITION MEMBERS: Hear, hear!

Mr. COLLINS: Am I to sit here under an imputation that I am connected with the finding of that money? (Disorder.)

Mr. CORSER: You will get some of your own back now.

The CHAIRMAN: Order!

Mr. COLLINS: If you rule that the statement is unparliamentary, I will withdraw it. (Interruption.)

The CHAIRMAN: Order! I now ask the hon. member for Burnett to withdraw the unparliamentary language which he used.

Mr. CORSER: You will agree that I said "if," Mr. Kirwan.

The CHAIRMAN: Order! The hon. member used the same term, and I ask him to withdraw it.

Mr. CORSER: I withdraw.

Mr. BRENNAN: Who paid Feez's fees? Tell us that.

Mr. CORSER: I hope, Mr. Kirwan, you will stop the innuendoes and the statements made by hon. members opposite, from the Premier down, in an attempt to couple us with it, when they could not do it in court.

Mr. BRENNAN: Who feed Feez?

Mr. CORSER: Perhaps you did. Perhaps your people did, for all we know. We know that the Government are after these funds. Perhaps the Government know that from these funds Feez is going to be paid. We do not know anything about it. The Government see that they are likely to lose these funds, and they introduced this Bill to secure them for themselves. The judge himself said to the prisoners, "You have the funds." Now the Government come along and say, "By Jove, they have; they have got it over us." So they introduce this Bill to make it possible for them to keep those funds.

Mr. PEASE: It will be a bad day for you if Sleeman and Connolly squeal.

Mr. CORSER: Well, don't cry—I can't help you. Supposing these prisoners appeal to the High Court and the High Court decides in their favour, and says that the funds shall be returned. Why should you make it retrospective? I am not making any appeal for people who are connected with this. The Government themselves led these men on. They have been recommended to mercy, and we should not inflict another hardship on them by taking away from them these funds, no matter whose they might be. The judge himself hoped that their fines would be paid from these funds. How will it be possible for them to pay their fines if we take away these funds from them?

Mr. PEASE: It will be found.

Mr. CORSER: The hon. member knows all about it. There is an admission from a member of the Government party that money to pay the fines is going to be found. That is an admission we have been after for a long time. That is an admission that we cannot make, because we do not know anything about it.

Mr. PEASE: They will squeal if the fines are not paid.

Mr. CORSER: This is one of the blackest blots in the political history of this State. Because the Government have failed so miserably in their endeavour to couple us up with it, they are trying to victimise further these individuals, although a common jury recommended them to mercy on the ground that they had been trapped. Who trapped them? Who led them on? Who encouraged them to commit this crime? It has been admitted that it was possible for the Premier and others to quash the matter before the wrong deed was committed. Before the act was committed the Government could have blocked it, and could have pointed out to the men the seriousness of the crime. The Government are a party to the

[12 noon] crime. The crime would not have taken place if the Government had done the right thing to themselves, to the House, to the State, and to the men concerned. It would have been better to give the men a lesson by pointing out the seriousness of the crime.

Mr. BRENNAN: They have been taught a lesson.

Mr. CORSER: The Government did not do it that way because they were hoping to connect some of their political opponents with the matter, and they were unsuccessful.

Mr. STOPFORD: You are connecting them for us.

The PREMIER: How did Mr. Garbutt know on the Wednesday that the leader of the Opposition intended to move a want of confidence motion?

Mr. CORSER: If a want of confidence motion is about to be moved, it is generally known throughout Brisbane for a week previous. I heard the Premier ask the leader of the Opposition when he intended to launch his want of confidence motion?

Mr. VOWLES: On the Thursday.

The PREMIER: Why was the leader of the Opposition able to say at the Ascot Racecourse on the Saturday that the hon. member for Toowoomba was going to vote against the Government?

Mr. CORSER: The Premier claims that the leader of the Opposition stated to a

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member of the Government party that he (Mr. Vowles) believed that the hon. member for Toowoomba was going to vote against the Government.

The PREMIER: I said that the leader of the Opposition was able to state that fact. I did not say that he was able to state it to a member of my party.

Mr. CORSER: You have said so in this House. Does that not absolutely prove the innocence of the leader of the Opposition? If he was a party to attempted bribery, would he be so stupid as to make a statement like that?

The PREMIER: It was not stated to a member of my party.

Mr. CORSER: You claimed that it was stated to some member of your party.

The PREMIER: The hon. member himself said that the man mentioned was an anti-Labourite.

Mr. CORSER: The hon. gentleman knows that it was stated to have been mentioned to one of his own supporters. It absolutely proves the innocence of the Opposition. Here are two men who are apparently able to pay their fines by the Government money or somebody else's money, and the Government are going to deprive them of the opportunity of doing that so that they will have to serve a longer sentence.

Mr. PEASE: They will never serve a longer sentence.

The ATTORNEY-GENERAL: You won't be game to leave them there.

Mr. CORSER: That is a very dirty remark. If the Government had anything with which they could connect the Opposition, why did they not bring it out in court? They were not able to bring any evidence to show that the money was not their own. They did not bring that evidence. We know that there is a lot in this case connecting the Government with that money that they would not like to bring out.

Mr. PEASE: Bring it out yourself.

Mr. CORSER: The judge stated that he hoped that the people behind the prisoners would pay the fines. I hope they will do so.

GOVERNMENT MEMBERS: Hear, hear!

Mr. CORSER: The Government now realise that they are in a very funny position, following on that statement by the judge. They now say, "By Jove, it doesn't look too good; it is necessary to bring in a Bill, and it is necessary to make it retrospective."

A GOVERNMENT MEMBER: There is no need to apologise.

Mr. CORSER: I am not apologising. I only want to give these people a fair go. The Government are always looking for some election cry. They want to place themselves in the position of being able to say that the Opposition would oppose the money going to the Crown, merely because we ask for a fair deal for two men who a common jury said were trapped, and whom a common jury recommended to mercy.

Mr. GLEDSON (*Ipswich*): I am surprised at the attitude adopted by the Opposition. They say that they are going to oppose this Bill at every stage. The hon. member for Burnett stated that the Opposition could not be connected with this matter. I am game to take his own words to show whether he

can be connected with it or not. We find all along the line that the Opposition have been connected with this business. "Hansard" of this year states—

"It was like stacking a pack of cards for the people to deal at the next election.

"Mr. Pease: When is that coming along?

"Mr. CORSER: Very probably in October. I do not think hon. members opposite know the exact moment when the elections will take place.

"Mr. Pease: Do you know?

"Mr. CORSER: I have a very good idea."

(Opposition laughter.) On the same day the leader of the Opposition also made some statements. Is he connected with the matter?

Mr. VOWLES: No. I asked for a Royal Commission.

Mr. GLEDSON: "Hansard" on the same day contains this statement—

"The TREASURER: . . . The leader of the Opposition and the leader of the Nationalist party have both spoken, evidently with a view to testing the question whether the Government possess the confidence of this House.

"Mr. Sizer: Of the country.

"The TREASURER: If that is the desire, let me ask why it is that they do not test the confidence of the House in the Government. Why is it that they do not challenge the Government? They are saying all the time that the Government have lost the confidence of the House.

"Mr. Vowles: I will give you notice to-morrow."

The hon. member for Burnett states that it was decided a week previous to launch a want of confidence motion. No matter how hon. members opposite may try to dissociate themselves from this matter, they cannot possibly get the people in this country to believe that they had nothing to do with it. I go about amongst most of the people, and I know that the public of Australia—not only the members of the Labour party, Country party, or Nationalist party—are absolutely astounded, not because of the case, but because hon. members opposite are trying to make little of the crime that has been committed. The people say, "If the members of the Opposition are prepared to make light of such a crime, what is our public life going to come to?" This Bill has not been introduced in an endeavour to "get at" the men who are found guilty. It is not intended to interfere in any way with the sentence or the men. Certain money has been used for an illegal purpose. The Bill provides that this money is to be confiscated and become the property of the Crown. The hon. member for Burnett says it belongs to the Government party, yet they bring in a Bill to get what belongs to them. What sort of a silly statement is that? If the money belongs to the Government, why bring in a Bill to confiscate that money in order to make it the property of the Crown. Not one member of this Government will be able to touch a penny of that money. It will go into the consolidated revenue, and it will belong to the people of the State, to whom it should belong; and any member of this House who gets up here and opposes a measure to confiscate moneys that were to be used for an

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illegal purpose might just as well get up and advocate that illicit whisky be handed back to the man who was proved to be running an illicit still, or that a burglar be given back the tools found in his possession, or that a horse thief, if he was found guilty of stealing a horse, should be given back the halter. That seems to be the idea of hon. members opposite. Why do they want this money handed back? It can only be for the one purpose. That is, to enable them to work a similar scheme again. The hon. member for Burnett said it would not be long before the elections came round, and the leader of the Opposition said, "We are going to move a want of confidence motion." How can they hope to have any success in a want of confidence motion unless they can induce some member on this side of the House to cross the floor and vote with them? That is the only way they can hope to be successful. It does not matter to them how they are able to induce a member to cross the floor of the House, so long as he crosses. If that money was returned to them, it would be used for a purpose similar to that for which it was used in the past.

Mr. VOWLES (*Dalby*): When this matter of bribery and corruption came before this House on a previous occasion I refrained from dealing with it because, as I said, the matter was sub judice, and it was not a proper thing for us to discuss it.

The ATTORNEY-GENERAL: You should have refrained to-day also.

Mr. VOWLES: No, although I did not delve into the matter, the Premier did, and he made certain suggestions and insinuations.

The ATTORNEY-GENERAL: Not before you did.

Mr. VOWLES: He made certain insinuations about certain members of my party.

The ATTORNEY-GENERAL: He never said a word until after you had spoken.

Mr. VOWLES: I am going to give him a challenge. We know the dates as a result of the evidence which has come out in the court, and I can assure this Committee, and it can be borne out by every member of the Country party, that it was agreed on the Wednesday previous to the date the House rose for the Exhibition to move that want of confidence motion. The Country party considered the position, and we decided to move a want of confidence motion, and we decided the hour and the day, and it was moved in accordance with the arrangements unanimously arrived at by the Country party.

A GOVERNMENT MEMBER: What has that to do with it?

Mr. VOWLES: We decided on that action as a result of the Government having been defeated. There was no suggestion at that time that any approach had been made to the hon. member for Toowoomba. (Interruption.) There is no suggestion in the evidence that any approach had been made to him nor was it, because it was made the following week. I ask the Premier to think over that, because he knows. He sent round for Mr. Boyce, and Mr. Boyce is supposed to have told the Premier that we were going to move a want of confidence motion. That was known to every member of my party. I do not know whether I told the Premier at the time, but I usually tell him when we are taking important action like that. Possibly, I did not tell him of the very date

we agreed to do it. I do not know whether the Nationalists were aware of it, but every member of my party knew, and according to the Premier, Mr. Boyce knew. It is funny how information gets out, but there is nothing very remarkable about it. The Premier made certain statements and made certain insinuations implicating me. I have here a statement which I typed out myself last Sunday showing exactly what I intended to ask the Premier to do, and I intended to do it at the conclusion of Parliament. I did not know these proceedings were coming forward this morning, and I did not know that we would have an opportunity of discussing the matter. This is what I typed out last Sunday, and what I intended to say on the valedictory motion—

"During a recent debate on a want of confidence motion moved by me during this session of Parliament, the Premier stated that he was able to prove that I and other members of the parliamentary Country party were implicated in a charge of bribery and corruption of one Frank Tennison Brennan, such charge being at that time sub judice. Now that these proceedings have terminated, I desire to again dissociate myself and party from these happenings, and invite the Premier to appoint a Royal Commission to inquire into the truth or otherwise of his statement or insinuation."

I make that challenge now to the Premier. I challenge him to appoint a Royal Commission to show that any or every member of my party was in any way associated with these happenings.

Mr. STOPFORD: Will you want legal assistance?

Mr. VOWLES: I can look after myself.

Mr. STOPFORD: You asked for a legal adviser on another occasion, you know.

The ATTORNEY-GENERAL: Who found the money?

Mr. VOWLES: There is a suggestion that we knew who found the money, and we have an equal right to suggest that this is a political job. We can see the Government have tried to make propaganda out of it, and it is just as right for us to suggest that they or friends of theirs found the money.

The ATTORNEY-GENERAL: The facts do not suggest it.

Mr. VOWLES: An election is coming on, and we could easily suggest that the Government found the money and "framed up" this job.

The ATTORNEY-GENERAL: If the money is ours, why should you object to its confiscation?

GOVERNMENT MEMBERS: Hear, hear!

Mr. VOWLES: The hon. member for Burnett quoted from yesterday's "Standard" showing that the "Standard" stated this money would have to be paid into court, and the person who claimed it would have to come forward and ask for it, and the Bill suggests that the Government do not want to expose their friend.

The PREMIER: Do you say that as a deliberate charge?

Mr. VOWLES: I say it is open to that construction.

The PREMIER: Do you say that construction is the right one?

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Mr. VOWLES: You say we are associated with it.

The PREMIER: Do you say we are associated with it?

Mr. VOWLES: I do not know whether you are or not, but I ask for a Royal Commission. I demand that. The hon. member has associated me in particular with this matter, and he has attempted in every direction in connection with these proceedings to get evidence which would incriminate some of us. But the hon. gentleman cannot get that evidence, unless it is "faked" evidence. I do not say he will do that; but if he has those proofs which he says he has or insinuates he has, or suggests he has, why not bring them forward and clear the matter up once and for all? We have to go through an election campaign. I am a professional man, and I have never been associated with criminals. I have never been accused of being an informer or anything of that sort. The other professional man can take what is coming to him. He can take the findings of the jury, who only believed a portion of the evidence; they only believed the evidence of the shorthand writer. They did not believe his evidence.

Mr. HARTLEY: The jury did not say so.

Mr. VOWLES: I claim a Royal Commission. I ask the Premier if he is going to appoint that Commission.

The PREMIER: Is that a motion which you have typed?

Mr. VOWLES: It is a request.

The PREMIER: Will the hon. gentleman show me the statement?

Mr. VOWLES: Yes; that is the purport of the thing. (Statement handed to Premier.) The Premier has suggested, or insinuated, or made a direct charge against myself or other members of my party, and I ask him to put his cards on the table, and be a man and prove the charge if he can do so, and we will take the consequences. That is a fair thing.

Coming back to the question as to why this money should not be confiscated, I would impress on the Premier that the judge has distinctly said that the prisoners were in possession of these bonds, and would be able to pay their fines out of the money.

The PREMIER: No; he spoke of someone behind them.

Mr. VOWLES: He said they were in possession of the bonds, and that is why he inflicted a fine on them—because the fund was there to pay it. He was going to confiscate portion of that fund. I would like the hon. gentleman to consider this aspect. This may be the subject-matter of an appeal. Assuming that an appeal is proceeded with and we have an Act of Parliament expressly dealing with that fund.

The PREMIER: If the appeal was upheld the funds would be returned.

Mr. VOWLES: We have not yet seen the Bill. I want to know whether that matter has been considered.

The PREMIER: If an appeal is sustained the funds will be returned.

Mr. VOWLES: As regards the sum of £500 which these men have been fined, if outside friends will not find that money, what will be the alternative?

Mr. GLEDSON: They will find it.

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Mr. VOWLES: If the Bill is carried, what position will the men be in who have to serve nine months as a result of the Bill? We were told that they would be political prisoners; that they were not criminals, but would be entitled to certain rights because they were political prisoners. Are the Government going to give them that privilege which they give to their friends? I venture to say that there will be no special conditions given. We were told that it was purely a political job, and these men are, unfortunately, the victims. That has been the allegation, and if that is so, the Government should deal with them like other political prisoners.

The PREMIER (Hon. E. G. Theodore, *Chittagoe*): The hon. member has attempted to sidetrack the main issue by making a demand for a Royal Commission to inquire into a very narrow question, and something which has not been the subject of a charge made by myself, nor, so far as I know, by anyone else on this side. He said that the Premier stated that he was able to prove that he (Mr. Vowles) and other members of the Country party "were implicated in a charge of bribery and corruption against one Frank Tennison Brennan." I made no such charge. I related certain extraordinary coincidences.

Mr. VOWLES: The hon. gentleman is not game to stand up to it.

The PREMIER: If the hon. member can show that he has been a victim of the extraordinary concatenation of circumstances which happened at the time the attempted bribery occurred—if he can show that he has been an unfortunate victim—we can exonerate him; but the circumstances are very simple.

Mr. VOWLES: You are not game to stand up to the charge.

The PREMIER: If the hon. member had made his explanation without making charges against this party, I for one would be inclined to accept his explanation. But he not only makes an explanation and offers a categorical denial of everything, but he asserts that these funds came from us. The day after these men were arrested, and the day on which the hon. member moved his want of confidence motion, I quoted the following from the interview with Mr. Boyce:—

"Mr. Boyce said Mr. Brennan had been dissatisfied, and arrangements had been made to secure his vote on the want of confidence motion."

I gave that statement by Mr. Boyce to the House.

Mr. VOWLES: That is not correct.

The PREMIER: I am now reading from "Hansard"—

"The PREMIER: How were they securing his vote?"

"Mr. BOYCE: By making it worth his while."

"GOVERNMENT MEMBERS: Ah!"

"The PREMIER: It proceeds—"

"The PREMIER: The Opposition parties?"

"Mr. BOYCE: No; someone outside Parliament."

"An OPPOSITION MEMBER: There you are."

"The PREMIER: I then said—"

"Who would it be—the graziers?"

"Mr. BOYCE: He did not know any thing except what was told to him by Mr. Garbutt."

"GOVERNMENT MEMBERS: Ah!"

"The PREMIER: I replied—

"It is incredible that anyone would offer to bribe a member of Parliament, or that any member would accept a bribe.

"Mr. BOYCE: Make no mistake—they were prepared to pay a large sum as much as £5,000. It had been whispered that the Premier was going over to the Country party."

I mention that to show that there was something in the way of attempted bribery of members of the Labour party. I do not say that the hon. member had anything to do with it. I drew the deduction from Mr. Boyce's remarks that it was arranged by someone outside Parliament; but the deliberate charge I made there was that it was evidently the organisations which usually supply the funds of the party opposite in this House. So far as I know, the hon. member had nothing to do with the attempted bribery. He may have been a mere tool in the matter. Someone else might have arranged for the want of confidence motion to be moved, and the hon. member might have played his part. That is not a very creditable condition of things for an Opposition leader to be concerned in. What are the natural deductions?

Mr. ELPHINSTONE: It is not correct.

An OPPOSITION MEMBER: Why not proceed against the principals?

The PREMIER: I know more than can be stated here as to who was actually concerned in arranging to bribe a member. The Solicitor-General told the judge that, until we have sufficient evidence, it would be foolish to go on with the case; but when we get sufficient evidence it will be gone on with. There were men outside Parliament—prominent men in the political life of this country, although not parliamentarians—who evidently thought the time had arrived when they could dish the Labour party. They arranged for a member to be approached to accept a bribe. They thought they had his consent, and then apparently they arranged for the want of confidence motion to be moved.

Mr. VOWLES: That is not correct. You brought it about.

The PREMIER: Approaches were made to the hon. member for Toowoomba after we were defeated on an amendment in the Agricultural Education Bill.

Mr. VOWLES: I did not know of that.

The PREMIER: That defeat took place before Exhibition week, and we adjourned over to the Thursday in Exhibition week. It was the Monday of that week that the hon. member for Toowoomba was approached.

Mr. J. H. C. ROBERTS: It was the Tuesday in Exhibition week that we adjourned.

The PREMIER: No; the hon. member is wrong. It was the week prior to that, and it was during the adjournment that the hon. member for Toowoomba was approached.

Mr. VOWLES: We had our party meeting on the Wednesday.

The PREMIER: If the hon. member is entirely innocent, all the facts place him in a very unfortunate light. It was after the defeat of the Government that the advance was made to the hon. member for Toowoomba. It was after that that notice of

the want of confidence motion was given. Clever and unscrupulous individuals who are against the Government made up their minds to defeat the Government, and they arranged by some occult means or other that a want of confidence motion should be launched.

Mr. VOWLES: That is not correct.

The PREMIER: I do not know that. It is only just now that the hon. member has enlightened the House as to the origin of the want of confidence motion.

Mr. VOWLES: All the members of my party knew.

The PREMIER: The public knew nothing about it. I charged the hon. member with being able, on the Saturday before the want of confidence motion came on, to say at Ascot, in the presence of a number of people, and especially one individual, that the want of confidence motion was going to be moved and that the hon. member for Toowoomba was going to cross over.

Mr. VOWLES: I said, "I believe that Brennan is coming over, but I will believe it when I see it."

The PREMIER: If what the hon. member says are the facts, he is the victim of very unfortunate circumstances.

Mr. VOWLES: I am not a victim at all. You appoint that Royal Commission.

The PREMIER: I do not say that the hon. member is guilty of any attempt at deliberate bribery—I do not believe that—but he is, unfortunately, a tool, with several others, who have been used in this attempt to bribe members of Parliament.

Mr. VOWLES: I ask you to say that outside, and I will give you a writ.

The PREMIER: The hon. member cannot have a Royal Commission on charges that do not exist. If the hon. member wants a Royal Commission on a charge that does exist, that is a different matter. If he wants a Royal Commission on the charge of attempted bribery and corrup-
[12.30 p.m.] tion, and if he wants us to decide who really handled the money in the first place, then that is a different matter altogether.

Mr. VOWLES: Please yourself what you have. I want to clear myself and my party.

The PREMIER: It is a matter of inquiring into the bribery of those who found the money.

Mr. ELPHINSTONE: Bring it all out now. You are making charges against persons who have not been tried.

The PREMIER: It is not a question of making charges against persons who have not been tried. The judge said specifically in sentencing these men that there were men behind those convicted and that the fines would be paid by those men. They are the real culprits, and they are the men who ought to be dealt with.

Mr. ELPHINSTONE: Deal with them.

The PREMIER: You know you cannot deal with them unless you have convincing evidence.

Mr. ELPHINSTONE: Why not have a Royal Commission and have everything brought out?

The PREMIER: If hon. members opposite can throw any light on it, and if they will assist in bringing out everything, then we will consider the question.

Hon. E. G. Theodore.]

Mr. WARREN (*Murrumba*): When I first read about these men being committed for trial, I said to myself that I would not like to be on the jury, because it seemed to me that these men were trapped and that the jury had no alternative but to bring in a verdict of guilty.

Mr. BRENNAN: The evidence was so strong.

Mr. WARREN: The evidence was sufficiently strong to convince any jury that these two men attempted to tamper with a certain individual. We want to prove the men guilty who were behind them. I have no brief for the men behind them. If the Premier is sincere, he will not make insinuations, but will do something to bring out these charges. I want to press the argument of the hon. member for Burnett a little further. I think the hon. member was on right lines. I honestly believe that the money did not come from this side. The whole thing was a complete "frame up," and was nothing but a political job: I honestly believe that.

Mr. BRENNAN: You would believe anything.

Mr. WARREN: I am sorry that the Premier is leaving the Chamber, because I wanted to refer to the £2,500 which he offered as a bribe. I want to say that I am convinced that the Government put up this money.

Mr. GILDAY: You ought to get your head read.

Mr. WARREN: At any rate, I have not got water on the brain. If a person commits a crime on one occasion, he is likely to do it on another. No one has been able to trace any bribery or corruption to the Opposition, but there is a trace of a case of bribery on the part of the Government. The Government, to my knowledge, offered the fruitgrowers £2,500 to come into their scheme. They were not to give one penny of value for that money.

Mr. BRENNAN: Don't be silly.

Mr. WARREN: I would sooner be silly than be a "pimp."

The CHAIRMAN: Order! I appeal to hon. members to keep order if only for the sake of the "Hansard" staff. I hope hon. members will restrain themselves. Every hon. member who speaks wishes to be correctly reported, and it makes it difficult for the reporters to hear when there are so many interjections.

Mr. BRENNAN: A man who would take his cousin down ought to be shot.

Mr. ELPHINSTONE: You are a bright specimen.

The CHAIRMAN: Order! I ask the hon. member for Murrumba to take no notice of interjections, but to address the Chair.

Mr. WARREN: I was addressing the Chair when I made that remark just now. I was stating that the Premier wanted to bring about a political scheme. That £2,500 was offered in order to bring a scheme into existence for purely political reasons. It was offered to the fruitgrowers because they were so well organised, and because the Government saw that a large section of the primary producers would not be in the scheme at all.

The CHAIRMAN: Order! I hope the hon. gentleman is not going to start a debate

[*Mr. Warren.*]

on another matter. It is all right to refer to it, but I am certainly not going to allow a full discussion of that subject.

Mr. WARREN: I am showing that the Government thought it was necessary to bring the fruitgrowers into the scheme. I am showing that the Government have already done something of this nature. If they can do it on one occasion, why can they not do it on another occasion? It is not a big stretch from £2,500 to £3,500. Is it very much to spring another £1,000? The whole thing is a political job. We want to have an inquiry, and we want the men who put up that money to be brought to justice. We want these men to be tried. We do not care who they are. If it should happen that they are men connected with this party, we do not care if they are put into the dock.

The SECRETARY FOR AGRICULTURE: Don't you think the Government should confiscate that money?

Mr. WARREN: It is their own money, and they have a right to use it.

The SECRETARY FOR AGRICULTURE: Whose money?

The ATTORNEY-GENERAL: The judge stated whose money it was.

Mr. WARREN: I say that it is their own money and they have a right to it. According to the judge, £1,000 of it is not theirs. This Bill is a breach of the verdict of the judge, because it is taking the money away from them after they have been fined. If the Government want to confiscate all the money over and above the fines of £500 each, then I will support them. I do not wish to see that money handed back to the people who supplied it.

The ATTORNEY-GENERAL: What is the difference between the £500 and the other part of it?

Mr. WARREN: Those two poor, unfortunate "tools"—I was nearly saying "fools," because they were nothing but "fools"—they were the "dupes" of someone. Regarding those two men—particularly the old man—it would be a shame to keep them in gaol longer than three months. Three months is a heavy sentence for an old man. It is a heavy sentence for their absolute foolishness. It would not be right to keep them in gaol for twelve months. If the Attorney-General keeps those two men in prison for twelve months, he is not a man at all. He is not a little bit of a man. It is wrong absolutely to keep them in prison. If the Attorney-General is honest, if he means to do the right thing, he will not keep them in gaol. I am sorry to say that I think that from beginning to end it is nothing but a political job. It is going further than ever if the Attorney-General is going to drag down to the dust two poor unfortunate men who are right down and out. I do not think any Britisher or any man who has a drop of British blood in his veins would do such a thing.

Mr. ELPHINSTONE (*Oxley*): When the Premier was speaking he made reference to the fact that he knew a great deal more about the matter than he was placing before hon. members. The hon. gentleman does not hesitate to take advantage of the privileges of this House when he is making an accusation against members of the Opposition, so why hold back anything at this stage? This is a most unsavory subject, and one that

wants to be absolutely and entirely cleared up. The Opposition are with the Government in their desire to do their utmost to see that it is cleared up. I suggest that, instead of leaving this episode in an unfinished condition in that way, we should close it finally.

The ATTORNEY-GENERAL: You don't suggest that we are finished with it yet, do you?

Mr. ELPHINSTONE: We should not hold the matter in abeyance, but finish it.

The ATTORNEY-GENERAL: We are not finished with it yet. We have a lot more to do.

Mr. ELPHINSTONE: We should bring the whole thing to a conclusion, and not allow a stigma to be attached to those who should not have it attached to them.

The ATTORNEY-GENERAL: We probably shall—in our own time.

Mr. ELPHINSTONE: We want to remove that word "probably" from the Minister's statement, because the unfortunate position is that, although every member of this House admits that the members of this party are not connected with the offence which has been committed, yet it is being used for party political purposes.

The ATTORNEY-GENERAL: In what way?

Mr. ELPHINSTONE: In my humble judgment it is simply being held in abeyance and in an undetermined state, so that the Government in their campaign in the country may make reference to the Country party's supposed connection with it.

The ATTORNEY-GENERAL: What is being held in abeyance?

Mr. ELPHINSTONE: The Premier told us just now that he knows a great deal more than he is prepared to state at this stage, and what is the inference? What is to prevent him from making a statement at this stage?

The ATTORNEY-GENERAL: Did you see the statement of the Solicitor-General about other attempts at bribery which were being investigated with a view to further prosecutions?

Mr. ELPHINSTONE: I saw a good many statements by the Solicitor-General, and I was very poorly impressed with them. If that is the best he can do, I am sorry for him. It is perfectly obvious, I say, that this matter is being left in an undetermined condition so that the Government can use it as a weapon in their campaign throughout the country, in which no doubt they will indulge shortly. If we are sincere in our indignation in the matter, then in my opinion it is due to us, to the House, and to the country generally that the thing should be probed to the bitter end, not deferred with promises to conclude it in the Government's own time. But I make bold to say that it is not going to be so. The leader of the Opposition has asked for the appointment of a Commission to investigate the matter, and anyone who wants to be honest can see quite clearly that the members of the Opposition are absolutely clean in this matter. But it does not suit the Government to admit that. It does not suit the hon. member for Toowoomba. That smile on his face clearly shows that he does not believe it or does not wish to believe it, and that he is going to make use of the episode.

Mr. BRENNAN: I will make use of it on every platform I go on to.

Mr. ELPHINSTONE: He will make use of it to attach some blame to the Opposition. I ask the Attorney-General this question: Assuming that the fines are not paid—and in the absence of any payment of the fines the men will be kept in prison for twelve months, in accordance with the sentence of the Court—will the Attorney-General give us his assurance that £1,000 of the money which the Government are purloining at the present moment will be used for the purpose of paying those fines?

The ATTORNEY-GENERAL: That is an improper use to expect me to put it to. I am shocked.

Mr. ELPHINSTONE: Assuming that the fines are not going to be paid from an outside source—

The ATTORNEY-GENERAL: I am assuming that they are.

Mr. ELPHINSTONE: The hon. gentleman is entitled to his assumption, and I am entitled to mine. I think it is quite legitimate to assume that it is possible they will not be paid, and in that event, are the Government still going to cling to the £3,200 and make the men serve the remaining nine months? Will the hon. gentleman tell me that?

The ATTORNEY-GENERAL: I will tell you that the men who are responsible for those poor dupes being in prison dare not refuse to pay their £500 fines.

Mr. ELPHINSTONE: The mere fact of their having used those amounts for their own purposes—

The ATTORNEY-GENERAL: Those men are now in the power of the prisoners—although they are in gaol—just as much as ever they were, and they know it.

Mr. ELPHINSTONE: And we do not wish them to be anything else. The question I want an answer to is this: Assuming that those men are not going to be relieved of the necessity of serving those nine months by reason of the fact that their fines are not paid, will the Government use any of the £3,200 for the purpose of paying the fines, particularly in view of the fact that the judge in passing sentence said that the men had that money in their possession, and the inference was that they could use it for the purpose of paying the fines?

GOVERNMENT MEMBERS: No.

Mr. ELPHINSTONE: Hon. members opposite do not put that construction on it, because it does not suit their book, but it is as clear as daylight to me that the judge's remarks bear the inference that they had the £3,200 in their possession and could utilise it for the purpose of paying their fines. Is the Attorney-General going to see that those men finish their term, when he has money which was in their possession and which does not belong to him—money which the judge said could be utilised to relieve them of nine months' imprisonment?

The SECRETARY FOR AGRICULTURE: They will not stay in prison a day.

Mr. ELPHINSTONE: The hon. member makes that assertion, but I conceive that it is quite possible that he is not correct.

The ATTORNEY-GENERAL: Why should he relieve these undiscovered criminals? They are the men who will pay the fines.

Mr. Elphinstone.]

Mr. ELPHINSTONE: If the hon. member is so certain of his ground, can he not give us an assurance that, in the event of the non-payment of those fines, he is prepared to relieve those men of nine months' imprisonment?

The ATTORNEY-GENERAL: I will tell you this: If you are asking questions in the hope of getting me to commit myself to saying that, if the fines are not paid, they will still get out, so that your friends will not have to pay them, let me tell you that we are not going to do it.

Mr. ELPHINSTONE: A little while ago I made the remark that this episode is being used solely for political party purposes, and the hon. gentleman's remark that "my friends" will be made to pay clearly proves it. The hon. gentleman is not prepared to accept our assurances, although the disclosures in the court entirely acquit members of Parliament. In their better judgment and fairness of mind, hon. members opposite know that the insinuation is not true, yet, for their own purposes, they are going to leave the mystery unsolved so that, when they get on the soap box, they may try to involve their political opponents and make political capital out of it. I put the question to the Premier, now that he has returned to the Chamber, and I believe he will appreciate the point. The question I want to ask is this: Assuming that the fines are not paid—I merely make the assumption—is he prepared to give an assurance that £1,000 of the purloined money will be utilised for the purpose of relieving these men of nine months' imprisonment, seeing that the money was expressly mentioned by the judge as the source from which they would be able to pay them?

The PREMIER: No, because that would be an invitation to the culprits not to pay the fines.

Mr. ELPHINSTONE: That is a nice way to slide out of it. The Attorney-General said just now that these two convicted men had these men in the background in the palms of their hands, so that the Premier is protected against the contingency he indicates, but it is conceivable that the fines are not going to be paid. Another point—raised by the hon. member for Burnett—is that it is probable that an appeal is going to be lodged.

The PREMIER: It is.

Mr. ELPHINSTONE: Then what right have the Government to purloin this money while the matter is sub judice?

The PREMIER: Do you say "purloin"?

Mr. ELPHINSTONE: Yes.

The PREMIER: The hon. member knows he is not warranted in making that assertion. It is forfeiture.

Mr. ELPHINSTONE: Is this matter not sub judice?

The PREMIER: It is not, until notice of appeal is given.

Mr. ELPHINSTONE: The Premier said just now that an appeal was going to be made.

The PREMIER: I said that I believed it would.

Mr. ELPHINSTONE: You expect an appeal to be made?

The PREMIER: If the appeal is heard and upheld, the funds will not be forfeited.

[*Mr. Elphinstone.*

Mr. ELPHINSTONE: I am glad to have that assurance. To test the sincerity of your commiseration for these men who, you say, have been tools of others, if their fines are not going to be paid, having at your disposal the means of relieving them from that further punishment of nine months' imprisonment, are you going to allow them to serve those nine months? There is no sincerity in the minds of these hon. gentlemen. They do not show righteous indignation at the fact that Parliament has been affronted in this particular matter. This has come at a crucial time for them, to relieve them from a very unpleasant position, and they have grasped it with both hands, in order to direct attention against this important section of the Opposition, to try and attach to us some blame and stigma, when they know perfectly well in their own consciences that that stigma does not attach. I formed one of the committee which, with the leader of the Opposition, determined the question of when the vote of want of confidence should be moved. The events outside had not the slightest effect on that decision. There was absolutely no interference in any shape or form with this party in regard to that matter. To try and assert that we were the tools of any outside organisation is a piece of political dirt of which hon. members opposite ought to be ashamed. They are using this matter to bolster up a losing cause. If they are men at all, if they refuse to give us a Royal Commission to clear this matter up, they must accept the assurance that none of us knew of any outside movement in connection with the want of confidence motion.

The PREMIER: I do not mind telling the hon. member that I think it will be wholly cleared up without a Royal Commission at all.

Mr. ELPHINSTONE: There is an inference in that. I am perfectly certain that I am speaking for every member of this party in asking and beseeching that a Royal Commission should be appointed. We also ask that the hon. member for Toowoomba should appear before that Royal Commission. There is a great deal more to come out in connection with this matter which is just as unsavoury to Government members. We ask that this matter be cleared up once and for all, for the honour and dignity of Parliament. (Interruption.) The dignity of this Assembly is being assailed, and it will continue to be assailed while events of this description are permitted to take place.

The PREMIER: If the bribery had been successful, would the hon. member have taken advantage of it?

Mr. ELPHINSTONE: Absolutely not. I would not vote with the hon. member for Toowoomba if it were to save my own life. (Opposition members: Hear, hear!) Hon. members opposite would have had a very rude shock if that hon. member walked over to this side of the House to vote. Half of us, if not the whole of us, would have walked out rather than have voted with him. (Laughter.) Hon. members opposite cannot understand that.

GOVERNMENT MEMBERS: We cannot.

Mr. ELPHINSTONE: It requires a certain amount of honour to make a statement of that sort. There is no one who

wants to be associated with that member over here.

Mr. BRENNAN: Not now.

Mr. ELPHINSTONE: Nor at any time.

Mr. BRENNAN: Liar! Liar!

The CHAIRMAN: Order!

Mr. VOWLES (*Dalby*): I rise to a point of order. The hon. member for Toowoomba referred twice to the hon. member for Oxley as a liar.

Mr. BRENNAN: I withdraw, Mr. Kirwan.

Mr. VOWLES: I ask that he apologise also.

The CHAIRMAN: Order! I hope that neither the leader of the Opposition nor any other hon. member will attempt to dictate to the Chair as to what it shall do.

Mr. VOWLES: I am as much entitled as the Premier to ask that he should apologise. Hon. members on the other side are always attacking members on this side in that way.

The CHAIRMAN: Order! I can assure the hon. gentleman that neither he nor any other hon. gentleman will dictate to the Chair as long as I occupy this position.

Mr. VOWLES: Quite true, Mr. Kirwan; but they attempt it.

The CHAIRMAN: Order! Did I understand the hon. member for Toowoomba to make the statement complained of? If he did so, I ask him to withdraw.

Mr. BRENNAN: The hon. member said that he would not associate with me.

OPPOSITION MEMBERS: Withdraw!

Mr. BRENNAN: I withdraw.

Mr. ELPHINSTONE: This discussion has raised a good deal of passion. I want hon. members opposite to understand that our parliamentary honour and integrity are our stock-in-trade, and we are just as jealous of it as any one else. Although we support the Government in any desire to clean up this unholy mess, we nevertheless do object with every power we possess to this being used for party political purposes, as it is obvious it is being used at the present time. If hon. members opposite have not that intention in view, let them give us this Royal Commission. We do not care who is involved; let the matter be cleaned up for the sake of the honour of Parliament, and so as to re-establish in the people outside confidence in what should be a deliberative Assembly.

Mr. F. A. COOPER (*Bremser*): I would like to clear up one little point in reference to the amount of money that was found in the possession of these men. If I have read the case correctly, on one man was found £3,000 in bonds, and on the other £200 in notes. Statements made by hon. members on the other side infer that that money belongs to the men upon whom it was found, and that the judge, in pronouncing sentence, said that those men should pay a fine of £500 within three months, and, if they did not, such and such would happen. They say that the judge meant that that £500 fine in each case should be paid from the money found upon these men.

OPPOSITION MEMBERS: He said so.

Mr. F. A. COOPER: I cannot think that the judge would make such a statement.

Mr. VOWLES: They said it was a common fund, you know.

Mr. F. A. COOPER: The reason I say that is, that one man had £3,000 and the other £200. The man who had £200 could not pay his fine, and he would have to serve the balance of his sentence. If the fine is paid from the total amount found on the two men, one man would be paying £800 and the other £200.

Mr. VOWLES: No.

Mr. F. A. COOPER: It is ridiculous to say that the £500 should be paid from that money. It is accusing the judge of not knowing the facts of the case. It is accusing the judge of wanting to fine one man £800 and the other £200. I think that the Opposition would be well advised to look at the matter in that light, and see that the wishes of the judge are carried out—that those who are behind these men should bear the brunt of the expense. Probably it is not within my province to inquire, but I want to know from what fund do members of the Opposition expect that the legal expenses will be paid.

Mr. MORGAN: We don't know and we don't care.

Mr. BEBBINGTON: We had absolutely nothing to do with it.

Mr. F. A. COOPER: I am pleased to know that they are not concerned about that. I want to find out about whom they are concerned. There is the impression on my mind that they are concerned about the people who are behind the men who are in gaol. They are not concerned about the men who are in gaol. If they were concerned about them, they would be concerned about one man paying £800 and the other paying £200. From the calm, dispassionate speech of the hon. member for Bulimba—who wound up in a white heat—to the speech of the hon. member for Oxley, the whole of their speeches show that they are concerned wholly and solely about the money and the men who stand behind the men who are now in gaol.

Mr. BEBBINGTON (*Drayton*): I think we are in a position to prove that this matter was practically "framed up" by the other side. Arrangements were made so that one thing would fit in with another, and they knew all about it. We knew absolutely nothing. There are three things which stand out very clearly. Why was the Premier so anxious to know exactly when the vote of want of confidence was coming on, if he was not anxious to arrange that these arrests should coincide with the moving of that motion? He wanted those arrests to be made a day or two before the want of confidence motion was moved, and therefore he was anxious to learn the exact date when that motion was coming forward. Without making any direct charge against hon. members opposite, there is as much evidence to prove

[2 p.m.] that it was they who supplied the money as there was to connect the leader of the Opposition with what has happened. The facts show that something had been going on for some time. The want of confidence motion was suggested by some of the younger members of our party. The Premier had cut out the Address in Reply, and the younger members of our party suggested that a want of confidence motion should be launched to enable them to discuss certain grievances and certain matters requiring attention in their electorates. Beyond that we know nothing about what was going to happen. The facts prove that the Premier

Mr. Bebbington.]

was doing something that was unworthy of him. The facts are all against the Premier. It was quite evident some months before the House met that the Premier was beginning to see that his position was very desperate. We can judge how desperate he was when he sent for the hon. member for Normanby and wanted a conference with him, but the hon. member for Normanby refused. I believe that the hon. member for Rosewood had leanings the same way as the hon. member for Normanby. It is reported—whether rightly or wrongly—that the Premier promised the hon. member for Rosewood that, if he would stay where he was, he (the Premier) would take a large number of labourers from other electorates and put them into the Rosewood electorate and make the position secure for the hon. member representing that electorate. If that was not a bribe, what is?

Mr. W. COOPER: I want to say here right now that that is a lie.

Mr. BEBBINGTON: I am not saying that. That was reported to be so.

Mr. W. COOPER: Did the hon. gentleman not tell the hon. member for Normanby to tell me not to do anything because he (Mr. Bebbington) did not trust his own party?

Mr. BEBBINGTON: No.

GOVERNMENT MEMBERS: Ah! Ah!

Mr. BEBBINGTON: I will tell the hon. member that when the hon. member for Normanby spoke to me about coming over to this party, I told him not to do it. I do not want either of them. I do not want the hon. member for Rosewood or anyone else to come over here. The hon. member for Rosewood knows very well that he was thinking of coming over here.

Mr. W. COOPER: You are a liar if you say that.

The CHAIRMAN: Order! I ask the hon. member for Rosewood to withdraw that statement.

Mr. W. COOPER: If a man deliberately asserts what the hon. member for Drayton has said, I say he is a liar; but out of deference to you, Mr. Kirwan, I withdraw and apologise.

Mr. BEBBINGTON: The hon. member stated that I sent him word not to come over here, and if I sent him word not to come over, he must have had some idea of coming over. Out of his own mouth it has been proved.

Mr. RYAN: You didn't get him.

Mr. BEBBINGTON: I told the hon. member for Normanby not to come over, and the Premier sent to the hon. member for Normanby for an audience which he would not give. It is quite evident that the position was getting desperate, and these Commissioners had to be used to take farmers out of one electorate and put them into another.

The CHAIRMAN: Order! Order! I hope the hon. member will discuss the resolution before the Committee. I certainly am not going to allow the hon. member to start a discussion on the redistribution of seats.

Mr. GLEDSON: Kindly tell us where the money came from.

Mr. BEBBINGTON: I have got another matter to deal with before I get to where the money came from, or where it is possible

[*Mr. Bebbington.*]

for the money to have come from. I want to deal with the Premier's actions and certain coincidences that happened. First of all, I wish to say that the want of confidence motion was brought forward by the younger members of our party, as they wanted an opportunity to discuss their grievances because there was no Address in Reply.

The PREMIER: They must have known something.

Mr. BEBBINGTON: They said whatever they knew. They wanted an opportunity to discuss their grievances. The position of the Premier and his party must have been desperate when they had to resort to what I have already stated in order to patch up electorates.

The CHAIRMAN: Order! Order!

The PREMIER: Did those members arrange for the want of confidence motion?

Mr. BEBBINGTON: The Premier's position was desperate, and something had to be done to take the attention of the people away from the want of confidence motion. I scarcely knew myself when that was coming on. I know we passed a motion at a meeting.

The PREMIER: Who do you say initiated that?

Mr. BEBBINGTON: Some of our younger members.

The PREMIER: Who was it?

Mr. BEBBINGTON: I think the hon. member for Musgrave was one.

The PREMIER: That is a nice innuendo to cast on one of your own members.

Mr. BEBBINGTON: When the Premier cut out the Address in Reply and gave no opportunity to members to discuss grievances, it was the right thing to do. I was one who wanted it to come on.

The PREMIER: You said you knew nothing about it.

Mr. BEBBINGTON: I was one who wished it to come on, and I am one of those who want the public inquiry that the leader of the Opposition has asked for. The Premier knew, the same as every outsider knew, that there was a want of confidence motion coming on. He taunted the Opposition leader from his own side to say when it was going to come on. Not satisfied with that, because he did not get the answer he wanted, he came over here and sat down by the leader of the Opposition, and wanted him then to tell him when he was going to bring on the want of confidence motion. I say that the coincidences are stronger against the Premier than they are against the leader of the Opposition. Immediately the Premier knew when the want of confidence motion was going to come on, he arranged with the hon. member for Toowoomba to tempt these men to offer him the money to vote against the Government on the want of confidence motion, and arranged that the arrest should be made.

The PREMIER: The jury found that the bribery commenced the day before that.

Mr. BEBBINGTON: I say that the evidence against the Premier is very strong. The evidence to-day is that immediately the Premier knew the want of confidence motion was coming on he made arrangements with the hon. member for Toowoomba to tempt those men to offer him a bribe—to put temptation in their way—and then he

arranged for the arrest to be made on the Monday before the want of confidence motion was moved on the Tuesday. I say that all the evidence leads to the conclusion that the Premier himself had a hand in arranging that temptation should be put in the way of those men, and also in arranging for the arrest to be made on the Monday.

The PREMIER: How did Mr. Boyce know on the Thursday?

Mr. BEBBINGTON: Because you sent for him.

Mr. VOWLES: The Premier knew it.

Mr. BEBBINGTON: Because the Premier in his desperation sent for Mr. Boyce. Mr. Boyce could tell him no more than the public outside could tell him. That is another chain in the evidence against the Premier—that he sent for Mr. Boyce to see what he could get out of him. We come again to the question as to whether it was possible for Government members to have got the money for these two men. Let me ask one question: Were or were not certain members of the Government party paid £25 each at the last Federal elections to go down South on electioneering business, and was not the money charged to advertising? (Government laughter.)

The PREMIER: It is not true.

Mr. BEBBINGTON: It is true, and the hon. gentleman permitted it.

The CHAIRMAN: Order! The hon. member must accept the denial of the Premier.

Mr. BEBBINGTON: The Premier said, "We paid them that money, and sent them down for advertising."

The PREMIER: You are wrong.

Mr. BEBBINGTON: Was not a certain gentleman named Randolph Bedford paid £600 to write up a book called "Socialism at Work?"

The CHAIRMAN: Order! I hope the hon. member has read the resolution before the Committee. If he has not, I will read it for his special benefit—

"That it is desirable that a Bill be introduced to amend the Criminal Code in a certain particular."

I hope the hon. member will keep to the question.

Mr. BEBBINGTON: This resolution deals with the appropriation of a specific sum of money, and the question has arisen as to whether this side of the House had anything to do with finding that money. As the charge has been made by the other side, I hope you will allow me some little latitude in order to prove that the other side are more likely to be guilty than we are. I would like to point out that in the past the other side have appropriated sums of money and offered sums of money. I am going to ask the Premier straight out whether £2,500 was not offered to the fruitgrowers to get them to come into the Fruitgrowers' Association?

The PREMIER: No.

Mr. BEBBINGTON: The charge has been made in public, and the hon. gentleman has not refuted it.

The PREMIER: I will ask you a question. Is it bribery to offer to give Government assistance to the dairymen?

Mr. BEBBINGTON: You did not offer them any assistance at all; but it is certainly

bribery if you offer them £2,500 to come into a political association. It is bribery and corruption of the worst kind. I want to say that that sort of thing is possible, and it has been done, because an hon. member of this House saw the letter and read it. He read it here, and neither the Premier nor the Secretary for Agriculture ever denied it.

At 2.15 p.m.,

Mr. POLLOCK (*Gregory*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Mr. BEBBINGTON: What was likely to be done with this money? We know that the Government have appropriated sums of money for political purposes.

The TEMPORARY CHAIRMAN: Order!

Mr. BEBBINGTON: We have been charged with appropriating money for that purpose, and surely we have the right of reply.

The TEMPORARY CHAIRMAN: Order!

Mr. BEBBINGTON: If you want any evidence of money misappropriated, I have it here (holding up a pamphlet).

OPPOSITION MEMBERS: Hear, hear!

Mr. BEBBINGTON: If the Government do it in one case, they are likely to do it in another. They are more likely to do it than members on this side are.

The TEMPORARY CHAIRMAN: Order! If the hon. member does not obey my call to order, I shall have to deal with him.

Mr. BEBBINGTON: I do not want to cause any disturbance on the last day of the session. I want to discuss the question as quietly as possible. The circumstances, however, are against the Government more than they are against the Opposition. All the evidence goes to show that the temptation was offered. It was deliberately planned. The arrests were deliberately planned to take place on the Monday in order to take the public mind away from the want of confidence motion. It is quite possible for that money to have come from the Government on the same lines as I have already mentioned.

Mr. COLLINS (*Bowen*): I have been listening to the discussion, and I am sorry—exceedingly sorry—that the discussion had to take place.

Mr. BEBBINGTON: Why did you make the charge against us?

Mr. COLLINS: I recognise that in the past the people who controlled the destinies of the world used to corrupt mankind, but we have now reached a stage in human evolution when decisions should be made at the ballot-box.

Mr. BEBBINGTON: We have not been corrupted. Don't infer that.

Mr. COLLINS: I know full well in my own mind that society is responsible. We are now discussing a motion to amend the Criminal Code. I say again that society is responsible. It is the arrogance of wealth—and I say that advisedly—the arrogance of wealth placed in the hands of a few persons, whom hon. members opposite represent, that is responsible. There is no getting away from that.

Mr. MORGAN: There is more wealth on your side.

Mr. Collins.]

Mr. COLLINS: The organisations which stand behind this party are the political organisations and industrial unions representing the workers of this State. What we have got to examine in discussing this question is: Whence came that £3,200? Who are the organisations who stand behind the hon. gentlemen opposite? That is the question we have got to ask ourselves to-day.

Mr. MORGAN: The evidence did not show where the money came from.

Mr. COLLINS: The organisations behind hon. members opposite include the Pastoralists' Association, the United Graziers' Association, the Ratepayers and Taxpayers' Association. The organisations which, I say, represent the arrogance of wealth failed to destroy us at the ballot-box, and they now seek to destroy us, if they can, by bribery. They set out to bribe members on this side. They set out to accomplish in that way what they could not accomplish by the votes of the people. The people are honest, and the people will stand behind this party, knowing that they are an honest party. Now we should try to find out whence came this money.

Mr. MORGAN: Did anyone ever offer you a bribe?

Mr. COLLINS: No.

Mr. MORGAN: Exactly. Why did they not offer it to anybody else?

Mr. COLLINS: And, if I had a revolver in my hands, they might suffer for it.

GOVERNMENT MEMBERS: Hear, hear!

Mr. COLLINS: I say, at any rate, all honour to the hon. member for Toowoomba that he bowled out the bribers and showed to this State, to the Commonwealth, and to the world that there is within Queensland an organisation which is prepared to corrupt the public life of the State and destroy its purity. We see in this Chamber many members who are typical of this arrogance of wealth. I can see the hon. member for Oxley—he is typical of it. The hon. member for Pittsworth is a typical example, and the hon. member for Burrum is another. All these men, with their patronising style, are typical of it.

Mr. J. H. C. ROBERTS: What about the Premier—the most arrogant man in the House?

Mr. COLLINS: They think that because they have controlled Queensland in the past, they can control it in the future. I listened attentively to the sophistry of the hon. member for Oxley—that form of sophistry which destroyed the ancient Greeks and Romans, so that their intelligent fellows used to pelt them with stones and would not listen to what they said. But it cannot destroy us. The hon. member for Oxley talks about honesty and integrity. We on this side do stand for honesty and integrity, but it ill becomes any man to talk about honesty and integrity who was elected on a Nationalist platform and then joined the Country party.

The TEMPORARY CHAIRMAN: Order!

Mr. COLLINS: I am replying to the hon. member's remarks about honesty and integrity. We want honesty and integrity in our public life. Then we have another example in the hon. member for Port Curtis—we have heard him talk about honesty and integrity—

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and another in the hon. member for Normanby—men who went from one party to another, and then talk about honesty and integrity. When I was a boy in "Merrie England" I used sometimes to be in a market place and hear the people singing ballads, and I want to quote a verse of one of them—

Mr. J. H. C. ROBERTS: Sing it.

Mr. COLLINS:

"Justice is in England,
This free and happy land;
Justice is in England,
I cannot understand;
Justice for the rich and poor
Tell their different tales,
For the rich man always seems
To get the balance of the scales."

All I have to do is to cut out the word "England" and put in the word "Queensland," and the ballad is true of our own land. When I read the sentence in this case I was alarmed to think that men, because they possessed wealth, would not be required to serve a sentence of twelve months, but after having served three months, would be able to get free if they had £500 apiece. There we have the arrogance of wealth again.

Mr. MORGAN: Do you say they should have got "life"?

Mr. COLLINS: I do not say anything of the kind. When we hear hon. members opposite appealing to the Committee about British justice, my mind goes back to 1891, when I saw my mates sent to St. Helena for three years without any option of a fine attached to their sentence. Yet, I hear hon. members opposite talking about the sentence on these men as if it were unjust! I say it is a very light sentence indeed. I was surprised when I took up the afternoon paper and saw that it was such a light sentence. For they tried to destroy, first of all, a great party—which is our party—and tried to corrupt, as it were, the political life of this State. Every man of intelligence in this community knows who stand behind them. The organisations mentioned by me stand behind them. Do I want any proof? All I have to do is to look at the reports of the different meetings of the organisations from time to time. Look at the disclosures made by the hon. Minister for Public Works on one occasion. I do not want anything further than that. I am satisfied that the sentence was a very light one indeed. Has anyone ever witnessed in the history of this State a more deplorable affair than the debate on that motion of want of confidence? The leader of the Opposition did not speak his full time on that occasion. Why? Had he no case against the Government? We all know the reason why he collapsed. We saw the Opposition collapse completely on that particular occasion. It is said that a guilty mind requires no accusing. That is the reason they collapsed. Attempts to corrupt the Legislature are not new in the history of the world. Wealth has always done it, and, in my opinion, will always attempt to do it. I have in my hand a book called "Frenzied Finance" written by Thomas W. Lawson. He shows that, on one occasion, instead of attempting to bribe an individual member, the American Copper Trust bribed the whole Legislature of Massachusetts to legislate in their interests. I have said on many occasions that this Labour Government is going to be destroyed if the power

of wealth can destroy it, because it is a danger to these people, because it is doing something in the interests of the mass of the people.

Mr. J. H. C. ROBERTS: Whom does John Wren support?

The TEMPORARY CHAIRMAN: Order!

Mr. COLLINS: How do I know? I do not know anything about John Wren. I am not a frequenter of raccourses.

Mr. J. H. C. ROBERTS: He is the greatest "crook" in Australia.

The TEMPORARY CHAIRMAN: Order! I ask the hon. member for Pittsworth to obey my call to order. If he refuses to obey it, he will not be given any more opportunity of disobeying it.

Mr. FLETCHER: You mustn't say anything about John Wren here.

Mr. COLLINS: Then we had a speech this morning from the hon. member for Burnett. I had occasion to call him to account, and rightly so. The party on this side of the House consists of honest working men. (Opposition laughter.) Listen to the laugh coming from hon. members opposite, who have corrupt minds.

Mr. FLETCHER: Some of you are.

Mr. COLLINS: What does Ruskin say about that kind of mind? He says—

"Low thoughts can emanate only from low minds."

I say that this party consists of honest working men. Can hon. members opposite prove that we are not honest? Can they prove anything against our lives? If they can, let them bring it forward.

Mr. MORGAN: You are giving expression to low thoughts.

Mr. COLLINS: I am expressing my opinion of the people who stand behind hon. gentlemen opposite—moneyed power—the men who pull the strings while the puppets move at their bidding. It would pay hon. gentlemen to read this work, "Frenzied Finance," written by an American millionaire, who was behind the scenes and who knew something of the methods which were adopted. We have reached in Queensland the stage which the United States had reached when this book was written. The other night, speaking outside, the hon. member for Albert said that it was no longer a credit to be a member of this Assembly. Why? Is it because we have done wrong things—because we have done corrupt things?

Mr. BEBBINGTON: Yes.

Mr. COLLINS: No.

Mr. BEBBINGTON: Yes.

The TEMPORARY CHAIRMAN: Order!

Mr. COLLINS: According to the hon. member for Albert, it is no longer a credit to be a member of this Assembly because of the fact that a Labour Government is in power. If hon. members were sitting over here with a membership of fifty, and we were over there with a membership of twenty-two, we would be the most decent fellows on the face of the earth. It is owing to the fact that we have a majority that the dignity of Parliament is lowered—because we, the working class, have taken possession of this House. We intend to retain possession of it—don't forget that—by the votes of the people, not by

corrupt methods. If we attempted to retain power by corrupt methods, I would say we ought to be hurled from office. But we are not doing that. I challenge hon. members on the other side to connect us in any way whatsoever with the bonds that they talk so much about. We are in no way connected with them. We stand for a pure political life in this State.

Mr. FLETCHER: Why does the Premier not appoint a Royal Commission?

Mr. COLLINS: The Premier is able to take you on one at a time and beat you every time. If there were an inquiry, there would be such revelations that hon. members opposite would no longer sit in Parliament.

Mr. BEBBINGTON: Bring it on, then. Why are you afraid?

Mr. COLLINS: The people would hurl them from Parliament.

Mr. BEBBINGTON: Well, bring it on.

The TEMPORARY CHAIRMAN: Order!

Mr. BEBBINGTON: It should be the thing you want.

Mr. COLLINS: I do not intend to quote at any length from this particular work, "Frenzied Finance." It is one of the most interesting that has ever been written. The writer says—

"Shall I begin with the sensational bribery of the Massachusetts Legislature which occurred within this period, or with the episode that was the exciting climax of that interval of trial? About this time, too, occurred the laying of the foundation of 'Coppers' and Amalgamated, but that certainly requires a chapter to itself. However, as all are starry examples of what made 'frenzied finance' possible, and as any one fits into my story as well ahead as behind the other two, I will take them in the succession above set down."

The writer further states—

"It was vastly bolder than Tammany and made fewer excuses for its grab-bings."

That was what existed in that country, and if we are not very careful it will exist in this country. Not only will there be an attempt to corrupt an individual member, but an attempt will be made to corrupt the whole Legislature.

Mr. T. R. ROBERTS (*East Toowoomba*): I do not desire to say anything that will suggest that any hon. member had anything to do with the matter we are discussing.

The evidence was adduced, the [2.30 p.m.] evidence for the Crown was heard, and counsel for the defence was heard, and then the prisoners were sentenced. The hon. member for Bremer, in speaking this morning, referred to the fact that more money was found on one prisoner than on the other. It appears to me that that question did not enter into the judgment at all. The jury found the prisoners guilty, and recommended them to mercy. The judge, in sentencing the prisoners, said—

"I always try to be as lenient as possible to men of good character, but I cannot give you the benefit of section 19, and a fine will not come out of your pockets."

It is evident that the judge had in his mind

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the fact that £1,000 in fines was going to be paid out of the money found on the prisoners. The judge further stated—

“You have the bonds and money in your possession.”

That is the only point I am concerned about.

The PREMIER: Does the hon. gentleman say that the bonds belong to the prisoners?

Mr. T. R. ROBERTS: No. The effect of the Bill will be to make the penalty on those men more severe. The judge further said—

“I must inflict some punishment beyond a fine.”

The judge, in carrying out the recommendation of the jury, sentenced the prisoners to only three months' imprisonment, and then, to my mind, he set out to confiscate some of this money. I am given to understand that the judge, in inflicting the £500 fine, inflicted the maximum penalty. The Attorney-General can correct me if I am wrong. As he does not reply, I assume that I am correct. I regret that this Bill was not held over until the expiration of the time allowed in which to appeal.

Mr. PAYNE interjected.

Mr. T. R. ROBERTS: Here is the hon. member for Mitchell giving information that the Attorney-General should give.

The ATTORNEY-GENERAL: The hon. member was not here when the Premier gave all the information this morning. He now complains because he did not get that information.

Mr. T. R. ROBERTS: As a matter of decency, the Bill should have been held over until the expiration of the time in which to lodge an appeal. I regret that the men who are responsible for the money are not where the two prisoners are. Neither Connolly nor Sleeman was responsible for finding that money. I do not say that any hon. member had anything to do with the finding of that money. I shall very much regret it if any of those men who found the money get a shilling back.

HONOURABLE MEMBERS: Hear, hear!

Mr. HARTLEY (*Vit:roy*): When this Bill was introduced this morning, I experienced considerable confusion of thought as the debate proceeded. I want to discuss this matter without introducing any extraneous political matters, and without imputing improper motives. There is no doubt that the Bill may involve a very big principle that might in the future affect our system of administering justice. It occurred to me this morning that, if I voted in favour of the Bill, I would be voting to increase the sentence on those men, and I would also be assisting to revise the judge's decision.

Mr. BEBBINGTON: Quite true.

Mr. HARTLEY: And that I would also be inflicting an additional fine of £3,200. I listened very attentively to hear what the legal members opposite would say, but I have had to find out for myself what was the initial mistake in this matter, and where it originated. The initial mistake originated in the sentencing of the prisoners by the judge. I am not commenting in any improper way on the action of the judge. If you look into the findings, you will find that he brought about an unjustifiable and improper connection between the prisoners and the sum of money that is the subject-matter of this Bill; and in bringing about

that improper connection he established a certain line of thought in the minds of the men who read the case which it is difficult to dissociate one's self from. He said—

“I cannot give you the benefit of section 19, and my power to fine is limited.”

Parenthetically he said—

“That, of course, will not come out of your pocket in the event of my inflicting a fine, but the people who found that money, whoever they may be.”

The judge further said—

“You have got the bonds and money in your possession. I must inflict some punishment beyond a fine.”

In those words he connected those two prisoners with that sum of money. I contend that that was incorrect.

Mr. MORGAN: They must be the owners until they are proved not to be.

The ATTORNEY-GENERAL: You have proved that.

Mr. HARTLEY: They cannot be the owners of it.

Mr. MORGAN: There is no evidence to prove otherwise.

Mr. HARTLEY: The jury found them guilty of bribery because they had a certain sum of money in their possession which they refused to go into the witness-box and account for. The judge who heard the case, and who was absolutely dissociated from any of the conflicting elements outside, also said—

“It will not come out of your pockets. You have the bonds and money in your possession.”

Implying that that fine would be paid out of that sum of money; implying it, with all due deference, improperly, because he could not think these men, if they were convicted, could pay the fine out of that sum of money. This is the way I look at it: Some persons at present unknown, in a conversation with Connolly and Sleeman, suggested that a member of this party should be approached, and they found, after various transactions, a sum of £3,000 in bonds and £200 in cash, which they handed to Sleeman and Connolly.

Mr. MORGAN: All surmise.

Mr. HARTLEY: It is proved. It has been adjudicated on by a jury and found to be correct on evidence on which the men have been sentenced.

Mr. MORGAN: All surmise.

Mr. HARTLEY: It has been proved. You must face the facts. No one can impeach the honesty of that jury.

Mr. MORGAN: The jury did not decide whether that money belongs to those men or to someone else.

Mr. HARTLEY: The jury found these men guilty of an attempt at bribery.

Mr. MORGAN: We are dealing with the ownership of the money.

The TEMPORARY CHAIRMAN: Order! Order!

Mr. HARTLEY: The important point of this Bill is what the destination of that money should finally be. The minute those men accepted that money from the unknown owners of it, they became agents carrying that money for an illegal purpose. If the money had got to its suggested destination,

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and the recipient of it had made a satisfactory contract, who would have owned it? If it had not been that the sense of honour of the hon. member for Toowoomba had been so strong, he would have become the owner, but he repudiated it. There are only two people who could possibly be the owners of that money; that is the person who handed the money to Sleeman and Connolly, or the man to whom it was sent, and who refused it.

Mr. MORGAN: Why could not the money belong to Sleeman and Connolly?

Mr. HARTLEY: Because they were agents. The money is in exactly the same position as goods that have been confiscated by the Government. It was caught in transport for an illegal purpose—in transport between the principals and the man for whom it was intended, but he refused it, and exposed the attempted bribery. That brings me to say that, if the judge made a mistake in assuming that the two fines of £500 each would come out of this money, and therefore relieve Connolly and Sleeman of a large portion of their sentences, that is his responsibility. I cannot worry about that. My duty is to say what is the right thing, in the interests of the public, to do with the money. It will be quite simple for the owners to establish their claim if they like to come forward, but they will not come forward and claim it, because, if they did, they would immediately become liable to a penalty at law for an attempted crime; that is, of instigating these men to offer a bribe. The judge could not for a moment contemplate that money being used by either of these two agents. Supposing that the money found in the possession of these two men was operated on by them, if it was intended for a proper purpose, they would then immediately become liable to a prosecution for embezzlement; and how could it be assumed that, if it was intended for an illegal purpose, they could convert it to their own use? According to the sentence of the judge, these men were purely agents, and therefore it is quite sound that, pending the revealing of the true ownership of the money, it should be impounded by the State. If the hon. member for Toowoomba had accepted the money and had not exposed the attempted bribery, what would have been the position? Would Sleeman and Connolly have gone about with the £3,200 in their possession? Not on your life. The principals in this business would have come forward and claimed it. There is another matter in regard to the atmosphere and the hints and the innuendoes of bribery that have been thrown about. The leader of the Opposition challenged the Premier—on a statement made in “Hansard,” that he narrowed down to suit his own view—to have a Royal Commission. The Premier replied offering him a Commission to inquire into all the charges of bribery and corruption made in this House. It is no good the leader of the Opposition getting up and striking an attitude, and traducing the good name of this Government, when he himself refused an inquiry after getting an undertaking from the Premier. Members on this side of the House promised their support if he moved for a Royal Commission to inquire into his charge that one bookmaker in this city had subscribed to a fund to induce this Government to suppress a certain Bill. I challenged him then to

move for the appointment of a Royal Commission. I challenged him on that one statement to move for a Royal Commission to inquire into the matter—and by the unanimous interjections from the Government benches he was assured of our support in that direction. But the hon. member failed to move for the appointment of that Royal Commission, so that I can only think that his statement and his attitude this morning have been so much playing to the gallery.

Mr. DEACON (*Cunningham*): If anything wrong has been done in connection with this bribery case, it is just as well that we have had an opportunity of discussing it. I think it is a disgraceful thing that anyone should have attempted to bribe a member of this House, and it was very wrong on the part of any member of the House to have led anyone on. I think it was wrong on the part of both the hon. member for Toowoomba and the Premier that these men should have been led on.

The ATTORNEY-GENERAL: Do you say it is wrong to catch a criminal?

Mr. DEACON: If a man puts temptation in the way of a poor devil and he takes it, what do you think of the man who puts the temptation in his way? It is often said that the man who exposes goods so that they can be easily stolen is just as bad as those who take them. It is wrong to tempt people and try to make them criminals.

The ATTORNEY-GENERAL: What do you say about the men who gave this £3,500 to make it possible to have bribery and corruption?

Mr. DEACON: I say that no man should tempt another.

Mr. F. A. COOPER: What should he have done? Should he have said, “Get thee behind me, Satan?”

Mr. DEACON: He should have cut him straight at once. What would be said of me if I left money lying about the street waiting for a man to pick it up, and then prosecuted him?

Mr. F. A. COOPER: He did not leave the money there.

Mr. DEACON: Is it right for any hon. member to act so as to lead anybody to believe that he has no honour at all? Once the Premier found out that an attempt to bribe had been made, he was quite right in prosecuting, but he went further and suggested that the men should be led on. Under our system of justice, whatever decision is come to, there are certain rights of appeal to the higher courts. If a man is sentenced by any court, that is sufficient punishment. It is clear that the judge took into account when fining these men that they would be able to pay the fine out of the bonds.

A GOVERNMENT MEMBER: No.

Mr. VOWLES: He distinctly said so.

Mr. DEACON: You cannot mistake the statement—the wording is clear. The position is that you are practically taking from the prisoners the opportunity to pay the fine out of the bonds, and you are going to hold them up to torture so as to make them reveal the man who found the money. You are going to say to these men, “You will be imprisoned for nine months,” and that is a torture. It is a threat, and it is quite improper. No Minister should ever allow that to be done. When a person has been sentenced by a judge and sent to prison to

Mr. Deacon.]

serve his sentence, all that the Minister has to do is to see that he serves it. I quite agree that the balance of the money, after the prisoners' fines have been paid, should be impounded.

The SECRETARY FOR AGRICULTURE: You would allow them to buy themselves out of gaol with other people's money?

Mr. DEACON: The judge indicated that the fines should be paid out of the bonds.

Mr. RIORDAN: You are pulling your own leg.

Mr. DEACON: You are going to hold the prisoners up to torture and refuse them an opportunity of paying the fine on purpose to give the money to somebody else. You are not entitled to make the prisoners suffer because another man has committed a crime. It is an impossible position for the Crown to take up.

Mr. COLLINS: They used to get the Thugs in India and the Pinkertons in the United States to do such dirty work.

Mr. DEACON: Why should you make the thing more disgraceful than it is? The hon. member for Fitzroy said that, after reading the paper, it was plain to his mind that the judge took into account the fact that the fine would be paid out of the bonds. Yet he said the verdict was insufficient, and that we should go further. We have no right to go further.

Mr. FOLLY: He never said that.

The SECRETARY FOR PUBLIC LANDS: Do you say that it was their money?

Mr. DEACON: It does not matter whether it was their money or not. It is quite clear that the judge took that into account. I say that the money should be impounded, but you should first take out the prisoners' fines.

The ATTORNEY-GENERAL: Why should it be impounded if it is their money?

Mr. DEACON: The money was there and was used for improper purposes. The judge took into account the fact that this money was to be paid. He assumed in his verdict that it was not their money, but that it could be used to pay the fine. I hope that later on, when the Government come to deal with this case, they will see where they stand, and realise that they have no right to add to the sentence passed on the prisoners. If they can find out the man who offered the money and led the prisoners on, they should use every means in their power to punish him.

A GOVERNMENT MEMBER: Why did the prisoners not disclose the name of the person who gave them the money?

Mr. DEACON: That is for the prisoners to say. You cannot torture them to make them tell.

Mr. J. H. C. ROBERTS (*Pittsworth*): I regret very much that the Minister should have brought forward a Bill of this kind at this juncture, and I regret that there is such a very keen desire on the part of hon. members opposite to lead people to believe that hon. members on this side of the House are connected with this famous Sleeman-Connolly case. To that I give an emphatic denial. Not one man on this side knew anything about Sleeman or Connolly. There is not one man on this side who knew anything about it or had any knowledge whatever that an attempt was to be made to get the hon. member for Toowoomba. I do not

believe that there is a man on this side of the House who would sit on the same side as the hon. member for Toowoomba.

OPPOSITION MEMBERS: Hear, hear!

Mr. BRENNAN: Not now.

Mr. J. H. C. ROBERTS: I am going to say that the insinuations that were made were unjust and absolutely unfounded. There is not one man on the other side [3 p.m.] of the House who feels in his heart that he is honest and right when he says that there may be a connection between the Country party and the supposed bribery and corruption cases that were recently tried. Let me quote the charge preferred against Sleeman and Connolly. They were arrested on 14th August, 1922, and the charge against them read—

“That between 7th August and 14th August, 1922, at Brisbane, they, in order to influence Frank Tenison Brennan, then being a member of the Legislative Assembly of Queensland, in his vote upon a certain question which was then about to arise in the Legislative Assembly of Queensland, namely, that the Government of Queensland does not possess the confidence of the Legislative Assembly or of the electors of Queensland, offered to give Frank Tenison Brennan a certain sum of money, namely, £3,500. And that, between the same dates, they conspired together, with divers persons unknown to the Solicitor-General, to offer to give him a certain sum of money, namely, £3,500, in order to influence his vote on a certain question then about to arise in the Legislative Assembly of Queensland, namely, that the Government of Queensland does not possess the confidence of the Legislative Assembly or of the electors of Queensland.”

On Tuesday, the 1st August, the Secretary for Public Instruction had charge of the Agricultural Education Bill in Committee, and he was defeated on two divisions. He felt then that he was getting into deep water, and he asked permission to withdraw the Bill for the time being. The Premier on the same evening moved the adjournment of the House until the following Thursday week, and that was agreed to.

Mr. HARTLEY: The Minister never withdrew the Bill, and he never asked permission to withdraw it.

Mr. J. H. C. ROBERTS: I was just pointing out what happened on the night of Tuesday, 1st August.

The ATTORNEY-GENERAL: You should make accurate statements. You said the Minister withdrew the Bill.

Mr. J. H. C. ROBERTS: On Wednesday, 2nd August, a meeting of the Country party was held, at which there was a very large attendance. In view of the fact that there were no proxy votes at that particular period, and in view of the fact that the Premier showed on the Tuesday evening that he was hard up against it, we believed that there was a prospect of defeating the Government. We considered we had a chance of defeating the Government on a vote of want of confidence, and it was unanimously decided by those present at that meeting on Wednesday, 2nd August, that we should move a vote of want of confidence in the Government. The right person to move that motion was the leader of the Opposition, Mr. Vowles. It

[*Mr. Deacon.*]

was agreed that that hon. gentleman should give notice of a want of confidence motion on the first possible opportunity and that we should submit a want of confidence motion within a fortnight. The Premier seemed to think he was making a point when he tried to ascertain if certain members of the Country party were present at that meeting. Why should they not be present? The members of the Country party were not connected with anything wrong or corrupt, and they had a right to attend that meeting. Why the Premier should interject when the hon. member for Drayton was speaking and try to make some sort of capital out of it by asking who were present at that particular meeting, I do not know. That was a party meeting, and everything was fair and above board at that meeting. We never met to discuss anything corrupt or wrong. We met because of what occurred on the previous night. We thought we had a reasonably good chance of defeating the Administration, and it was our duty to try to defeat them on every occasion. On the Wednesday and Thursday most of the Country party members left the city. Sleeman and Connolly were charged that, between 7th of August and 14th August, certain suggestions were made by them to the hon. member for Toowoomba.

The TEMPORARY CHAIRMAN: Order! I have allowed the hon. gentleman a good deal of latitude. I may say that a good deal of latitude has been allowed during the whole of this discussion. The hon. member might refer in passing to the position of parties in this House while dealing with the question before the Committee, but I am afraid I cannot allow a full-dress debate on it. While we are discussing the introduction of "a Bill to amend the Criminal Code in a certain particular," I cannot allow a full debate on every subject. The hon. member may refer in passing to the state of parties, but to go into a full discussion of the question, as he has been doing, is quite out of order. I have allowed the hon. gentleman considerable latitude already.

Mr. J. H. C. ROBERTS: I do not think that you have allowed me any more latitude than other hon. members have had.

The TEMPORARY CHAIRMAN: Order!

Mr. J. H. C. ROBERTS: We can see what took place in this House on 10th August by referring to page 601 of "Hansard." It is well known that certain action was taken by the Premier between 7th August and the 10th August. Certain information was given to him by the hon. member for Toowoomba, and we naturally conclude that the Premier evolved some scheme and decided to take some course of action. I will read what the Premier said in this House on 10th August.

The TEMPORARY CHAIRMAN: Order! The hon. gentleman is not regarding my call to order. In discussing the introduction of "a Bill to amend the Criminal Code," the hon. member is entitled to refer to anything connected with it in passing, but not to go into such detail and discuss it fully. That is entirely out of order. The hon. member will have an opportunity of dealing with it in some way on the second reading, but he is not in order in dealing with it so fully at this stage.

Mr. J. H. C. ROBERTS: I am replying to charges that have been made against the Country party in this Chamber.

The TEMPORARY CHAIRMAN: Order! The hon. gentleman is in order in replying and referring to other matters in passing, but not to discuss them fully.

Mr. J. H. C. ROBERTS: On 10th August charges were made against the Country party which are equally applicable to hon. members on the Government side. On 10th August the Premier said that the hon. member for Toowoomba gave him certain information.

The TEMPORARY CHAIRMAN: Order! I am not going to permit the hon. member to discuss that phase of the question at all, and I ask him to respect my call to order.

Mr. J. H. C. ROBERTS: Mr. Chairman, this is very unfair.

The TEMPORARY CHAIRMAN: I ask the hon. member to withdraw that.

Mr. J. H. C. ROBERTS: Withdraw what?

The TEMPORARY CHAIRMAN: The hon. member made the remark that it is very unfair.

Mr. J. H. C. ROBERTS: Of course, I will withdraw it, if you say so, but I mean it all the same.

The TEMPORARY CHAIRMAN: Order! I ask the hon. member to withdraw unconditionally.

The SECRETARY FOR RAILWAYS: And apologise.

The TEMPORARY CHAIRMAN: And apologise to the Chair.

Mr. VOWLES: Another instance of dictation to the Chair.

Mr. J. H. C. ROBERTS: I withdraw it. We know that it is laid down as the foundation of British justice and freedom that every accused person shall be tried by his fellow countrymen. Every man has to be tried by his peers. In introducing this Bill the Attorney-General has distinctly shown a desire to overrule a judgment given by a judge of the Supreme Court on the recommendation of a jury composed of the fellow citizens of these men.

The ATTORNEY-GENERAL: That is not true.

Mr. J. H. C. ROBERTS: It is true.

The ATTORNEY-GENERAL: It has nothing to do with it.

Mr. J. H. C. ROBERTS: It has everything to do with it, and I would point to the Premier's desire at one period to have a motion of want of confidence brought on—that he practically went down on his knees to the leader of the Opposition to get him to move such a motion.

The ATTORNEY-GENERAL: That is not true.

Mr. BEBBINGTON: It is true.

Mr. J. H. C. ROBERTS: It is true, and, when the leader of the Opposition gave notice of his motion, the Premier said, "That is just what I wanted to get at." Why did he want to get at it? It was all part of the scheme laid down by the Premier to entrap these men. Why did he want to get that definite statement from the leader of the Opposition? Was it because he wanted some charge to lay against certain individuals, who have been tried and sentenced by a judge on the verdict of the jury? Now the Attorney-General is introducing a Bill which is practically going to override the verdict of the jury and the sentence of the judge.

The ATTORNEY-GENERAL: No.

Mr. J. H. C. Roberts.]

Mr. J. H. C. ROBERTS: The hon. member knows it.

Mr. BEBBINGTON: He admitted it.

The ATTORNEY-GENERAL: You have not seen the Bill yet.

Mr. J. H. C. ROBERTS: That is what we complain about so frequently in this House. Seventy-two members are elected to this Assembly, and are expected to carry on the government of the country; yet we find a spectacle of thirty-six members on one side knowing all about a Bill and thirty-five on the other side knowing nothing about it. On the evidence that we will bring forward on the second reading—because we are not allowed to bring it forward now—it is quite possible for us to prove that the £3,200 which was offered to the hon. member for Toowoomba belonged to the Government, and they are bringing in this Bill so that they can get their own money back. It is quite reasonable; and the absolute desire right through the piece on the part of the Premier to secure some admission from the leader of the Opposition or some member on this side of the House that they knew something or believed they knew something shows me that the Premier was keen to sheet home a charge against somebody in order to get his Government and himself out of a very awkward predicament. And now, when they find that they are in another awkward predicament, they bring forward at the last moment a Bill to confiscate the money found in the possession of the prisoners.

The ATTORNEY-GENERAL: To confiscate what you say is the Government's own money.

Mr. J. H. C. ROBERTS: It is not the Attorney-General's money or the Government's money. It belongs to the people of Queensland. The Government have devoted a good many sums of money to causes of which we do not altogether approve, and why should they not devote some money to this particular cause as well? They say that members on this side of the House have taken up an attitude of opposition to this Bill, and they are surprised at it. Why should they be surprised at it? Have they not all along on every possible occasion attempted to connect the Country party with this case? The Boyce episode with the Premier, the Garbutt episode with the Premier, were all part and parcel of the scheme. Mr. Boyce has distinctly stated that he can prove that the Premier rang him up and asked him to go up to see him, and Mr. Boyce's word is as good to me as the word of the Premier.

The TEMPORARY CHAIRMAN: Order!

Mr. J. H. C. ROBERTS: If you review the circumstances leading up to this case, you cannot help believing that, after all, the Government are implicated in some shape or form. You cannot get away from that fact. I believe the evidence would prove to a jury that, at any rate, they are far more blamable than the Country party.

The ATTORNEY-GENERAL: A jury will settle that question—the people of Queensland.

Mr. J. H. C. ROBERTS: If the Attorney-General is prepared to allow the people of Queensland to sit as a jury within the next three or four months to decide the question whether the Government shall sit on this side or on that side of the House, I am prepared to guarantee that they will be on this side afterwards. You can take it from me that nine out of ten persons of unbiased mind who did not look at it from a political

[Mr. J. H. C. Roberts.

point of view, or any other point of view other than that of an ordinary plain citizen of upright character and good standing, would say from the evidence we have produced that the Government are as guilty as anybody else of having brought about a state of affairs which is not creditable to the people or themselves. Yet we have our friends on that side of the House everlastingly throwing across the Chamber innuendoes that members of this party know something about where that money came from. We do not know where it came from. But I would just remind the Attorney-General of the old French proverb, "That he who excuses himself accuses himself."

The ATTORNEY-GENERAL: We are the accusers. You have been excusing yourselves all the morning.

Mr. J. H. C. ROBERTS: We have taken up the stand that the Attorney-General has tried on all possible occasions to connect this matter with some member of one of the parties on this side of the Chamber, and show that we are implicated in some shape or form.

The ATTORNEY-GENERAL: You would like to know all we know.

Mr. J. H. C. ROBERTS: I have no desire to know all that the Attorney-General knows, because, after all, I do not suppose it would be of any benefit to me.

Mr. PEASE: You would get a shock.

Mr. J. H. C. ROBERTS: It would not be any greater shock than we got on Friday night when the Government "gagged" through a Bill which is going to have far-reaching effects in Queensland, without giving us any possible chance of discussing it.

The TEMPORARY CHAIRMAN: Order!

Mr. J. H. C. ROBERTS: I just mention that in passing, but I can connect it up in this way, that I feel perfectly certain that, if the Attorney-General knew as much as he wants us to believe he knows, he would "gag" this Bill through without giving us a chance of talking on it at all. We know very well that, no matter how great an injustice may be done to individuals, the Attorney-General is prepared to override a judgment which has been given.

The ATTORNEY-GENERAL: That it not so.

Mr. J. H. C. ROBERTS: It is so. He intends, if he possibly can, to override a sentence imposed by a judge.

The bell indicated that the hon. member's time had expired.

Mr. G. P. BARNES (*Warwick*): There can be no two opinions regarding this wretched business. So far as I can see, it is bad from beginning to end. I do not know that you can look for one redeeming side to it. No one can say that this conspiracy should meet with the approval of any man. I cannot imagine any man here saying that the men who were, perhaps, the dupes of others, were justified in what they did. No one can say that the men who gave consideration to the matter acted as they should have acted. It is a great misfortune that the time of this House should be taken up with a discussion of this question. There is, perhaps, one aspect which might relieve the situation, and that is that the wretched thing miscarried. Had it come off, and had this side been victorious as a result, we would have had a right to be ashamed of ourselves at having indirectly benefited. (Hear, hear!) The opportunity

has come, again and again, for someone to show the right and the better way. I feel that the whole of our life is jeopardised by what we have witnessed, by there being the possibility that any one might succumb to a monetary lure. Our life is jeopardised by the fear that there might be an interference in the carrying out of justice. I do not know of anything so unseemly as the communication which was attempted to be conveyed by the Attorney-General. As Attorney-General he might convey what he likes, but I know nothing more reprehensible than for him to have a communication with the Premier, and to desire that something should be conveyed to the judge as a result of that communication. In any other case, if the Government of the day have vindictive feelings, are they to acquaint the judge regarding their feelings in order that he might mete out justice, not in such a way as to accord with his own ideas, but in order to accord with the ideas of the ruling authority for the time being.

The PREMIER: Does the hon. member know that in the days of the Denham Administration a circular was sent to police magistrates calling attention to the frequency of a certain crime and asking them to impose a severe sentence? That is the same thing.

Mr. G. P. BARNES: I should condemn that as forcibly as I am condemning this. Two wrongs never make a right. I am sure that, in the days to come, when the Premier looks upon his attitude in the matter, he will not be satisfied that he played the high and true part that he might have played. A great opportunity came in a dirty business for some one to assert principles that are right, true, and good. The opportunity was not taken, and those principles were not asserted. A great deal of condemnation has been meted out to the men who may be behind this £3,500. That money may have been made up of many sums. The men who gave it may have been perfectly ignorant of what was going to be done with it.

The PREMIER: The hon. member cannot deny that the people who used the money attempted to bribe. They knew where it came from, and they could reveal where it came from.

Mr. G. P. BARNES: I condemn it from beginning to end. I also condemn the hon. member's attitude in various ways. It is a wretchedly bad business, and the only decent aspect about it is that no man in this House can be charged with being a party to it in any way, or with having any sympathy with the attempt to purchase the vote of any man. I hope that this party will remain in Opposition for ever if their only road to success is by the purchasing of someone else's vote. I hope that we shall be superior to that. The one gratification is that the thing miscarried.

Mr. GREEN (*Townsville*): I support strongly the request made by the leader of the Opposition for the appointment of a Royal Commission to inquire into the whole of the circumstances surrounding the charge made by the Premier concerning the leader of the Opposition and other hon. members.

The PREMIER: What charge did I make against the leader of the Opposition and other hon. members opposite?

Mr. GREEN: It is not in "Hansard," but if my memory is correct, I think the

hon. gentleman linked up the leader of the Opposition and several hon. members on this side with the charge of bribery.

The PREMIER: What I said was that it was significant that the hon. member knew.

Mr. VOWLES: You did not say that. You said I was a party to it.

The PREMIER: I said no such thing.

Mr. GREEN: I am quite pleased to have the Premier's assurance that he did not make those remarks.

The PREMIER: I did not make a charge against the leader of the Opposition concerning the attempt at bribery.

Mr. VOWLES: Did I not say that I would give you a writ if you did?

The PREMIER: The hon. member must have misunderstood me. Most inexplicably the hon. member got into a temper. No one could understand his getting into such a fury.

Mr. GREEN: Attempts have been made to link up hon. members on this side with this unfortunate and indefensible charge.

The ATTORNEY-GENERAL: It is due largely to their indefensible action in opposing the Bill.

Mr. GREEN: Many things require clearing up, and they should be cleared up in justice, not only to this House, but to the people of Queensland. Whoever is guilty should be made to suffer. The Premier related certain interviews. Those interviews Mr. Boyce and Mr. Garbutt have absolutely denied; in effect, they have said that the Premier is a liar.

The TEMPORARY CHAIRMAN: Order!

Mr. GREEN: I am not saying that; I am saying that that is the effect of their remarks.

The TEMPORARY CHAIRMAN: Order! That has nothing to do with the question. The question is, the desirability of introducing "a Bill to amend the Criminal Code in a certain particular." Any interview with Mr. Boyce has nothing to do with the Bill.

Mr. VOWLES: The name was mentioned.

The TEMPORARY CHAIRMAN: Not in the course of this debate.

Mr. BEBBINGTON: The Premier mentioned it.

The TEMPORARY CHAIRMAN: Order!

Mr. GREEN: It was mentioned in the course of this debate. The leader of the Opposition has asked for the appointment of a Royal Commission in connection with it. I was endeavouring to show why the Premier should grant the appointment of that Royal Commission so that these matters might be cleared up. If Mr. Boyce and Mr. Garbutt are telling lies, let us know it.

The PREMIER: What do you want a Royal Commission for? I made it perfectly clear on the want of confidence motion and again this afternoon that I have not connected the leader of the Opposition with the charge of corruption and bribery.

Mr. GREEN: The hon. gentleman practically charged hon. members on this side with being linked up with the charge.

The PREMIER: No, the hon. member has misunderstood me. I said that I was satisfied the money came from somewhere, and I believe it came from organisations that ordinarily support the Opposition. I firmly believe that.

Mr. Green.]

Mr. GREEN: I do not think that the hon. gentleman is justified in saying that.

Hon. W. FORGAN SMITH: Who was going to get the advantage if the Government had been defeated?

Mr. GREEN: We should long ago have gone to the people of Queensland and got them to decide the position of parties in this House.

The PREMIER: That does not justify attempted bribery.

Mr. GREEN: Certainly not. No one can justify what has taken place. Though the Premier claims that he acted in the interests of justice in doing what he did, no one can justify what he did. Is he prepared to prove, by means of a Royal Commission, that those men made those statements?

The PREMIER: The hon. member, and every other hon. member, know from their own evidence that those statements which I recorded are true.

[3.30 p.m.]

Mr. GREEN: These men have denied it, and they have practically stated that the hon. gentleman is telling lies. If the hon. gentleman can prove that those men are telling lies, I wish he would do it.

The PREMIER: I can only prove it by producing the report of the conversations.

Mr. GREEN: I think the hon. gentleman should have more evidence than that to go on.

The PREMIER: The report of the conversations is very convincing evidence, in that it coincides with the knowledge that was in the minds of hon. members opposite.

Mr. GREEN: An attempt has been made to link up hon. members on this side with the matter.

The TEMPORARY CHAIRMAN: Order! The Bill is intended to deal with the distribution of moneys and property used for a certain purpose. The conversation between Mr. Boyce and any other gentleman and the Premier has nothing to do with the Bill.

Mr. GREEN: On the Wednesday preceding the day when the charge was made by the Premier—the hon. gentleman claims to have made no charge—I asked the leader of the Opposition to request that a Royal Commission should be appointed to inquire into the charge regarding a bribe, so that hon. members on this side would have an opportunity of clearing themselves. Before any paper had commented upon the matter, the leader of the Opposition said it would not be wise, because the case was sub judice. I repeated the request the following day, and I got the same reply. The leader of the Opposition has had every intention throughout the session of asking for a Royal Commission, so that members of the Country party would have an opportunity of clearing themselves. I am prepared to give evidence before a Royal Commission.

Mr. BRENNAN: Tell your electors that.

Mr. PEASE: They know Sleeman in Townsville.

Mr. GREEN: I will tell my electors. They know exactly where I stand in connection with this matter.

[Mr. Green.

Mr. J. JONES (*Kennedy*): I hope the Premier will grant the request of the leader of the Opposition and appoint a Royal Commission.

The PREMIER: The hon. gentleman has asked for a Royal Commission to inquire into charges that I have not made.

Mr. JONES: Even if charges have not been made, let us have a Royal Commission. (Laughter.) It seems an extraordinary thing that a Labour Government should attempt to introduce legislation to increase a sentence after the men have been found guilty by a jury and sentenced by a judge.

The ATTORNEY-GENERAL: It is not intended to increase the sentence.

Mr. J. JONES: We have in the past heard of action being taken to reduce a sentence, but we never expected to see legislation introduced with the object of increasing the sentence, as this Bill will do. The judge, in inflicting a fine of £500, had in mind the fact that it would be paid out of the £3,200.

The PREMIER: Where will Connolly get his money to pay the fine?

Mr. J. JONES: I have no objection to the Bill, so long as it is made to apply to the future; but it is like all other legislation by this Government—it is retrospective. That is not a fair thing.

Question put and passed.

The House resumed.

The TEMPORARY CHAIRMAN reported that the Committee had come to a resolution.

The resolution was agreed to.

FIRST READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Finders*) presented the Bill, and moved—

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

Question put and passed.

SECOND READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Finders*): This is the second occasion during the present session on which the Government have found it necessary to amend the Criminal Code. The last amendment provided for the abolition of capital punishment. To-day we seek to amend section 60 of the Code, which deals with the bribery of a member of Parliament. The section has been published in the newspapers almost every day for a fortnight, and I am sure hon. members are well acquainted with it, unfortunately for all concerned. It is proposed to amend that section by adding the following paragraph:—

“Where a person has been convicted (whether before or after the first day of July, one thousand nine hundred and twenty-two) of an offence under this section, all property which has been tendered or produced in evidence at the trial of the offender, as being the property or part of the property which the offender in the course of the commission of such offence gave, conferred, or procured, or promised or offered to give, or confer or to procure, or attempt to procure, to, upon, or for a member of the Legislative Assembly of Queensland, or to, upon, or for any other person, shall become and be deemed to have become forthwith upon such conviction and with-

out any further judgment or order the absolute property of His Majesty, whether such property is the property of the offender or of any other person."

The Bill provides for the forfeiture of property used for or in connection with the bribing of a member of Parliament, which. I take it, no member has any serious objection to. It is a well-established principle in the State law, the Federal law, and the Imperial law that money or property used in the commission of a crime is forfeited, or is liable to be forfeited to the Crown. In proof of that I will quote some examples. I have quite a number of extracts from the Liquor Act of 1912, which was passed by a Government representing the interests that hon. members opposite represent. In that Act there are no less than five provisions providing for fines, imprisonment, and forfeiture of the goods involved. Then, in the Federal arena, under the Federal Customs Act, a ship can be forfeited, and smuggled goods to the value of thousands of pounds can be forfeited. Section 241 of the Criminal Code, dealing with the adulteration of beverages, provides for a penalty of £200 fine, two years' imprisonment, and the forfeiture of the goods. Section 242 of the Code provides that in connection with fraudulent land transactions the offender can be convicted and sentenced to imprisonment and all his right and title in and to the land forfeited. The principle of forfeiture is well established in State, Federal, and Imperial law. There can be no reason why a briber of a member of Parliament should be treated with greater respect than any other kind of criminal. I have yet to learn why he should get special consideration from this House, which I hope stands for the incorruptibility of Parliament. No one would argue that the property of land swindlers or other criminals whose property is liable to forfeiture is less tainted than the property of a briber or of the man who provided the money for a bribe. Why, therefore, should this property be regarded as sacred? If wealthy and unscrupulous persons are prepared to spend huge sums of money—

Mr. VOWLES: Who prepared the brief for you?

The ATTORNEY-GENERAL: You could never prepare any brief.

Mr. VOWLES: I suppose it was the Solicitor-General.

The ATTORNEY-GENERAL: When unscrupulous persons are prepared to find huge sums of money to bribe members of Parliament, it is the duty of members of Parliament—the men who stand for the incorruptibility and purity of Parliament—so to amend the law as to enable that money to be forfeited. With all its imperfections, Parliament as we have it is so far the best governmental machine created by human genius, and any man who does anything to subvert the authority of Parliament, any man who does anything to corrupt Parliament, is a traitor to Queensland and a menace to civilisation.

GOVERNMENT MEMBERS: Hear, hear!

The ATTORNEY-GENERAL: There is no mistake about that. I hope that the day will never come when the rich men of this country will be able to get control of Parliament by bribing its members. It will be a sorry day for Queensland if that ever comes about. I was dealing with an

abstract amendment dealing with generalities for the past, the present, and the future, and I had not intended, for obvious reasons, to refer to a particular case, seeing that the case which has been under discussion to-day may be the subject of appeal. For that reason I had not intended to refer to it at all, but, to the amazement of everyone, the Opposition have openly championed the cause of boodlers, and demanded that this tainted money of the bribers should be returned to them or to the owners of the money.

Mr. KERR: That is not true.

Mr. PAYNE: That is the argument.

The ATTORNEY-GENERAL: We will hear what the hon. gentleman has to say about it later on. Would the leader of the Opposition, the hon. member who is interjecting, or the hon. member for Logan get up in any reputable court and argue that the burglar should be handed back his instruments of crime?

Mr. KING: Certainly not.

The ATTORNEY-GENERAL: What you are attempting to do is the same thing, because you are asking the Government to hand back to boodlers and criminals—to the men who have been convicted—the money with which they committed the crime, in order that they might be able to commit further crime. The money, in their case, is their kit of tools. The money was the instrument with which they proposed to commit the crime, and handing back that money would be the same as if we were to hand back to a burglar his kit of tools.

Mr. KING: Will you say that a criminal has any legal right at any time to a kit of tools?

The ATTORNEY-GENERAL: Nor has the briber at any time a right to have ill-gotten money in his possession.

Mr. KING: One is legal, the other is not; that is the difference.

The ATTORNEY-GENERAL: It has been suggested by hon. members opposite, seeing that the judge has imposed a fine of £500 on these men as an alternative to an additional nine months' imprisonment, that, by passing this Bill, we are imposing an additional penalty on these men. The thing is absurd. Every man in this House knows—no man knows it better than the leader of the Opposition—that the men behind the bribers dare not refuse to pay the £500 fine.

Mr. VOWLES: You seem to know all about it.

The ATTORNEY-GENERAL: You know more about it than I do. If the fine were £10,000, the men behind the bribers dare not run the risk of exposure. It shows that, when a man wants to commit a wrong, he has to pay the penalty, and these men behind the prisoners will have to pay the penalty, and pay pretty dearly. Make no mistake about that. They will pay pretty dearly before it is all over.

Mr. J. JONES: Queensland is paying pretty dearly for what your Government have done.

The ATTORNEY-GENERAL: I am amazed that any legal member opposite should raise the contention that there was anything wrong in the action of the

Hon. J. Mullan.]

Solicitor-General, as a representative of the Crown, in going into court and stating that he had consulted with the Attorney-General, who, as a matter of right, consulted with the Premier, and impressing upon the court the gravity of the charge. I am surprised at the member for Logan—

Mr. KING: What legal men are you referring to?

The ATTORNEY-GENERAL: The leader of the Opposition.

Mr. KING: Well, leave the member for Logan out of it.

The ATTORNEY-GENERAL: I thought the hon. member for Logan was sustaining the attitude of the leader of the Opposition.

Mr. KING: The hon. member for Logan is able to speak for himself.

The ATTORNEY-GENERAL: I am pleased to hear that he is not prepared to sustain such a ridiculous contention. Suppose, instead of being a layman, I was a barrister, and in my capacity as a barrister—

Mr. VOWLES: It is too ridiculous.

The ATTORNEY-GENERAL: It is not so ridiculous as the hon. member being the leader of the Opposition. What could be more ridiculous than that the hon. member should be the leader of any party?

Mr. VOWLES: You are a "Jumping Johnny."

The ATTORNEY-GENERAL: No wonder we are in power, and no wonder we have good prospects of remaining in power, when there is such a mediocrity leading the Opposition. However, I do not wish to be personal; but, if the hon. member wishes to be personal, he will get all he wants. If I were a professional Attorney-General, I could, as a matter of privilege, go into court and prosecute. I would be the prosecuting counsel.

Mr. VOWLES: You prosecute! You will never prosecute anybody.

The ATTORNEY-GENERAL: Beyond a tinpot bush lawyer's job you will never get anything.

The SPEAKER: Order! Order!

The ATTORNEY-GENERAL: The hon. member is looking for it. In my capacity as professional Attorney-General I would have had undisputed right to prosecute, and that right would not deprive me of the right to consult the other members of the Cabinet. I would have had the right, as Attorney-General, to point out to the judge the gravity of the charge, and surely no man suggests that it was not a grave charge?

Mr. G. P. BARNES: The judge resented your action.

The ATTORNEY-GENERAL: It is one of the gravest crimes against the Constitution of this country that was ever committed, yet we have hon. members on the other side treating it in rather a light vein. I certainly stand solid against any interference with the judiciary, but when the previous Administration—an anti-Labour Government—were in power, the Attorney-General of the day sent out an instruction to the police magistrates of Queensland that they would have to exercise

greater severity against men guilty of pilfering cargo. That is on record, and can be investigated by hon. members opposite if they want to make inquiries about these things. We have had the sorry spectacle to-day of an Opposition, that should be standing for the purity of Parliament, making a claim for the cash of the boodlers.

Mr. MORGAN: No. Against victimisation.

The ATTORNEY-GENERAL: No, it does not affect the men one twopenny stamp, but it does affect the men behind them to the extent of £3,200 and that is the pinch.

Mr. CORSER: That is the pinch with you fellows; you want to get it back.

The ATTORNEY-GENERAL: That brings me to a statement of the hon. member for Oxley. When he was speaking a while ago he said that if the hon. member for Toowoomba had gone over to their side, he and others would have left the party.

OPPOSITION MEMBERS: Hear, hear!

The ATTORNEY-GENERAL: Why did the hon. member not leave the party when the hon. member for Normanby went over?

Mr. ELPHINSTONE: You are not going to compare the men, are you?

The ATTORNEY-GENERAL: Why did he not leave the party when the hon. member for Port Curtis went over? Why did he not hang himself when he went over himself from the Nationalist to the Country party? Here is a man who has been a Judas to his own party and now talks like this.

The SPEAKER: Order!

The ATTORNEY-GENERAL: The hon. member for Bulimba laid down the dictum in the House the other day that no man had the right to leave any party without consulting the electors, and then this man, above all others, lectures the House upon political morality.

Mr. ELPHINSTONE: You need a lecture on the subject.

The ATTORNEY-GENERAL: The hon. member should learn something about political morality before he preaches it.

The SPEAKER: Order! I hope the Attorney-General will withdraw the word "Judas," as applied to the hon. member for Oxley.

The ATTORNEY-GENERAL: I withdraw the word, as Judas would refuse to associate with the hon. member.

The SPEAKER: Order!

The ATTORNEY-GENERAL: Everybody knows that for a long time this party has been beset with big difficulties in the way of fighting the "boodlers" outside. Ever since the time when I exposed the Employers' Federation—(Opposition laughter)—

Mr. VOWLES: Stolen documents

The ATTORNEY-GENERAL: Ever since the hon. member for Bremer exposed another organisation connected with the party opposite—

Mr. VOWLES: More stolen documents.

The ATTORNEY-GENERAL: Ever since the Minister for Works exposed the employers' Federation in connection with

[Hon. J. Mullan.]

another matter, there has been a conspiracy at work to beat this party—not at the polls, but by unfair means.

Mr. G. P. BARNES: You were beaten at the polls.

The ATTORNEY-GENERAL: The party opposite, in the name of political purity, comes along and seeks to have the bonds—the instruments of political corruption—used in payment of the fines. Hon. members opposite seek to condone the dastardly acts already committed. I hope that hon. members on this side will never stand for that. Personally, I would rather leave political life to-morrow than stand for anything of the sort.

Mr. J. JONES: You will leave it pretty early.

The ATTORNEY-GENERAL: I will leave it when the electors decide. I am sure the hon. member will leave it long before me, although it is a bad thing to be a prophet in politics. (Laughter.) I think I have exploded the arguments raised by hon. members against the Bill. (Opposition laughter.)

Mr. ELPHINSTONE: Abuse is not argument.

The ATTORNEY-GENERAL: I meet abuse with abuse. I never allow the hon. member to come along in his supercilious way and insult the members of this party. Before concluding, I want to give an emphatic denial to the statement that has been made that the Bill proposes to increase the sentences of the men who have been found guilty.

An OPPOSITION MEMBER: It must do so if they cannot find the money.

The ATTORNEY-GENERAL: It is not the intention of the Government to do anything of the kind. In no way can this Bill mean that it is the intention of the Government to increase the penalty imposed on these men. I move—

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

GOVERNMENT MEMBERS: Hear, hear!

Mr. VOWLES (*Dulby*): The attack which was made by the Attorney-General on members on this side shows that he is just about as big in mentality as he is in stature.

The SPEAKER: Order!

Mr. VOWLES: I notice that when interjections have been coming across from the other side, the members making them were not called to order; but when I propose to reply to some of the things that have been said, I am called to order.

The SPEAKER: Order! I called the Attorney-General to order.

Mr. VOWLES: I have an idea that I heard some whisper from the other side that I was a political mediocrity, and I noticed that you did not call the Attorney-General to order for that. However, those are my sentiments. When we find that attitude being adopted by a Minister of the Crown, we really wonder whether the days of the Inquisition are gone. What do the Government tell us they are going to do? They are going to apply the thumbscrew to these men—to keep them in gaol until such time as they squeal and give information to the

Crown which is wanted. Those are the principles by which hon. members opposite are actuated. It is going back a good many centuries in civilisation.

Mr. WINSTANLEY: That is what your Government tried to do.

Mr. VOWLES: That is what the Government tell us they are going to try to do. When a man is convicted by a jury, we accept the decision, and we accept the verdict that these men were guilty. Then the next stage is that the judge deals with the case, as he is in a position to do on account of his particular knowledge through having to deal with matters of this sort, and he inflicts what he considers to be a just sentence—a punishment to fit the crime. What did the judge do in this case? He said he could not apply section 19 of the Code and allow these men out under recognisances, as he thought that imprisonment would be necessary. He told the prisoners, when an appeal on their behalf was made for mercy by counsel—and I would like it to be remembered that the foreman of the jury said the jury recommended them to the mercy of the judge—that he could not accept the recommendation. I do not want to criticise the attitude of the Attorney-General or of the Premier in trying to interfere with the judge; but if any instructions were sent by the Premier to the Solicitor-General—and something transpired in that direction—the judge refused to hear the Solicitor-General.

The ATTORNEY-GENERAL: Do you dispute my right to consult with the Solicitor-General?

Mr. VOWLES: I do not dispute it, but it is a remarkable thing that Mr. Macrossan did not make those suggestions to the judge. It was left to the Solicitor-General—an employee of the Crown—to make the suggestions to the judge, and the judge told him that he did not want to hear them.

The ATTORNEY-GENERAL: He was the right man to make the suggestions.

Mr. VOWLES: The judge, knowing that they had possibly not money to pay the fines themselves, decided they could be taken from the fund. There was sufficient in money and bonds to pay the fines. The judge inflicted his sentence on the condition that the fine should be taken from the fund, and the men could be let off nine months of the sentence. That is reported in the newspapers. The Government are going to get behind the sentence of the judge; they are going to rub the salt in. They are not satisfied. The judge ignored the instructions from the Premier and the Attorney-General, and as a result, the Government are going to have their pound of flesh, and are going to keep these men in gaol for twelve months and forfeit the money which, so far as we know, was their property. I hold no brief for these men. I say that the criminal law is one of the things we do not want to monkey with. But why should we make the Bill retrospective and extend it to cases which have been already dealt with by judges? If you are going to place this Bill on the statute-book and make it apply to the future only; if you delete the words—

“(whether before or after the first day of July, one thousand nine hundred and twenty-two)”—

I will support the Bill, and there will be no more argument. (Government laughter.)

Mr. Morgan.]

We have no right to put measures on the statute-book which are going to be retrospective and apply the law to particular individuals.

The ATTORNEY-GENERAL: You are prepared to apply it to anybody but Sleeman and Connolly?

4 p.m.

Mr. VOWLES: I do not care who it is. I say that is not the principle of the criminal law. The criminal law is not to be applied to suit particular cases and overcome decisions which are unsatisfactory to the Government. There are some things in the Bill to which I take exception, and I would like the Attorney-General and the parliamentary draftsman to take notice of it. It says here—

“Where a person has been convicted of an offence under this section.”

It makes reference to the question of whether the offence occurred before or after the 1st July, and then goes on—

“All property which has been tendered or produced in evidence at the trial of the offender, . . . shall become the property of His Majesty.”

I draw attention to the fact that it refers to “All property tendered or produced in evidence.” It might be property not actually tendered in evidence, yet it can be confiscated. There is something imperfect about that, and I draw the Attorney-General's attention to the way in which it is drawn.

The ATTORNEY-GENERAL: It means property used in the course of the commission of the offence.

Mr. VOWLES: It does not say so. The fact that any property is produced or tendered makes it confiscatory.

The ATTORNEY-GENERAL: It is tainted property.

Mr. VOWLES: Whether it is tainted or not, it should not be confiscated unless it is tendered in evidence. There are certain documents which were found in the possession of the prisoners, and which were referred to in the Police Court. If they had been tendered in evidence in the Supreme Court, they could be confiscated under this Bill.

Mr. BRENNAN: What was the value of those documents? Nothing!

Mr. VOWLES: There was something in one of them. I want the Attorney-General to notice that the wording of the Bill is imperfect. Documents or anything else may be confiscated, whether they are produced or tendered. Suppose portion of the floor of the house of the hon. member for Toowoomba had been tendered as evidence, is that going to be confiscated by the Crown?

Mr. GLEDSON: Yes, if it was given for the purpose of bribery.

Mr. VOWLES: Any documents produced or tendered may be confiscated without being actually receivable in evidence. That should be amended. I would like to refer to a statement made by the Premier this afternoon in dealing with another matter. He said that he did not make certain statements.

The PREMIER: I said that I made no charge against you.

Mr. VOWLES: I refer the hon. gentleman to page 966 of “Hansard,” when I was speaking in Committee of Supply. I know it is not in order to quote from “Hansard,” but I am quite prepared to write it out and read

[Mr Vowles.

from writing to put it in order, if necessary, but I do not want to waste time. This is what appears in “Hansard”—

“Mr. VOWLES: And secret stenographers, and everything that is low and mean. We are consenting to the employment of individuals who are compelled to do these things against their better judgment, and it is the Premier of Queensland who is the man who places them in the invidious and miserable position of having to play the part that they play by being behind the door.

“The Premier: Who gave the briber the money?

“Mr. VOWLES: Which briber?

“The Premier: The hon. member knows. He knows all about it.

“Mr. VOWLES: Is the hon. gentleman prepared to substantiate his statement?

“The Premier: Yes. In due course I will do it.

“Mr. VOWLES: I challenge the hon. gentleman to do it.

“The Premier: Never fear; it will be done.”

I ask the Premier again for a Royal Commission to prove the insinuation he made there. I state that he is unable to associate me with the bribery in any way.

The PREMIER: I did not associate you. I said that you knew about it.

Mr. VOWLES: I say that I did not know about it.

The PREMIER: I say you did, because you mentioned it on the racecourse at Ascot.

Mr. VOWLES: There you are going back to the same old thing. You are like a dingo, once he is cornered, the way he comes back at you again.

The PREMIER: You stated that the hon. member for Toowoomba was going to vote for the Opposition.

Mr. VOWLES: You are a squib. I demand an inquiry into that statement to prove whether I was connected with this business in any way.

The SPEAKER: The hon. gentleman will have to withdraw the statement that the Premier is a squib. (Opposition laughter.)

Mr. VOWLES: Do I understand that that is unparliamentary? Very well, I withdraw it.

Mr. J. JONES: He is a big squib.

The SPEAKER: Order!

Mr. J. JONES: I withdraw. (Laughter.)

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I do not want to take any notice of the small fry of the Country party, or I might say something about the hon. member that would make him uncomfortable.

Mr. J. JONES: Say it. I dare you to say it! I challenge you to say it!

The PREMIER: The leader of the Opposition demanded a Royal Commission to inquire into a certain specific point which he read out this morning. Now he changes his mind. He wants a Royal Commission now because he says I was not justified in saying that he knew that the hon. member for Toowoomba was going to vote for the want of confidence motion. There is no necessity for a Royal Commission, because the words of the hon. member himself are quite sufficient evidence to show that he did know.

He knew all about it a week before he moved his want of confidence motion, because the briber approached one of the members of this party a week before the notice of motion was given. The hon. member gave notice on the Friday. On the Thursday a member of the political organisation which the hon. gentleman leads in Parliament was able to tell me that the hon. member for Toowoomba had been approached with a bribe to vote for the want of confidence motion. Mr. Boyce told me that.

Mr. VOWLES: Mr. Boyce denies that.

The PREMIER: He may deny it, but I was able to indicate that I knew before the leader of the Opposition gave notice of his motion—that was on the Thursday before his motion came on—that the hon. member for Toowoomba had been approached. The leader of the Opposition gave notice of motion on Friday, and on Saturday, when he was at the racecourse at Ascot, he told a certain gentleman down there that they would carry the want of confidence motion because the hon. member for Toowoomba was going to vote for it.

Mr. VOWLES: Nothing of the kind. Will you produce that gentleman?

The PREMIER: I don't know about that.

Mr. VOWLES: Because you cannot.

Mr. BRENNAN: I will give you his name. It was Mick O'Sullivan of Toowoomba.

Mr. VOWLES: Is Mick O'Sullivan prepared to support the statement that I said the hon. member for Toowoomba would vote for it?

The PREMIER: I did not mention Mr. O'Sullivan's name.

Mr. VOWLES: Your friend did.

The PREMIER: When I first mentioned the fact that you made this statement on the racecourse at Ascot, you did not deny it. To-day, the leader of the Opposition has made an attempt to sidetrack the issue by saying that everyone knew that the hon. member for Toowoomba was going to vote for the want of confidence motion. We first heard about the want of confidence motion from a prominent member of the Primary Producers' Union. We heard from him that they were getting the hon. member for Toowoomba.

Mr. VOWLES (*Dalby*): I rise to a point of order. I have already denied the statement made by the Premier. He said that I knew that we were getting hold of the hon. member for Toowoomba. I say that I knew absolutely nothing of the kind. (Government laughter.)

The PREMIER: You admitted it.

Mr. VOWLES: No. Do you say that I told Mick O'Sullivan that I knew the hon. member for Toowoomba was going to vote for the motion? I did not.

The SPEAKER: I hope the Premier will accept the hon. member's denial.

The PREMIER: I will accept it. When I mentioned the conversation that took place at Ascot, the hon. member, in explanation of this conversation, said that everybody talked about the hon. member for Toowoomba voting for the motion.

Mr. VOWLES: I said that it was rumoured that the hon. member for Toowoomba was coming over, but I would believe it when I saw it.

The PREMIER: You state it was rumoured. It was rumoured by those who

arranged it. I have not charged the hon. member with being implicated in any way in the attempt at bribery, but I say that he knew—he must have known from his own statement made at Ascot—of what was moving. I do not say he was responsible for it. What I have said, and what I reiterate now, is that it was evidently arranged by influential men in the Country party organisation outside—they arranged the thing, they set the stage, they engaged the bribers—the “tools”—and they arranged the want of confidence motion; and the hon. member moved it.

Mr. TAYLOR (*Windsor*): I am sure that any member who listened to the Attorney-General this afternoon making his reckless, wild charges that hon. members on this side are a party who encourage men to bribe members of Parliament, must have felt ashamed. I challenge the Attorney-General to find one statement by any member on this side which would substantiate such a charge. It is quite untrue, and nobody knows that better than the hon. gentleman. The main point which we have made during this discussion has been that these men were tried before a judge of the Supreme Court, with a jury. A certain sentence was passed on those men, including imprisonment and a fine, and now the Government come along with this Bill to punish somebody still further—evidently these men. I claim that the whole of the money found on those men belongs to them until the contrary can be proved. (Government dissent.)

The PREMIER: The hon. member is overlooking the fact that at the trial their counsel said that they had not 3,000 pence, let alone £3,000.

Mr. TAYLOR: He may have said that, but no evidence was produced to show that those men did not own the money.

Mr. CORSER: The judge said they had the money.

Mr. TAYLOR: What we have been contending the whole day is that the Premier and the Solicitor-General consulted together after the men were found guilty to see in what way they could have a heavier penalty inflicted on them. That, we claim, was unfair and un-British, and it is not to the credit of the Premier to have anything to do with proceedings of that character. Until some evidence has been produced in court to show that that money belonged to some Tom, Dick, or Harry outside, those men have a perfect right to take from that £3,200 the fines of £1,000 inflicted on them. It is part of their property, unless the Crown proves otherwise. The Attorney-General has said that the £500 fine imposed on each man will be paid. He does not know that, and I do not know it. He thinks it may be so.

The ATTORNEY-GENERAL: What is your candid opinion?

Mr. TAYLOR: I will not give a “quid” nor half a sovereign towards it.

The PREMIER: Hear, hear!

Mr. TAYLOR: Not a “bob” would I give to help to pay the fines of those men.

The ATTORNEY-GENERAL: The fines will be paid.

Mr. TAYLOR: I say that they are absolutely entitled to have those fines paid on their behalf from that money. It has been an unfortunate business, and we on this side

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of the Chamber do not stand for anything of the kind. We want to see Parliament what it ought to be, the highest tribunal in the land; but I would remind the Attorney-General, who talks about the dignity of Parliament being maintained unstained, that even Parliament makes laws which the courts decide are *ultra vires* and not in accordance with justice, and that Parliament then has to repeal them. We repealed one yesterday. We are not the *aqua pura* that the hon. member would like us to believe we are. But it should be the aim and object of every member of Parliament to see that Parliament is kept as pure as it can be kept. There are four classes of persons in the community whom I never forgive when they commit offences—clergymen, doctors, lawyers, and members of Parliament. In those four classes the people place their trust and confidence, and anything which would tend to break that trust or destroy that confidence in any shape or form is to be deplored and deprecated. I certainly think that in this Bill provision should be made that the fines should be paid out of the money in possession of the prisoners.

Mr. MORGAN (*Murilla*): Notwithstanding all that the Attorney-General has said, I am still of opinion that the Bill has been brought forward for the purpose of increasing the sentences imposed on these men. There was not one particle of evidence to prove that the money did not belong to Sleeman or Connolly or both. Mention was made of the statement that the money was got together for the purpose of buying a certain journal. (Laughter.) The Premier laughs. That is just as important as the statement which he alleged was made by Mr. Feez, that the prisoners did not possess 3,000 pence. It was not a matter of evidence. The hon. member for Fitzroy endeavoured to show that this Bill was establishing a precedent which might be used by some other Government to affect some other case in which hon. members now forming the Government may be interested. I say it is a wrong principle. The Premier in a very weak speech—an exceptionally weak speech in comparison with what we expect from the hon. gentleman—endeavoured to show a similarity between the bonds or money found on these prisoners and the kit of a burglar or an illicit still. I would point out that the possession of burglar's tools or an illicit still, whether the person is using them or not, is an offence, but it is not an offence to have bonds or money in your possession. The Premier urged that the money should be taken away from these men—admitting thereby that to some extent they possessed the money—because they might use it again for a similar purpose—to bribe some other member of his party. If that is not a reflection on the members of his own party, I do not know what is. I do not know how members opposite can allow him to cast such a reflection or slur upon them.

A GOVERNMENT MEMBER: What for?

Mr. MORGAN: What for? Have you got a hide like a rhinoceros? The Premier said that, if the money was not confiscated, the men would have it in their possession when they came out of gaol for the purpose of attempting to bribe another member of the Government party. That was a sign of weakness on the part of the Premier. I look upon this Bill as part of the scheme—or the trap, if you like so to call it—which was engineered

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and set on foot by the Premier. I regard the Premier as having sufficient brains to engineer and set in motion a trap of this description. Up to the present time, in connection with any charge of this description, if money were found in the possession of any individual which it was intended to use for the purpose of bribery, that money could not be interfered with. The man could be sentenced for a long term of imprisonment and fined up to £500—the maximum penalty imposed upon these prisoners.

The ATTORNEY-GENERAL: The maximum penalty is seven years with hard labour.

Mr. MORGAN: I am glad to have that interjection. That is the reason for the introduction of this Bill. If they had got that sentence, this Bill would not have been introduced. In the report of the trial we read that when the hon. member for Toowoomba was approached, he immediately consulted the Premier. There are rumours going about—they were not brought forward in evidence—that it was the hon. member for Toowoomba who approached these men originally. (Ironical Government laughter.)

The PREMIER: You know that that is not true. You have no foundation for such a statement.

Mr. MORGAN: I have as much foundation for making it as the hon. gentleman had for accusing this party of being connected with the matter. We have asked the hon. gentleman for a Royal Commission. Why does he not give it to us? He has made certain statements in connection with this party which he cannot substantiate in any shape or form. He becomes annoyed because I state what is reported. Go where you like, I honestly think that the general report is that the hon. member for Toowoomba was the first to approach these men.

Mr. BRENNAN: You would like to believe it.

Mr. MORGAN: It may not be true.

Mr. BRENNAN: You know it is not true.

Mr. MORGAN: It was not brought out in evidence.

Mr. BRENNAN: Why was it not brought out in evidence?

The SPEAKER: Order! The hon. member's reflection on the hon. member for Toowoomba must be withdrawn.

Mr. MORGAN: I said it is rumoured outside. If it is against the Standing Orders, I withdraw it.

The SPEAKER: Order! The hon. member did it by imputation, and he is out of order.

Mr. MORGAN: Not my own imputation—I wish that to be thoroughly understood. It is the general impression outside.

The SPEAKER: Order! The hon. member is now repeating the offence.

Mr. MORGAN: The Premier made imputations against this party which were a reflection on every member of this party, and yet no withdrawal was called for.

The SPEAKER: Order! The hon. member is now reflecting on the Chair. I would point out that an imputation concerning a party is quite a different matter to an imputation concerning an hon. member. Much greater latitude is allowed in referring to a party than in referring to an hon. member. I hope the hon. member will bear that in mind.

Mr. MORGAN: I would not like to cast a reflection upon the Chair; I would be the last in this Chamber to do so. Nevertheless, the Premier has made certain charges, and we have asked him to appoint a Royal Commission. I remember that when the hon. member for Dalby made certain charges in connection with another case, it was not a matter of asking for a Royal Commission. The leader of the Government immediately jumped at the chance and appointed a Royal Commission, knowing that he had the hon. member for Dalby at a disadvantage owing to the sickness of the most important witness. The hon. member for Fitzroy asks the leader of the Opposition to move for the appointment of a Royal Commission in connection with a certain statement he made. It is not the duty of a leader of the Opposition to move in that direction.

Mr. HARTLEY: It is. He is the only man who has evidence, and he should come forward and substantiate it.

Mr. MORGAN: This Bill appears to be a part of the trap originally arranged by the Premier. The hon. member for Toowoomba approached the Premier and told him certain things on Monday morning. It was arranged to trap these men, and the detectives were called in to assist.

Mr. BRENNAN: We exposed the plot.

Mr. MORGAN: The hon. member for Toowoomba allowed himself to be used as a "pimp" in connection with this particular matter.

The SPEAKER: Order! I call on the hon. member to withdraw that.

Mr. MORGAN: Certainly. If "pimp" is out of order, I withdraw it.

The SPEAKER: Order!

Mr. MORGAN: We will get on with the plot. The Premier called in detectives to assist. Part of the plot, according to the evidence adduced, was that these men should be enticed to have in their possession on a certain date as much money as possible.

Mr. BRENNAN: To get the "spondulix" on them.

Mr. MORGAN: And this Bill is going to collar those "spondulix."

Mr. BRENNAN: That is what is hurting you.

Mr. MORGAN: There is the whole plot. It was desired that these men should be possessed of as much money as possible so that it could be found in their possession. The Premier had in mind all the time the introduction of this Bill for the purpose of collaring that money.

The PREMIER: Whose money was it?

Mr. MORGAN: So far as I know, so far as the public know, so far as the judge or anyone else knows, that money belongs to the men in whose possession it was found. Any property found in the possession of a man at the time of his arrest, no matter what he might be accused of, must be returned to that man unless it can be proved that it does not belong to him.

Mr. BRENNAN: To the police they admitted that it was not theirs.

Mr. MORGAN: There is not the slightest evidence of that. Under the existing law those men have a right to claim that money as belonging to them.

Mr. BRENNAN: The money is tainted.

Mr. MORGAN: They had a right to have it returned to them. If they make an application for it, and say that it belongs to them, and it is not returned, we shall be committing an offence. By this Bill we are legalising what might be termed absolute robbery so far as those men are concerned. A man might commit an offence and be sentenced; but the moment he has served his sentence and comes out of gaol, he has a right to be given every opportunity to get an honest living and become a useful citizen. It is a well known fact that there is honour even among thieves. There is evidently no honour in the hon. member for Toowoomba. Thieves will not "pimp" upon one another, or give one another away.

Mr. BRENNAN: Do you say that they are thieves?

Mr. MORGAN: No. I said there was honour amongst thieves. These men have been convicted of a worse offence than thieving. These men say that that money belongs to them, and they have a right to get it. In sentencing men for certain crimes, in cases in which the law allows the confiscation of property found in the possession of the prisoner, if the value of the property is great, the judge generally reduces the penalty. If the jury had known that this Bill was going to be introduced, which will have the effect of confiscating the £3,200 found on the prisoners, most likely the jury would have brought in a verdict of "not guilty." It was not until the jury had been locked up for six and a-half hours that they brought in a verdict of "guilty." There was evidently some doubt in their minds.

INTERRUPTION OF BUSINESS.

At 4.30 p.m.,

The SPEAKER: Order! Under the Sessional Order agreed to by the House on 30th August, the business of the House will now be interrupted for the purpose of dealing with questions and formal business.

QUESTIONS.

MR. T. R. HALL'S IMPRESSIONS OF RAILWAY TRAVELLING IN THE UNITED STATES OF AMERICA.

Mr. DUNSTAN (*Gympie*) asked the Secretary for Railways—

"1. Has his attention been called to a report published in the Brisbane 'Telegraph' recently containing the impressions of Mr. T. R. Hall of his trip through the United States of America?"

"2. If so, has he noted the following statement made by Mr. Hall:—'He found that the sleeping accommodation on the trains in the United States was not nearly so good as on the Queensland railways, and that the railway fares generally are much higher. Although not so fast, railway travelling is more comfortable and agreeable in Queensland?'"

The SECRETARY FOR RAILWAYS (Hon. J. Larcombe, *Kryppel*) replied—

"1. Yes, I read Mr. Hall's excellent statement of the impressions he formed as a result of his trip through the United States.

"2. I also read with interest and appreciation Mr. Hall's reference to the favourable comparison which Queensland bears to the United States in the matter

of train accommodation and fares. Fortunately, the great majority of Queensland travellers recognise Queensland's favourable position. There are, however, a few bilious croakers and defamers to whom I recommend Mr. Hall's valuable comparison."

ALLEGED MONOPOLY TO TAKE SHELL GRIT AT CALOUNDRA.

Mr. WARREN (*Murrumba*) asked the Treasurer—

"1. Is he aware that a license to take shells and shell grit at Caloundra has been granted to one person to the exclusion of all other persons, and that, in consequence of this, the price of this marine product has been increased from 2s. to 3s. per bag?"

"2. Was such license granted on the recommendation of departmental officers? What were the reasons for the granting of such exclusive license, and for what term was it granted?"

"3. Was any public notification given prior to the granting of this license?"

"4. Will he have inquiries made into this matter, with a view of such action being taken as will allow other residents of Caloundra taking part in this industry?"

The TREASURER (Hon. E. G. Theodore, *Chillagoe*) replied—

"1. Four licenses have been issued granting the exclusive right to remove shell grit from certain defined areas. It is open to any person to obtain a license for such purpose.

"2. The action taken was recommended by the department in order that the foreshores could be protected against damage which might be caused by the indiscriminate removal of grit. The license is for a term of twelve months.

"3. No public notification was necessary. The license provides that the use of the beach by residents and visitors is unrestricted, as formerly.

"4. Provided no damage will result to the foreshore, an exclusive license to remove shell grit from a particular section may be obtained by any person upon application to the Portmaster and payment of the prescribed fee."

INTENTIONS IN RE INTRODUCTION OF CO-OPERATIVE AGRICULTURAL PRODUCTION ACT AMENDMENT BILL.

Mr. WARREN (*Murrumba*), in the absence of Mr. Costello (*Carnarvon*), asked the Secretary for Agriculture and Stock—

"1. Is it intended to introduce this session the Co-operative Agricultural Production Act Amendment Bill?"

"2. If not, in view of the fact that this is the third measure mentioned in the Governor's Opening Speech, why is it not being proceeded with?"

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

"1 and 2. It was the intention of the Government to present this amendment Bill to Parliament this session, but the developments that have arisen during the preparation of it will necessitate the postponement of the improved measure until next session."

PROHIBITION OF CULTIVATION OF COTTON AND OTHER CROPS ON GRAZING FARMS.

Mr. CLAYTON (*Wide Bay*), in the absence of Mr. Edwards (*Nanango*), asked the Secretary for Public Lands—

"1. Do the leases of grazing selections restrain the holders of such selections from using their land for cotton-growing?"

"2. In the event of the holders of grazing selections using their land for such purpose, will they be liable to have their leases forfeited, or to any other penalty?"

"3. If liable to any penalty, will he, in view of the present importance of cotton-growing to this State, give a guarantee that no penalty will be imposed in such cases?"

The SECRETARY FOR PUBLIC LANDS (Hon. J. H. Coyne, *Warrego*) replied—

"1. The leases of grazing selections are granted for grazing purposes only.

"2. Notwithstanding the restriction in their leases, the department allows lessees of grazing selections to cultivate for cotton an area not exceeding 50 acres of each selection.

"3. See answer to No. 2."

LIMITATION OF GUARANTEE TO COTTON GROWERS.

Mr. CLAYTON (*Wide Bay*), in the absence of Mr. Edwards (*Nanango*), asked the Secretary for Agriculture and Stock—

"1. Is it a fact that only growers of not more than 50 acres of cotton will be covered by the Government's guarantee of 5½d. per lb.?"

"2. In the case of growers of more than 50 acres of cotton, will a proportionate part of their crop be covered by the guarantee?"

The SECRETARY FOR AGRICULTURE AND STOCK replied—

"1. No; not until after 1st August, 1923.

"2. Yes."

LIFE ASSURANCE COMPANY DEPOSITS WITH TREASURY.

Mr. J. H. C. ROBERTS (*Pittsworth*) asked the Treasurer—

"1. Have the Queensland Probate Insurance Company, Limited, the Australian Probate and General Assurance Corporation, Limited, and the Citizens and Graziers' Life Assurance Company, Limited, yet paid their deposits of £10,000, as required by the Life Assurance Companies Act of 1901?"

"2. If not, seeing that the two first-named companies have been registered for more than three months, can they legally transact life assurance business in Queensland?"

"3. In view of the fact that three more life assurance companies are about to commence business in Queensland, will the Treasurer insist upon all future companies making their full deposit of £10,000 before the expiration of three months from the date of their respective

registrations, so that the provisions of the Life Assurance Companies Act, which were intended for the protection of the general public, may be given full effect to?"

The TREASURER replied—

"1 and 2. It was agreed to accept the deposits of these companies in instalments, and to date each has lodged £5,000.

"3. No further concessions will be granted."

SALE OF VICTORIAN BUTTER IN QUEENSLAND.

Mr. J. H. C. ROBERTS (*Pittsworth*) asked the Secretary for Agriculture and Stock—

"1. Has he been advised that Victorian butter is being sold in Queensland to-day at 5d. per lb. under locally manufactured butter?"

"2. Will he have full inquiries made and a report made public as to how such a condition of affairs can exist?"

The SECRETARY FOR AGRICULTURE AND STOCK replied—

"1 and 2. I understand that several Brisbane firms, including Barnes and Company, are being enabled, through want of unity amongst Southern dairymen, and section 92 of the Federal Constitution, to purchase Victorian butter and import it into Queensland at a price considerably below our local prices."

REPORTS OF COMMISSIONER FOR TRADE AND AUDITOR-GENERAL ON STATE ENTERPRISES.

Mr. LOGAN (*Lockyer*) asked the Premier—

"1. When may the report of the Commissioner for Trade on State Enterprises be expected? Also, the Auditor-General's report thereon?"

"2. If these reports are not tabled before the end of this session, will they be made available for distribution to members as soon as they are completed?"

Hon. W. FORGAN SMITH (*Mackay*) replied—

"1. The Trade Commissioner advises that his report will be ready as soon as the audits have been completed, and this is expected within a few days.

"2. There will be no unavoidable delay in distributing these reports to members as soon as they are completed."

PROSPECTS OF OBTAINING PETROLEUM IN QUEENSLAND.

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

"As the session is drawing to a close, and the question of the discovery of oil in Queensland is a matter of such vital importance, will he state—

1. (a) What are the prospects of achieving success in the operations at Roma? (b) Is he quite satisfied that those operations have not at any time been interfered with from outside sources?

2. Is the Beaudesert area looked upon with any favour in regard to oil?

3. Are there any other areas that show signs of successful boring?"

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

"1, 2, and 3. I refer the honourable member to the various reports which have been published from time to time."

WHEAT CROP OF 1920-1921.

Mr. G. P. BARNES (*Warwick*) asked the Secretary for Agriculture and Stock—

"1. What was the total quantity of wheat received by the Wheat Board on account of the 1920-1921 wheat crop—viz., No. 1 Milling, No. 2 Milling, No. 3 Milling, No. 1 Red, No. 2 Red, Scented, No. 1 Feed, and No. 2 Feed?"

"2. What quantity of each of these respective grades has been sold?"

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

"1 and 2. Inquiry will be made."

COST OF CONSTRUCTING MAIN ROADS BY MAIN ROADS BOARD.

Mr. BEBBINGTON (*Drayton*), without notice, asked the Secretary for Public Lands—

"1. Has he made any inquiries from the Main Roads Board Office this morning, as the result of the statements made last night, in connection with the cost of construction of main roads?"

"2. Has he ascertained whether the Main Roads Board is compelled to take the labour from the labour bureaus, and is the Board compelled to take the first on the list, irrespective of whether they are suitable for the work?"

"3. Is it intended to carry out the work by day labour?"

The SECRETARY FOR PUBLIC LANDS (Hon. J. H. Coyne, *Warrego*) replied—

"I have not made such inquiries, because of the irresponsible, exaggerated misstatements made by the hon. member in connection with the matter."

BALANCE-SHEET IN RE 1920-1921 WHEAT CROP.

Mr. G. P. BARNES (*Warwick*), without notice, asked the Secretary for Agriculture and Stock—

"Is he able to give any further reply to a question which I asked yesterday to which the hon. gentleman replied, 'Inquiry will be made?' The matter is of great importance, because two years ago those people commenced harvesting, and they want to know what has become of the wheat or the money?"

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

"I am afraid that the hon. gentleman does not really appreciate the busy nature of the work of Ministers at the present time. The matter referred to is a matter entrusted to the Wheat Board, and, consequently, inquiries will have to be made at Toowoomba. I cannot give the hon. gentleman any information at present."

PAPERS.

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

Despatch respecting permission to Mr. Edmund Harris Thornburgh Plant to retain the title of "Honourable."

Return of all schools in operation on the 30th June, 1922, with the attendance of pupils and the status and emoluments of the teachers employed.

The following paper was laid on the table—

Orders in Council under the Supreme Court Act of 1921.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING—RESUMPTION OF DEBATE.

Mr. MORGAN (*Murilla*): The hon. member for Toowoomba stated that if the prisoners had said where they got the money, they would not have been sentenced at all.

Mr. BRENNAN: Their principals would have been arrested.

Mr. MORGAN: If they had been arrested, the men who took part in the commission of the crime would have been released.

Mr. BRENNAN: Exactly.

Mr. MORGAN: That is an admission that the men were approached to turn King's evidence in order to put their principals in the cell.

Mr. BRENNAN: They could have done that. I said that in the witness-box.

Mr. MORGAN: That is a most important admission for the hon. member to make. It appears that he was not only the prosecuting witness, but he was prosecutor as well. From the remarks of the judge, it appears that he was not prepared to allow the Premier or the hon. member for Toowoomba to dictate to him what the sentence should be.

The ATTORNEY-GENERAL: He said nothing of the kind.

Mr. MORGAN: He did. He practically said he would not be dictated to by the Premier, and all honour to the judge. I am very pleased to know that we have some judges who will not be dictated to by the Premier.

At 4.40 p.m.,

The CHAIRMAN OF COMMITTEES (*Mr. Kirwan, Brisbane*) relieved the Speaker in the chair.

Mr. POLLOCK (*Gregory*): The hon. member for Murilla said that, until it is proved to the contrary, the money in question belongs to the men on whom it was found. I take it that it has been proven to the contrary by the judge and the jury, and the evidence of the whole case goes to prove that the money found on these men did not belong to them.

Mr. MORGAN: Read the evidence.

Mr. POLLOCK: His honour, in his summing up, said—

"The man behind these men has offered them money."

Mr. Feez, counsel for the accused, said—

"If the object of the prosecution was to deter that class of crime, then those responsible should be made to suffer. There was no doubt there was someone in a financial position behind the accused."

Their own counsel said that. In another portion of his address he said—

"Neither of the defendants would be able to find 3,000 pence, let alone £3,000."

[*Mr. Morgan.*

His honour later on, in summing up, said—

"It is quite clear that there is somebody behind you as to money. Neither of you is in a financial position to find £3,000 in bonds and £200 in cash."

The whole of the circumstances connected with the case prove that these men were not attempting bribery with their own money, and for that reason I believe that the Crown is justified in estreating this money and all the other moneys in the future raised for a like purpose. The jury proved that these men were guilty of attempted bribery. There is no doubt on that score. They had a fair trial, and it was definitely proven against them. On the question as to whether this fine should be paid out of the money that was found on them, I would again like to emphasise the point that was so ably demonstrated by the hon. member for Bremer when he said one of the accused had £3,000 and the other only had £200, and, if the judge intended that the fine should be paid out of the money found on them and out of these bonds, then one of the defendants would have been unable to pay the fine.

Mr. F. A. COOPER: While I was speaking the leader of the Opposition interjected that it was a common fund. How does he know that it was a common fund?

Mr. VOWLES: The judge said it was.

Mr. POLLOCK: Not only did the judge say so, but the jury thought so; and when the judge decided that these men were in possession of a common fund, it is quite obvious that the money should be estreated by the Crown, otherwise one man would have to serve the whole of the twelve months and the other one would get off with three months, although there is no doubt both men were equally culpable. There is no danger that these men will have to serve the additional nine months' sentence because this money is being estreated. We know very well that two men who are acting as agents for a certain organisation in a big financial way are in a position, when they receive a sentence of this kind, to "blow the gaff"—to use a common expression—upon the men behind them. Does anyone believe for a moment that the persons who found the £3,200 to pay these agents for the commission of a crime such as this are going to balk at another £1,000 in order to meet this fine? Does anyone suppose that these men—who are evidently in a big way financially—are going to take the chance of being arrested for conspiracy (because that is what it means) for the sake of a paltry £1,000—less than one-third of the original sum provided? So that the argument that these men are likely to serve an additional nine months' sentence because of the forfeiture of this money does not hold water. The men behind these men are apparently feeling very uncomfortable. If anyone in this Chamber was behind a matter such as this, he would naturally feel very uncomfortable until the whole affair was over. Then there is a side issue to this argument—that these men were trapped. How else would it be possible to detect a briber? Is it likely that men guilty of attempted bribery would come along and tell the public generally, and tell the court, that they were going to commit the offence? The only way to catch these men is to catch them red-handed by a trap. In the ordinary way it would not be possible to bring these men to book, and the hon. member for Toowoomba, instead of being sneered at by the

Opposition and the newspapers, should be congratulated upon the stand he has taken. Bribery and corruption is either wrong or it is right. We and our laws hold that it is wrong. If that is the case, should we not sympathise with the man who has to go into court and who has the whole of his life raked up for the inspection of the public and every attempt made to damage his character, and have things brought up that never existed? Is it not better that we should sympathise with a man of this kind and encourage him in the stand he has taken against this practice than that we should sneer at him and attempt to belittle him in every way? I say that the newspapers have taken up a very dangerous attitude, and one that no right-thinking man can stand for. Yet the hon. member for Murilla attempted to make capital out of this question of trapping men who were guilty of attempted bribery. It is practically on the same principle as the burglar objecting to the watchman. Why should they not be trapped? If the offence is a crime—if there is only one way of preventing the spread of this sort of thing—every hon. member opposite has said that he does not want to see it spread—if there is only one way of preventing the spread of this crime why should we not compliment the man who is responsible for preventing this sort of thing in future? I say without any fear of contradiction that either hon. members opposite are talking with their tongues in their cheeks or else they are taking a very unsound stand in connection with this matter. The most astonishing argument of all, and one which has been used by almost every hon. member opposite, is that the estreating of funds such as this should only take place in regard to future cases. Why? If it is a sound thing to apply to future cases the principle of confiscation of money such as this, it must be equally sound to apply it to cases that have occurred in the past. Not only that, but their reason, in my opinion—I take it the public will take the same stand as I am taking—their reason for applying it to future funds is because they know there will be no future cases of this kind. This case has effectually squelched all attempts at bribery for the future.

When they ask that it be applied only to future cases, they take up an attitude that is not easily understandable or consistent with honesty. Why apply it only to future cases? Is it not because they want to safeguard the money that is already lying in the Supreme Court? They know very well that any future money coming from the men behind them will never come into the possession of the Supreme Court again. It is obvious that every man guilty of bribery in the future is going to look under the table, and there are going to be no future cases of confiscation of money which has to be used in a case of attempted bribery. I hope that the people of Queensland are going to ask—they will probably be asking to-morrow morning—why there is all this anxiety on the part of the Opposition about safeguarding this £3,200. Where is the necessity for it? Everybody knows that it is money used for the purpose of attempting to commit bribery. Then why is there any necessity to return it to the defendants? Why all these pitiful arguments for having it returned to the defendants?

Mr. MORGAN: Because the law is against you.

Mr. POLLOCK: We are here to see that the law is applied to this matter—to see that this money is estreated, and the thing effectually stopped. When we attempt to do it the hon. member for Murilla says the law is against us. What are we here for? Are we not here to make laws for the good conduct of the State?

Mr. MORGAN: Evidently not, when you override the judge's sentence.

Mr. POLLOCK: If these laws are not carried out, are we going to be worthy of the name of legislators who are here to protect the interests of the people of Queensland? The case is a most unsavoury one. It does not reflect credit on the Opposition when they attempt to get from under the responsibility of being accessories and come back again with an attempt to safeguard the funds that are the property of these bribers behind their agents. The thing is illogical and absurd, and the people of Queensland will estimate at their true value the statements of hon. members opposite.

HON. W. H. BARNES (*Bulimba*): The hon. member who has just resumed his seat tried, like other members on the other side to-day, to dodge the real issue in connection with this matter. The real issue is something like this: These men were brought before a jury, which heard the evidence and brought in a verdict of guilty. No member of this House can in any way justify a wrong, and I want to be very emphatic on that point. It does not matter who does that wrong.

The PREMIER: Was this a wrong?

HON. W. H. BARNES: The verdict was brought in and the judge pronounced sentence, and apparently the Government are not satisfied with the sentence.

Mr. MORGAN: That is the sore point.

HON. W. H. BARNES: They are trying now to get at the back of the sentence. Is that British justice and what we stand for in this House?

Mr. COLLINS: You ought not to talk about justice.

HON. W. H. BARNES: We stand for putting down anything improper; but at the same time we stand for maintaining intact the findings of those who are placed in the position which judges are placed in. Let us look at the position fairly and squarely. What really happened? Is it not a recorded fact that the Premier of this great State evidently had a document written that was to be delivered to the judge? I would like to ask if that document has been forthcoming. Has anyone seen it?

The PREMIER: You are a champion side-tracker.

HON. W. H. BARNES: I ask what was the object of it. The object was to try and influence the decision of the judge, so far as the penalty was concerned. That is really what happened. We find the Premier of this great State doing this, and I congratulate the judge, who said, "I am here to administer justice, not to receive instructions from a gentleman, even although he may be the Premier of the State." He said, "I am not going to be influenced."

The PREMIER: You are inventing words.

Hon. W. H. Barnes.]

HON. W. H. BARNES: If the Premier would only carry out his office in the same way, it would be better for this State than to do what he is doing.

The PREMIER: You are a sidetracker.

HON. W. H. BARNES: No one could be a sidetracker equal to what the Premier is.

Mr. POLLOCK: I will read from the paper what the judge said. He said—

“I cannot go into that.”

HON. W. H. BARNES: I am quoting from the “Observer.”

Mr. POLLOCK: I am quoting from the “Courier.” (Laughter.)

HON. W. H. BARNES: The “Observer” states—

“Mr. Webb said that, after the verdict the previous evening, he consulted the Attorney-General, and he subsequently interviewed the Premier.

“His Honour: I do not wish to hear the views of the Premier. I want only to hear you.”

Mr. POLLOCK: That is not what you said.

HON. W. H. BARNES: I said that it was evident that a document was prepared, after consultation with the Premier, which the Solicitor-General was going to quote from. The Premier had the audacity to interfere with the course of justice, and, because he did not get his way, he brings in a Bill of this nature. I want to be absolutely clear so far as my action is concerned. I repeat again that any men who do a dishonourable thing have a right to be punished; but, when they have been before a British court of justice, no Premier has the right, because he wants to get at them and to victimise them, to go behind and seek to influence justice.

The PREMIER: Go behind what?

HON. W. H. BARNES: To get at the judge's verdict.

The PREMIER: That is a most unscrupulous statement.

HON. W. H. BARNES: It is recorded that there was an interview between the people I have mentioned, and that the Premier tried to get his views before the judge. The point I want to make is that any evidence that could be introduced prior to the verdict of “guilty” being brought in was quite right, and should have been introduced; but, once the verdict was given, no Premier, no individual, had a right to get behind the verdict.

The DEPUTY SPEAKER: Order! I understand the hon. member to say that the Premier was trying to get behind the verdict of the court. That is imputing improper motives, which is unparliamentary, and I ask the hon. member to withdraw the statement.

HON. W. H. BARNES: I withdraw the statement in accordance with your wish, but it is recorded that the Premier—

The DEPUTY SPEAKER: Order!

HON. W. H. BARNES: That the Premier did certain things, which are recorded in the Press.

A GOVERNMENT MEMBER: Not even recorded.

HON. W. H. BARNES: The judge himself commented upon it.

The PREMIER: What did he say?

[Hon. W. H. Barnes.

HON. W. H. BARNES: He said that he was going to listen to what the Solicitor-General had to say, but he was not going to listen to what the Premier had to say.

The PREMIER: That is a different thing to what you said before.

HON. W. H. BARNES: The hon. gentleman is trying to dodge the position—that the Government were not satisfied with the verdict brought in by the jury, and are now trying to go one better and see if they cannot further penalise these men. Let me say that I have no sympathy with the men who perpetrated such a crime. I have no sympathy with anyone, whatever his name may be, who attempts to do anything of that kind.

The PREMIER: You want the money to go back into your political party funds.

HON. W. H. BARNES: I take the stand that once a verdict has been given by a jury, the judge should be untrammelled and perfectly free from outside influence.

Mr. PAYNE (*Mitchell*): Members of the Opposition who have spoken on this question to-day—more particularly the hon. member for Bulimba—on every occasion have gone to a lot of trouble to assure the House that they had no hand or part in [5 p.m.] this bribery case. We have spent the whole of one sitting and part of another sitting in discussing this question, and during the whole time hon. members opposite have been, as it were, shedding crocodile tears at the hard sentences imposed upon the two men, Sleeman and Connolly.

Mr. MORGAN: No. We never complained about the sentence at all. You are absolutely wrong. The Government want to impose another sentence.

Mr. PAYNE: The only excuse that hon. members opposite offer for opposing this motion is that the Government are increasing the sentence on those two men. I ask anybody if twelve months' imprisonment is a severe sentence—even if they carry out the whole twelve months—for a crime of this character. During the whole of the discussion on this Bill the Opposition have proved to me beyond any doubt that their sympathies are more or less with the men who committed this crime.

Mr. MORGAN: Our sympathies are with British fairplay.

Mr. PAYNE: A wrong must be a wrong, and you cannot say anything to justify wrong. Nearly every member of the Opposition who spoke on this question talked about a thing being wrong, and said that we must not pollute the public life of this State; yet in the next breath they show their sympathy by condoning the actions of the men who actually committed the wrong. What position is any member of the House in who sits here and listens to such arguments? First they say it is wrong, and then they take six or seven hours in condoning it. Even if the men serve the whole twelve months, it is not a severe sentence for this crime.

Mr. MORGAN: They are not going to serve it.

Mr. PAYNE: I know they are not going to serve the whole twelve months. I am quite satisfied that, when the three months are up, the source from which the other money came will provide the £1,000 to pay

the fines. Yet we have a section of the Opposition supporting the men who supplied the money, and trying to protect the money-bags who supplied the £3,200, and save them from having to put up another £1,000. That is the whole thing.

I am not going to say whether members of the Opposition had any hand in supplying the money or not, but I will say that men have been hanged on less circumstantial evidence than we have got that the Opposition knew that this was going on. My mind is carried back to the year 1891. Hon. members opposite now object to an amendment of the Criminal Code, but what did supporters of the party do in 1891? They rushed legislation through this House, and went back to the days of George IV. to dig up a statute to use against men in Central Queensland. They took the most honoured men in Central Queensland, removed them to another district, right away from their own centre, tried them before a special jury, and sent them to gaol.

Mr. COLLINS: Don't forget that they chained them to logs, too.

Mr. PAYNE: They chained them together as well. The late President of the Legislative Council, the late Mr. William Hamilton, was a specimen of the men whom they took away in chains and tried before a special jury in Central Queensland, and then sent them to gaol. They were amongst the most honoured men in Central Queensland. Yet hon. members opposite talk about the unkindness of this Government. I remember seeing these men being marched in chains through the streets of Barcaldine. They were driven along like wild beasts. Men were swept off the street at Barcaldine, and put into gaol for months without having a trial at all. Yet we have hon. members opposite standing up for the money-bags. They are not concerned about the two men who have been convicted. All their concern is about the men who have to find the money. Their whole sympathies are with the men who found the money to try and bribe the hon. member for Toowoomba, and not with the two men who have been sent to gaol.

Mr. F. A. COOPER (*Bremer*): I heard the leader of the Opposition, by interjection, state that the £3,000 bond and £200 cash came from a common fund—

Mr. VOWLES: The judge said that.

Mr. F. A. COOPER: I cannot find in the evidence where the judge said that.

Mr. VOWLES: He said the money could be applied to the purpose of the fine.

Mr. F. A. COOPER: According to hon. members opposite, this is what the judge said—

“The bond and the money are yours.”

According to the Press, the judge said—

“The bond and the money come from a common fund.”

What are they trying to make out? They evidently have a knowledge of a “common fund.” That is one thing I draw attention to which was mentioned by the hon. member. The hon. member for Murilla and other members opposite made the statement over and over again that this Bill was an attempt to override the verdict of the judge. The judge found these men guilty of a crime, and the members of the Opposition say that this is what the judge said—

“I find you guilty of a crime. I also find you guilty of having £3,200 in your

possession. I am going to fine you £500 each. That will leave £2,200. After you come out of gaol, in three months' time, I will present you with £1,100 each to cover the period of your incarceration.”

That is what hon. members opposite say that the judge said. I cannot conceive of any such thing being in the judge's mind at all. It could not have been in his mind that these men should get £1,100 each when they come out of gaol. The thing that was in his mind, as was pointed out by the hon. member for Fitzroy, was that they were merely agents handling trust funds, and, if they were successful in their mission, the trust funds would pay. If they were not successful, the money would be paid back to the people who gave the money. It would not go to the men who were handling the money, because that would be a misuse of trust funds. The money had to go to the person for whom it was intended or else go back to the people from whom it came. That is quite clear to anyone who looks at it clearly and calmly. There is no question about it that that was in the judge's mind. We have now arrived at this stage of the question. There is an unexplainable desire on the part of the Opposition to defend the money. The hon. member for Bulimba said, “I will speak calmly and quietly,” yet he ended his speech with fire in his eyes and froth in his whiskers. There is an inordinate desire on the part of the Opposition to save the money. Above all things, save the money! Hon. members on the other side, in the course of their business, always think about saving the money. It reminds me of another occasion when a gentleman, ringing on the telephone, said, “I told you right from the start that you should not trust a man by the name of Gilligan.” When they make mistakes they always endeavour to get out of them, but all the time they want to save the money. Hon. members opposite say, “This is no concern of ours, but let us save the bonds.”

Hon. members opposite are evidently readers of Shakespeare. They all say, “I want my bond”—that is the whole position. I do hope that this House will amend the Criminal Code in the direction indicated, if for no other reason than that stated by the hon. member for Gregory—that it is a good thing for the future. And if it is a good thing for the future, it is certainly a good thing for the past; and if it is a good thing for the future and the past, it ought to be a good thing for the present.

Mr. G. P. BARNES (*Warwick*): I am sure that the remarks of the hon. member for Bremer will not carry much weight. What do we care for the amount of £3,200?

A GOVERNMENT MEMBER: What are you arguing about?

Mr. G. P. BARNES: We are arguing against the establishment of a new principle of meting out double punishment to people. Hon. members opposite are not satisfied with the verdict of the court. They come to a higher court—the sphere where the laws of the land are made—and they say, in effect, that what they have failed to accomplish in one direction they will use their powers to achieve in another and mete out the justice which they think these people should have given them. The whole of this business will be settled if the Attorney-General will place

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on the table of the House the document which he addressed to the Solicitor-General on the occasion of the verdict.

The ATTORNEY-GENERAL: There was no document at all.

Mr. G. P. BARNES: It was indicated that there was a document.

The ATTORNEY-GENERAL: I had the right to discuss the case with him as Attorney-General.

Mr. G. P. BARNES: If there was not a document, we will accept the verbal statement of the hon. member. At any rate, he attempted to do something that the judge immediately dismissed. It was such a knock back to the Premier and the Attorney-General as has never been witnessed before, and certainly both of them should hide their heads.

Surely there is room for some further explanation regarding this matter! Has it come to this—that this is to be a precedent of the future and that, in the event of the courts of the land failing to satisfy the ideas of the Government in the matter of punishment, this House is to be compelled to pass a Bill retrospectively imposing judgment according to their ideas? If the whole of that money had been forfeited by the court, or if the sentence had been heavier, I would have said nothing; but I do object to this House being asked to mete out a super-punishment or a second punishment. That is where we stand. We do not condone the offence. I would stigmatise it with the fiercest of language I could command. I think it was a most reprehensible act from beginning to end; but the Government are not adding to their dignity or increasing the good feeling which should exist in the community when they seek to override a judgment of the court.

The ATTORNEY-GENERAL: That is not true.

Mr. G. P. BARNES: Well, then, lay on the table of the House a statement of what transpired between yourself and the Solicitor-General, and we will decide as to whether the failure to succeed with the judge in the matter of carrying out the Government's behests was right or wrong. If we find that there is any colourable significance in what the hon. gentleman wished to indicate to the judge, this Bill should pass, and we will say that it is not a second judgment; but unquestionably it is a very serious thing to attempt to administer justice by Act of Parliament.

Mr. WEIR (*Moryborough*): It is very interesting to contrast the attitude of hon. members opposite in regard to these bonds with the attitude their friends took on a case in New South Wales, to which we must take our minds back. We have the Opposition railing and roaring because this sentence is too heavy. A little while ago we had the same crowd railing and roaring because the I.W.W. prisoners in Sydney did not get more than fifteen years. I do not take much satisfaction out of the fact that two men of my class have to spend even three months in gaol.

Mr. J. JONES: They may spend twelve.

Mr. WEIR: They might spend their lives if they were fools enough to serve that crowd. What do they care so long as men like these prisoners do their dirty work? Here they are with £3,200 behind them for a certain purpose, and, in order to save their hides, hon. members opposite want the Government to pay their fines out of the

money. They are not big enough to stand up to the collar and take their punishment and give the men the amount of their fines as well. I venture to say that one of the prisoners is a fairly longheaded gentleman, and right now he is demanding an annuity of £500 for the rest of his natural life—and he is going to get it. At any rate, I have enough confidence in him to believe he will get it, and I have enough confidence in both of those gentlemen to believe that they will not do twelve months in gaol. Twelve months in gaol if they do not find £500 apiece! Perish the thought! Men who can find £3,200 to bribe a politician can surely find £500 to clear their friends. If these men will send along their dirty tools to burst up the Labour party—if they will send along men of my class who are so devoid of intelligence that they will lend themselves to the designs of these people, and if they will give them £3,200 for their purpose, in common decency they will find enough to get them out of gaol. My belief is that, if it will cost £1,500,000 to get them out they will find it, so much are they involved. They got "Billy" Hughes out of trouble to the tune of £25,000. They will get these fellows out, too. Fancy the absurdity of the position! Hon. members opposite are trying to make out that these men will have to do twelve months because they have not got £1,000 to pay their fines. I have got a ticket on one of them, anyway—I do not know the other fellow—and if he stays in gaol he is not the wise head I think he is. I give these gentlemen credit for knowing more than that. Unless the one I know finds that his wife and "kiddies" and his people are provided for and he gets a retainer for himself, he will "blow the gaff"—and "up goes the monkey." If he threatens to "blow the gaff" they will run like "billy-oh."

Mr. VOWLES: Who are "they"?

Mr. WEIR: The hon. member for Burnett made a clumsy, but fairly shrewd attempt—which one would expect of the hon. member—to change the venue and to associate this party with the finding of the money. Was there ever anything more clumsy? I do not want to run a man to earth; nothing is further from my mind than to be a blood-hound, so I do not want to use the man's name. They are only suffering punishment for being fools—after all, that is all they are. One of these men, on his own admission in the court, has had an eternal grudge against the Home Secretary personally and against this party—a man who would do anything, according to the admission of his counsel, to get even with this Government. Who does not know the other man? Who does not know the views he has expressed in the Press regarding this party? He was the publicity agent for the Northern Country party at the last election. Nobody would associate those men with this party. We were told to-day by a shrewd "mug" that we lent these men money to get them into trouble. Imagine these men having this party in the palms of their hands! Imagine these men with this Government in the palms of their hands! Imagine these men being able to say, "These are the 'blokes' who gave us the 'dough.'" We would be up Queer street, as sure as eggs. We are not, but they are. They have tried everything possible, and they will try it again. Let us make no mistake as to how far they will go. They have used every endeavour in the past; they have used all

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the dirty work they are capable of against Governments and against individual members of Governments that have dared to challenge their class interests. Let us look at how those class interests work out. Let us look at the set of circumstances that found men in this State committing one of the most grievous crimes a man can commit. According to the Criminal Code, one of the most infamous crimes is to contaminate the Legislature of the country. Everybody knows that, once he is in this Chamber, if there is one thing more prominently brought home to him than anything else, it is the fact that it is necessary to keep the Legislature reasonably clean so far as suspicion is concerned. Once the public get an idea that the Legislature is contaminated—

Mr. VOWLES: It reflects on everybody.

Mr. WEIR: Of course, it does. There is not a man in this House who does not recognise that. If that is so—and I am taking it as an accepted axiom—if it is necessary to keep this place clean, surely to goodness the punishment for contaminating it ought to be severe. Is not that logical?

Mr. VOWLES: That is a matter for the judge, surely.

Mr. WEIR: The punishment ought to be severe. I am not concerned about the judge. Class interest displays itself right away. Look at what was done to my friends in New South Wales—the I.W.W. men. I do not want to run away from my responsibilities. Any man in this working-class movement—whether he disagrees with me on details does not matter—is a friend of mine. These people say it is the judge's responsibility to give a man three months for contaminating the Legislature. It was the judge's responsibility, on the recommendation of their friends in New South Wales, to give a man life for an offence they never proved against him. Judge's responsibility! Why, bless my soul, New South Wales rose up in arms against this sort of thing; yet here we find men getting three months, and the Opposition squealing that it is too much!

Mr. VOWLES: We are not squealing about it at all.

Mr. WEIR: I held quite a different view. I thought, in their decency, they were. I can see that they are not prepared to go that far. They are not concerned one iota about the men; their trouble is that their "dough" is involved, and they want to get it out.

Mr. VOWLES: Do you say that our "dough" is involved?

The ATTORNEY-GENERAL: He said "their dough."

Mr. WEIR: I want to say again that the position is that, when "dough" is involved, these people rise up in their wrath; but when human life is involved, they do not care a tinker's curse. It only shows the absurdity of these poor fools who are locked up lending themselves to this class. On the day of the trial certain people in the street said to me, "Are you going to the court?" I said, "No, I am not going to the court. I cannot get any pleasure out of going to any court where a member of my class gets three months, six months, or twenty years; it does not give me any satisfaction." I think the same now; I get no satisfaction out of these unfortunate fellows going to gaol. I am conscious of the fact that per-

haps both of them have families. Those who got them into trouble should keep their families. These miserable cads would run away because it is going to cost them £3,200. They tell us on the floor of this House that if we dare to confiscate this money—which I say we are justified in doing—these men will remain in gaol another nine months. Did you ever hear anything more contemptible? After using them they drop them and leave them in gaol. There is only one thing which will stop them leaving them in gaol, and that is the fact that both of these men would squeal and put the show away if they did not get this £500 a year. I hope to goodness they will get it.

Mr. SWAYNE (*Mirani*): I protest against the manner in which this Bill is being made a medium for the abuse of hon. members on this side of the House. I listened to the hon. member for Maryborough, and I do not think he made one single reference to the Bill or to the principles contained therein. His speech was just concentrated, venomous abuse of hon. members sitting on this side. There are very grave principles involved in this Bill. A perusal of it can give you only one impression, and that is that it is a vindictive, revengeful attack upon men who have already been punished by the law. The mere fact that it was in the judge's power to impose a sentence of seven years and he gave only three months, shows that there is something to be said on the other side. Such practices as were indulged in by these men are just as abhorrent—perhaps more abhorrent—to members on this side than to members on the other side. What we object to is that, after sentence has been passed, special legislation is brought in to supplement that sentence.

The ATTORNEY-GENERAL: That is untrue.

Mr. SWAYNE: We are initiating a most vicious principle, and are simply degrading Parliament.

The DEPUTY SPEAKER: Order! The hon. member is not justified in passing a reflection like that on Parliament. I ask him to withdraw. The hon. member has been long enough in this Chamber to know that in reflecting on Parliament he is reflecting on himself as a member of Parliament.

Mr. SWAYNE: There was no application to hon. members on this side.

The DEPUTY SPEAKER: Order! I ask the hon. member to withdraw.

Mr. SWAYNE: I withdraw. What I have said is not a reflection on hon. members on this side, because the action to which I have alluded came from the other side, and if any harm has been done to the standing of Parliament, it has been done by hon. members on the other side.

The DEPUTY SPEAKER: Order!

Mr. SWAYNE: What it means, in plain English, is that it is simply turning Parliament into—

The DEPUTY SPEAKER: Order! I have told the hon. member in very plain language that he is not justified in reflecting on Parliament. The hon. member withdrew the statement. He ought to know that that closed the incident. I hope that he will discuss the principles of the Bill, and set an example.

Mr. SWAYNE: The Bill is not passed yet. I was pointing out that, if it is passed, it simply brings Parliament down to the

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level of being a registering machine to carry out the party or personal revenge of hon. members on the other side.

The DEPUTY SPEAKER: Order!

Mr. SWAYNE: I am certain that that is what will happen.

The DEPUTY SPEAKER: Order! I thought I had made it plain to the hon. member that he is not justified in making reflections upon Parliament. He still persists in repeating those reflections. If the hon. member disobeys my ruling again, I shall have to deal with him.

Mr. SWAYNE: The fact of the matter is that we are dealing with criminals who have been sentenced, and it seems to me to be most unjust that they should be singled out to be affected by retrospective legislation of this kind. Fortunately for Queensland, I think that this is the first case of its kind. If it is found that the legislation on the statute-book does not go sufficiently far and is inapplicable to the position, the proper thing to do is to pass legislation dealing with the future. I object to the retrospective provisions which we see in the legislation which is brought forward by this party. This goes back six weeks. Why should it not go back six years and pick out somebody who happens to have offended hon. members?

Mr. DUNSTAN: There has not been a case of this kind before.

Mr. SWAYNE: The principle is exactly the same. It is simply making Parliament a medium for carrying out the personal vengeance and spite of hon. members on the other side, or of the party which they represent. I am pleased that, notwithstanding the efforts that have been made to implicate hon. members on this side, the attempt has been absolutely unsuccessful. I was pleased to hear the leader of the Opposition invite the Premier to appoint a Royal Commission to inquire into this matter. The fact that the Premier does not see fit to appoint a Royal Commission proves that hon. members on this side are not in any way implicated. This is a despicable action on the part of the Government, and they are attempting to get another dig at men who have been already punished.

At 5.30 p.m.,

The SPEAKER resumed the chair.

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

COMMITTEE.

(Mr. Kirwan, Brisbane, in the chair.)

Clause 1—"Short title and construction of Act"—put and passed.

Clause 2—"Amendment of section 60—Bribery of members of Parliament"—

Mr. VOWLES (Dalby): I beg to move the omission on lines 10, 11, and 12, of the words—

"(whether before or after the first day of July, one thousand nine hundred and twenty-two.)"

I think the reason is very patent why this is being moved.

The PREMIER: It is patent why the amendment is being moved.

Mr. VOWLES: Yes. If you want to create new principles for the future, it is all right; but we should not interfere with the cases of the past. The object of the

Bill is to empower the Government to estreat certain money now in the possession of the police, and to pay it into the consolidated revenue. A judge appointed by law dealt with the case, and he has inflicted a sentence providing for a term of imprisonment for three months and a fine of £500, which he considered was inadequate. We can only assume, when there is no other charge against these persons of being unlawfully in possession of certain bonds and cash that they had on them when they were arrested, that they were lawfully in possession of the bonds and money, and were entitled to them.

The ATTORNEY-GENERAL: Can the hon. gentleman assume that?

Mr. VOWLES: Yes. Otherwise, why has no action been taken against them in respect of another charge? The judge in sentencing the prisoners definitely said that the case was not a suitable one to be dealt with under section 19 of the Criminal Code. That section provides that under certain circumstances a penalty need not be imposed; and he was relying on the fact that, although they had been convicted of a very serious charge, the jury had added a rider to their verdict that there were extenuating circumstances and that mercy should be shown to the prisoners. A judge is a person who, by law, is put in the position to say what punishment shall be meted out for certain crimes. He has decided the punishment in this case. He told the prisoners distinctly that the fines of £500 could be taken from the bonds and money which were impounded. The hon. member for Bremer tried to make political capital out of the matter, and suggested that it was a "common fund." The judge did not say it was a "common fund."

Mr. F. A. COOPER: The hon. gentleman did.

Mr. VOWLES: The judge was of the opinion that, as the men were jointly convicted, they could pay the sum of £1,000 out of the money. I think we can safely assume that it was a "common fund" to which the prisoners had recourse to the extent of their fines.

Mr. F. A. COOPER: You are putting it on the judge now.

Mr. VOWLES: I am not. I never take advantage of my position in Parliament to attack a judge.

The ATTORNEY-GENERAL: Why does the hon. gentleman assume that it was a "common fund"?

Mr. VOWLES: Because the judge told the prisoners they could take the fines from the money.

The ATTORNEY-GENERAL: He did not say that.

The PREMIER: Who owns the £3,200?

Mr. VOWLES: I do not know.

The ATTORNEY-GENERAL: You said a minute ago that we had the right to assume that the prisoners owned it.

Mr. VOWLES: It has not been proved that they came by the money unlawfully. The judge told the prisoners that they could take the fines from the money.

The PREMIER: He also told them that the fines would not be paid by them, but would be paid by the people behind them.

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Mr. VOWLES: The judge committed a very grave error if he said that. (Government laughter.) If that was the conclusion he came to, then he was misled by the directions from the Premier and the Attorney-General through the Solicitor-General. We are bringing in special legislation to deal with special criminal cases. These men have been convicted, and they are incarcerated at the present time. We are going to alter the conditions of their sentence, and we are going to make it impossible for them to take advantage of certain things which would reduce their sentence by nine months. By doing what is suggested here, we are taking away their fund which will allow them to obtain their liberty after three months.

The SECRETARY FOR MINES: The hon. gentleman puts up a bigger fight for the bribers than he put up for the farmers.

Mr. VOWLES: I am astonished that the hon. gentleman should be associated with this Bill. I did not think that Caucus or the authority which decided that the punishment inflicted was insufficient would be able to reflect its powers in this Chamber so as to over-ride the decision of a judge, and compel men to suffer more than it was intended they should suffer. I do not think hon. members opposite realise what is being done. We are told that the Bill is intended to compel the men to remain in gaol in order that the thumbscrew or the rack may be applied to them to compel them to squeal and incriminate their principals.

The PREMIER: Nobody said that.

Mr. VOWLES: It has been said. They are the methods of the dark ages. We are told that the object of the Bill is to make these men squeal. Who is prepared to take the evidence of those convicted on any charge in an endeavour to better their own position?

The PREMIER: Everyone knows that they are the tools of others.

Mr. VOWLES: The principle of the Bill is wrong. We are dealing with the criminal law. When we amend it we should make it apply to future and not to past cases. There has been a tendency on occasions to legislate in respect to individual cases. I do not mind the Government altering the civil law or the criminal law so long as it is to be applied to the future. In the past an attempt was made to upset a decision of the Arbitration Court. The Government are not playing the game when they seek to inflict further penalties on men who have already been punished. I ask the hon. gentleman to realise that it is not a fair thing to include these men in a clause like this, and I ask him to give it his serious consideration and even at the eleventh hour to consent to the omission of these words. If he does so, there will be no objection to the rest of the Bill. If a man does anything that is illegal, then he has to take what is coming to him.

Mr. GLEDSON: That is after he is found out.

Mr. VOWLES: That applies in every case. The hon. gentleman says we are out to protect the boodlers—the people who are behind these unfortunate men who have been convicted. We are now dealing with general principles, because, if we consent to a principle such as this in respect of these individuals, we

do not know what we may be asked to do in the future. This may be pointed to as a precedent, and we shall be told that we consented to it on one occasion. I do not believe in retrospective legislation of any kind. We have had a lot of that kind of legislation in the past, and now the Government are introducing a Bill to deal with unfortunate men who are in gaol, and who are down and out. The hon. gentleman says this fund belongs to other persons. Just let him cast that out of his mind and assume for one moment that it belongs to the two accused, and that that is the only means they have of keeping their wives and children. Are you going to take the risk of doing an injustice under those conditions?

Mr. DUNSTAN: Do you mean to say that that money would be used for the upkeep of their wives and children?

Mr. VOWLES: What I say is that the money is there, and that it could be used for that purpose.

Mr. WEIR: You will look after their "kiddies."

Mr. VOWLES: That is another dirty insinuation. The hon. member is not game to say things straight out. It is his dirty way of putting things. He is not prepared to make a definite statement. The whole time the hon. member was speaking he was too cunning to make a definite statement. The Premier should realise the danger of what he is assenting to as a principle in criminal matters, and how far-reaching it may be. He has in his mind that this fund may belong to someone else; I ask him to assume for one moment that it belongs to these two men.

The PREMIER: The facts are otherwise.

Mr. VOWLES: If you have the proof of those facts, why do you not prosecute the individual you say you can prosecute?

The PREMIER: I think the real culprits will be brought to justice.

Mr. VOWLES: The sooner that is done then the sooner will the stain which the hon. member attempted to put on the Opposition disappear. The hon. gentleman cannot connect any member of the Country party with this matter. I have given good reasons why we should omit these words, and I have very much pleasure in submitting the amendment to the Committee.

Question—That the words proposed to be omitted (*Mr. Vowles's amendment*) stand part of the clause—put; and the Committee divided:—

AYES, 34.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Dunstan	" Ryan
" Ferricks	" Smith
" Foley	" Stopford
" Forde	" Theodore
" Gilday	" Weir
" Gillies	" Wellington
" Gledson	" Wilson
" Hartley	" Winstanley

Tellers: Mr. Brennan and Mr. Ryan.

Mr. Vowles.]

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Barnes, W. H.	„ Logan
„ Bebbington	„ Macgregor
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Clayton	„ Nett
„ Corser	„ Petrie
„ Deacon	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Deacon and Mr. Logan.

PAIR.

Aye—Mr. McCormack. No—Mr. Sizer.

Resolved in the affirmative.

Mr. VOWLES (*Dalby*): I have another amendment I would like the Minister to take into consideration. I suggest the insertion, after the word “property,” on line 13, of the words—

“lawfully seized and.”

It is quite possible—in fact, it is a very common thing—for various articles to be tendered during a trial, but not to be actually made exhibits, and they do not become part of the case

Mr. BRENNAN: Who would get them?

Mr. VOWLES: If you tender something which is not entitled to be tendered, and it is refused by the judge and has no right to be used as an exhibit, then under this clause it can be retained.

Mr. BRENNAN: If it is part of the bribery, it should be.

Mr. VOWLES: How can it be part of the bribery if the judge refuses to receive it in the case? There is frequent tendering of documents and other things which the judge does not accept. If the judge does not accept them they are not part of the subject-matter of the action.

Mr. BRENNAN: They are seized.

Mr. VOWLES: If they are seized, and they are not lawfully subject-matter to be received in evidence, why should they be retained?

Mr. GLEDSON: To tell them to attempt no more bribery.

Mr. VOWLES: We are not dealing now with a case of bribery—we are making laws. So far as Sleeman and Connolly are concerned, we have done with them.

Mr. PEASE: You are washing your hands of them.

Mr. VOWLES: I would like to know whether the Minister will accept the suggested amendment.

The ATTORNEY-GENERAL: I have not the slightest intention of accepting it.

Mr. VOWLES: If that is so, I will not waste any time over it.

Clause 2 put and passed.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put and passed.

[*Mr. Vowles.*

MATRIMONIAL CAUSES ACTS AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Puddington*): It does not follow, because the Bill deals with the most solemn contract of life, that there is any attempt to encourage any breach of the marriage tie. While the Bill may give great power in the way of securing dissolution of marriage, it is in no way intended to facilitate divorce. The motive is rather to do justice to both parties to this most solemn contract. As is well known to hon. members, as the law now stands, while a husband may petition the court for the dissolution of his marriage on the ground of his wife's adultery, the wife has to prove, not only adultery, but some other offence, such as cruelty or desertion. We intend in this Bill to amend the Act in such a way that both husband and wife shall be equal in this respect; and as adultery is a ground for divorce so far as the wife is concerned, it will also be a ground for divorce so far as the husband is concerned. This is no new principle. In Western Australia, New Zealand, and Victoria they have Acts with similar provisions, but not in New South Wales. The New Zealand Act provides—

“Any married person who at the time of the institution of the suit or other proceeding is domiciled in New Zealand for two years may present a petition to the court praying, on one or more of the grounds mentioned in this section, that his or her marriage with the respondent may be dissolved—

On the ground that the respondent has, since the celebration of the marriage, and after the first day of June, one thousand eight hundred and ninety-nine (being the date of the coming into operation of the Divorce Act, 1898), been guilty of adultery.”

The same provision, differently worded, obtains in the West Australian Act, and also in the Victorian Act.

There is another provision in the Bill which provides that a petition may be made to the court for dissolution of marriage on the ground of insanity. The Bill states that, if a husband or wife is an inmate of a lunatic asylum for five years or upwards, whether before or after the first day of January, 1923, or partly before and partly after that date, it will be sufficient ground to approach the court for dissolution of marriage.

This Bill provides that either a husband or a wife may present a petition to the court on the ground of insanity for a period of not less in the aggregate than five years within six years immediately preceding the filing of the petition, and whether before or after 1st January, 1923, or partly before and partly after that date where the patient is unlikely to recover from such lunacy. I will quote the law in this regard in New Zealand, West Australia, and Victoria. The New Zealand Act, in regard to lunacy, reads—

“On the ground that the respondent is a lunatic or person of unsound mind, and has been confined as such in any asylum or other institution or house in accordance with the provisions of the Lunatics Act, 1908, for a period or periods not less in the aggregate than ten years within twelve years imme-

diately preceding the filing of the petition, and is unlikely to recover from such lunacy or unsoundness of mind."

The West Australian Act reads—

"On the ground that the respondent is a lunatic or person of unsound mind, and has been confined as such in any asylum or other institution in accordance with the provisions of the Lunacy Act, 1903, for a period or periods not less in the aggregate than five years within six years immediately preceding the filing of the petition, and is unlikely to recover from such lunacy or unsoundness of mind."

The Victorian Act reads—

"On the ground that the respondent is a lunatic or person of unsound mind, and has (whether before or after the commencement of this Act) been received into and detained in any hospital for the insane, or received into and detained in two or more of such hospitals for a period or periods not less in the aggregate than five years within six years immediately preceding the filing of the petition, and is unlikely to recover from the lunacy or unsoundness of mind."

I have read those sections to verify the statements I made previously. We are not introducing anything new in this Bill, or something that does not obtain in some of the other States. As a matter of fact, in 1913 an attempt was made to make the matrimonial laws a Commonwealth matter, so that there could be uniformity throughout the whole of the States. I think that would be a good idea, especially when we are dealing with the question of domicile, which is a very important one. We are also fortified in the introduction of this Bill by the findings of a very important Commission which was appointed in Great Britain to inquire into matrimonial causes, in November, 1909. Certainly, that is a few years back, but I would like, even at the expense of wearying the House, to quote a few extracts from the findings of the Commission. First of all, I would like to say that the personnel of the Commission comprised—

"Baron Gorell (chairman, late president of the Probate, Divorce, and Admiralty Division of the High Court), the Archbishop of York, the Earl of Derby, Lady Frances Balfour, Thomas Burt, Esq.; C. J. Guthrie, Esq. (a senator of the College of Justice in Scotland); Sir William Reynell Anson, Sir Lewis T. Dibdin (judge of the Arches Court of Canterbury and of the Chancery Court of York), Sir George White, Henry T. Atkinson, Esq. (a judge of County Courts in England); Mrs. M. E. Tennant, Rufus D. Isaacs, Esq.; Edgar Brierley, Esq. (Barrister-at-Law, Stipendiary Magistrate of the City of Manchester); John A Spender, Esq."

Among the questions submitted were these—

"Should the law be amended so as to place the two sexes on an equal footing as regards the grounds upon which divorce may be obtained?"

"Should the law be amended so as to permit of divorce being obtained on any, and if any, what grounds other than those at present allowed?"

The Commission went very fully into this matter and voluminous evidence was taken, but the findings may be summed up very

briefly. It is true that there was a minority report from three Commissioners, but they were all at one on the question of lunacy, with which we are dealing just now. Their recommendations on these points read—

"That the law should be amended so as to place the two sexes on an equal footing as regards the grounds on which divorce may be obtained.

"That the law should be amended so as to permit of divorce being obtained on the following grounds:—

"(1) Adultery;

"(2) Desertion for three years and upwards;

"(3) Cruelty;

"(4) Incurable insanity after five years' confinement;

"(5) Habitual drunkenness found incurable after three years from first order of separation;

"(6) Imprisonment under commuted death sentence."

Mr. T. R. ROBERTS: Can you say how far those recommendations have been carried out?

The SECRETARY FOR MINES: I do not know how much or how little of the findings of the Commission have been adopted by the legislature.

The PREMIER: They have carried out most of the recommendations. They passed an Act last year.

The SECRETARY FOR MINES: I do know that the findings of the Commission, after exhaustive inquiry, are very sound. It is true that there was a minority report, which reads—

"We concur in the recommendations of the majority report as to costs and generally as to procedure and practice, both as to divorce in the High Court and as to magistrates' orders under the Summary Jurisdiction (Married Women) Act, 1895 and the Licensing Act, 1902, except so far as those recommendations contemplate the substitution of divorce for mere separation in certain cases where magistrates' orders have been made.

"We concur in the recommendation of the majority report with regard to nullity of marriage in cases of—

(a) Unsound mind;

(b) Epilepsy and recurrent insanity;

(c) Venereal disease;

(d) When the woman is pregnant at the time of marriage by a man other than the husband, who is ignorant of the fact; and

(e) Of wilful refusal to consummate the marriage.

"We concur in the recommendation of the majority report with regard to 'pre-emption of death.'

"We concur in the recommendation of the majority report that, whatever grounds are permitted to the husband for obtaining a divorce from his wife, the same grounds should be available for a wife in a suit against her husband."

Our provision as to lunacy being a ground in a petition for dissolution of marriage is based largely on the finding of that important Commission, on the law in New Zealand—although the number of years in New Zea-

land is ten—on the law in Western Australia, and the law in Victoria. I think the provision in Western Australia and Victoria is the same as we have in this Bill—five years in the aggregate out of six years prior to a certain date. I think it would be a good thing in Australia if the whole of the States had a uniform law in this regard.

We provide in the Bill that a husband or wife may present a petition for divorce on the ground of desertion continuously for five years or upwards, whether before or after the first day of January, 1923. I will not quote again from the laws of the other States, but in Victoria—speaking from memory—the period is three years, and in Western Australia, New South Wales, and New Zealand five years.

That brings me again to the question of domicile. It is proposed to deal with the question of domicile in this Bill. The general law of domicile is that the wife's domicile is the domicile of her husband. This has caused a good deal of trouble and expense to those who could ill afford the expense. A wife may wish to get a divorce, and may have good grounds for getting a divorce from her husband, but, if she is in Queensland and her husband is in Western Australia, her domicile under the existing law is the domicile of her husband. The last clause of this Bill removes that disability. If a woman is seeking a divorce from her husband, who is in some other State or in some other foreign place, her domicile will, under this Bill, not necessarily be his domicile; she may be in Queensland and will be able to petition for divorce. That difficulty, at least, will be overcome.

I recognise that this is a somewhat important Bill. I feel that we are doing the right thing—not in giving greater facility for the dissolution of marriage, but rather in giving an extra ground, based on common justice, and a greater power under our Matrimonial Causes Acts. There was a time when divorce became a remedy for the rich, and the poor were driven to commit bigamy. I will quote from the *Encyclopaedia Britannica* an address delivered by Mr. Justice Maule in England in 1845, to a prisoner who had been convicted of bigamy. This satirical address caused the amendment of the divorce laws in Great Britain. The man had been convicted of bigamy and the absurdities of the existing law were thus pointed out by the judge in his ironical address—

“The prisoner's wife had deserted him with her paramour, and he had married again during her lifetime. He was indicted for bigamy, and convicted; and Mr. Justice Maule sentenced him in the following words:—‘Prisoner at the bar: You have been convicted of the offence of bigamy, that is to say, of marrying a woman while you had a wife still alive, though it is true that she has deserted you and is living in adultery with another man. You have, therefore, committed a crime against the laws of your country, and you have also acted under a very serious misapprehension of the course which you ought to have pursued. You should have gone to the Ecclesiastical Court and there obtained against your wife a decree a mensâ et thoro. You should then have brought an action in the Courts of Common Law and recovered, as no doubt you would have

recovered, damages against your wife's paramour. Armed with these decrees, you should have approached the Legislature and obtained an Act of Parliament which would have rendered you free and legally competent to marry the person whom you have taken on yourself to marry with no such sanction. It is quite true that these proceedings would have cost you many hundreds of pounds, whereas you probably have not as many pence. But the law knows no distinction between rich and poor. The sentence of the court upon you, therefore, is that you be imprisoned for one day, which period has already been exceeded, as you have been in custody since the commencement of the assizes.’”

No less a church dignitary than the Archbishop of York stated that he approved of marriage being declared void if, within a limited period, either of the parties was found to be suffering from insanity, epilepsy, or certain diseases. There are many other matters that one could deal with. One or two very sad cases have come under my notice, and I have received letters on the question since the introduction of this Bill a few days ago. It is not possible to alter the law under this Bill to deal with those cases, and I will not discuss them; but I am in hopes that in the near future something will be done to help people who are tied to persons who are suffering from almost unmentionable diseases. At the present time those persons have little or no redress. I beg to move—

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

Mr. VOWLES (*Dalby*): In dealing with the second reading of this Bill, it strikes one as being rather a pity that there is not uniformity in the laws of the Commonwealth in respect of matrimonial matters, and that the Premiers of the various States do not make some effort to bring about that uniformity. For some time past the conditions have been very different in other States to what they have been in Queensland with regard to a man's right under the law in connection with the dissolution of marriage. However, we are making a move in the direction of the other States now, and in this Bill equal rights are given to the wife and the husband.

There is a novelty in making lunacy under certain conditions a ground for divorce. When we are dealing with the lunacy laws one has to be very guarded, because they are so open to abuse. The history of lunacy in the past—not so much in Australia as in the old country—shows that there have been glaring cases of injustice and abuse so far as people who are mentally defective are concerned, and we should put all the safeguards we can in this Bill in order to see that that provision cannot be abused. It strikes me that, when you make provision that a claim for dissolution may be based on the fact that during six years previously the wife or husband—as the case may be—has been insane for five years, there is an opportunity for abuse creeping in. When a man has lucid intervals and becomes sane for one year in six years, that case may not be altogether hopeless, in spite of any medical certificates, and we should provide that the person should be insane for a definite period without any lucid interval before it can become a claim for dissolution of marriage.

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The question of desertion, too, is a new one so far as we are concerned. Where there has been continuous desertion for five years, it is to be a ground for petition for dissolution of marriage. Provision is also made in regard to collusion, and in cases where the desertion has been condoned the Court shall dismiss the petition.

I think the provision with regard to domicile is very desirable, because, if a man deserts a woman and goes and lives in another State, the very fact of his deserting her for that time possibly means that she will not be in a pecuniary position to claim the right to which she is entitled. This is a non-party measure. I have not discussed it with the members of my party. Personally, I am going to support the Bill, but I would ask the Minister to give consideration to the amendments that will be brought forward, because there are some directions in which the Bill might be made a better measure.

Mr. TAYLOR (*Windsor*): I cannot say that I am prepared to give the Bill my blessing, notwithstanding what the Minister has told us with regard to the law in Western Australia, Victoria, and New Zealand. The Bill we have before us to-night is one which, in my judgment, affects more the women of the State than the men. They probably are the ones who may suffer more, or who may secure greater benefits from it. There are one or two amendments that we propose to move in Committee, which I hope will be accepted. I should have been glad if the Minister, when introducing the Bill, had given us some indication as to the number of cases of lunacy which would have been affected both in regard to men and women for the last year or two. We all know that in the mental institutions in Australia improved methods are being adopted for the treatment of persons who suffer from mental troubles. I would like to have had from the Minister some statistics to guide us as to whether the number of cures effected in our asylums in recent years is increasing or not. I would like to know the length of time for which the patients have been confined in these institutions, and the longest period patients have been detained before being discharged as cured. I suppose the measure will be safeguarded to a certain extent, but there is a possibility of men or women who have children being detained in mental institutions for over five years and the old relationships being subsequently broken up under a measure like this. We know that desertion is something which occurs every day. I would like to know whether the Minister can give us the number of divorce cases within the last three or five years in Western Australia or Victoria, so that we can compare them with the divorces which have taken place in States where there is no similar measure in operation to that which we are now considering. I do not like the Bill, although I recognise the hardships which are inflicted on many innocent people in having to live for five years under unsatisfactory conditions.

The SECRETARY FOR MINES: There are a few very sad cases in Queensland.

Mr. TAYLOR: I have no doubt about that. If I were asked which of the two or three matters mentioned in the Bill I would prefer giving relief to, I should say venereal disease every time. I would favour relief being given in that direction, because it is a crime for anyone who is afflicted with that disease to be married. I have a couple of

reasonable amendments which I hope the Minister will favourably consider. One is with regard to the extension of the time. We are told that it is ten years in New Zealand, and that in Western Australia and Victoria the period is the same as is mentioned in the Bill.

Mr. T. R. ROBERTS (*East Toowoomba*): Though this Bill is a very short one, it is certainly very important, and will have considerable consequence. This is the end of a strenuous session, and it is most unreasonable and unfair to bring such a measure as this before us in the closing hours of the session. The Minister referred to the report of the Royal Commission on divorce and matrimonial causes in the old country, and I quite admit the exhaustive inquiry which the members of that Commission held. There were also ladies on that Royal Commission of twelve members. The Premier said that some of those recommendations were given effect to in 1921. It would have strengthened the Minister's argument in favour of the Bill if he had made himself familiar with the recommendations of the Royal Commission which the House of Commons has since given effect to. He told us that there were nine members of the Commission in favour of certain recommendations, but he has not told us exactly what the House of Commons has put into effect. As the leader of the Nationalist party has said, we all know something of the statistics there will be when this law is altered.

I went through that report hurriedly at the week-end after I found that the Minister had given notice of introduction of the Bill. We find that America is the country where the most easy methods for obtaining divorce prevail. On looking through the [7.30 p.m.] report I found that in 1867 the number of divorces in America was twenty-seven per 100,000. Owing to the greater facilities since provided for obtaining divorce, I find that in 1900 the number had increased to seventy-three per 100,000. The corresponding rate in England and Wales for 1900 was 2 per 100,000 population. I find that the number increased in 1906 to eighty-six per 100,000, and I notice from the report that that number is only exceeded in one country, and that is Japan. I am sure that no one wants to emulate the standard adopted in that country. Under the circumstances, I regret that we find ourselves in the position we are in to-night, that we cannot go into that question more fully, as I understand that it is the desire of the Government to close the session to-night.

The Commission went fully into the evidence in regard to desertion. It was astonishing to see the evidence that was adduced in regard to desertion, which proved that divorce on that ground was not warranted. A number of stipendiary magistrates from the various districts around London gave evidence, and none can doubt the authenticity of the figures which they gave. One magistrate did not look upon the matrimonial law as very binding, and was inclined to regard desertion very lightly. As a result, considerably more divorces were granted because of desertion. When a new stipendiary magistrate was appointed, he adopted a different method of dealing with cases of desertion. He brought the men and women together with the result that there was a falling-off in the number of applications. In fact, the number of applications for

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divorce became almost nil. Those are one or two points that I hurriedly gathered from the report. I regret that we find ourselves rushing through a measure whose consequences are so far-reaching. We can only tell by experience what will be the result, and I have indicated the results in America, where divorce has been made easier for a number of years. There is no doubt that some hardship exists, but that applies to other things too. I quite agree in regard to divorce that the privileges which are given to men should also be given to women. We should treat both alike. I do not think anyone will differ with the Government on that point. There is also the question of cheapening the law where a person has a grievance. We will not differ there either. Generally speaking, I, personally, regret that the Bill has been introduced.

HON. W. H. BARNES (*Bulimba*): I think the House is indebted to the hon. member for East Toowoomba for the very full way in which he has dealt with the Bill. I quite agree with the Minister that the woman should have exactly the same privileges as the man. The Minister said there was no attempt to cause any breach of the marriage tie. I am sure, when the Minister said that, he meant it; but it seems to me that the Bill has been hurriedly introduced as an attempt to overcome some of the cases he has incidentally referred to. No doubt, there are many cases where married life has not turned out as the parties in their early stages intended. We know that people are not always happily mated. At any rate, if I am alone in opposing the Bill in some directions, then I am going to stand alone. I do not agree that we should make divorce easy. I am referring more particularly to the question of lunacy and one other clause in the Bill. If you make divorce easy, then you are going to open the door to a looseness in the community. No doubt, the Minister is right when he says that there are some hard cases, but that also applies in other directions and in other walks of life. I do not know why this Bill should be introduced at the end of a session. At any rate, by making lunacy a ground for divorce, I consider that we are taking a retrograde step. The experience in the other States has been that where it has been made easy to get a dissolution of marriage you have more applications than you would have under other conditions. Before people get married they should sit down and consider the responsibilities they are undertaking, and find out all the responsibilities that are attached to married life. I am certainly opposed to the second reading of the Bill.

Mr. ELPHINSTONE (*Oxley*): This is a subject that, under ordinary circumstances, we would take a long time to debate, because it opens up a most important phase of our social life and upon which a great deal of argument can be applied. We know quite well that it is the intention of the Government to close the session to-night, and that rather curtails our opportunities for debating what is a most important question.

Mr. HARTLEY: It is in your own hands whether we close or not.

Mr. ELPHINSTONE: The Minister in charge of the Bill is, unfortunately, relieving another Minister who is suffering from illness. We fully appreciate the work which

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has been thrown upon the hon. gentleman, and we also appreciate the disadvantage under which he is labouring, in that he cannot give us the data which the original Minister might have placed at our disposal.

The SECRETARY FOR MINES: There is a number of hard cases.

Mr. ELPHINSTONE: There may be a number of disastrous cases that are suffering through the law which applies to divorce, yet on the other hand we have to be most careful not to interfere with the sanctity of marriage or let our hearts run away with our heads. It is a matter which involves the whole of our social fabric, and if the Minister had had more time at his disposal he might have been able to give us detailed statistics and more complete information. Personally, I take a very broad view of this question, because I do not believe that it is desirable in a large number of cases to compel people to live with one another under conditions which make both lives miserable. That is quite unnecessary. On the other hand, we have to take care, as I said before, that our hearts do not run away with our heads.

There is just one point on which I wish to touch. It affects lunacy as a ground for divorce. In such cases, no doubt, many harrowing circumstances may be brought to the light of day, and I would like the Minister to see between now and the Committee stage if some provision cannot be made for the hearing of such cases in camera. We want to avoid the circumstances of domestic unhappiness being exposed before the world, particularly when neither party is an offender. Where one party is an offender, of course, the position is quite different, and the fact that certain details come before the public acts as a deterrent, because publicity does in a large measure operate in that way. Where lunacy is advanced as a cause for divorce, neither party has committed an offence, and I do not see why all the circumstances should be published to the world.

I was much amused to hear the Minister's quotations from the remarks of a judge in passing sentence in 1845. He might also very properly have told us of the Brahmin who asked for entrance to Paradise, but, when he said that he had been married twice, was told that there were no fools in Paradise. (Laughter.) Here we are opening the door for people to marry twice, and, although, as I say, it is not our desire to place any undue restriction against any pronounced demand there may be for facilities for divorce under special circumstances, and to enable people to get rid of matrimonial burdens—as they may turn out to be—nevertheless we need to see that we do not make divorce too easy. I suppose most hon. members are well aware that in the United States divorce is almost a farce. There are some States, I believe, where a man can take up his residence for three weeks and become privileged to take advantage of the lax divorce laws of that State. We do not want in any way to approach that state of affairs, and, further than that, we ought not to make our laws so much easier than those of other States that people will come here and acquire a domicile in order that they may take advantage of them. In my opinion, if this should not be a Federal matter—because that would whittle away

the right of the States—it is a matter for those frequent Premiers' Conferences that take place.

The PREMIER: I asked the Premiers to come here this year, but they did not seem to like the idea. (Laughter.)

Mr. ELPHINSTONE: I wonder if it was our company they would not like, or whether the company of certain members opposite is obnoxious to a certain section of them. (Laughter.) I think the Premiers of the various States could profitably confer on this matter, so that we could arrive at some uniformity throughout Australia.

The SECRETARY FOR MINES: This is a step towards uniformity.

Mr. ELPHINSTONE: It certainly is. I recognise that, because I listened to the remarks of the Minister fairly carefully, and I think we are bringing ourselves into line with West Australia and Victoria. But there are still three other States, and, if we had uniformity, it would be for the benefit of the people of the Commonwealth.

Mr. MOORE (*Aubigny*): I look upon this measure as a most important one, and I do not agree with all of its provisions. I do not think the grounds for divorce should be made easier.

The PREMIER: Do you not think that a wife should have equal rights with her husband?

Mr. MOORE: I quite believe that they should be made equal, but I do not think it is a good thing to make divorce easy for anybody. People should think well before they enter into the contract of marriage, because it is not as if the husbands and wives only are going to suffer in the event of trouble. In many cases there are families to be considered, and it does not make for the betterment of those families when their parents are divorced. We all recognise that there are hard cases, but there is an old maxim that "hard cases make bad laws," and we must be very careful that we do not make divorce too easy. I have here the Commonwealth "Year Book," which gives the following comparison between the divorces in different States in 1915 and 1919:—

	Divorces in 1915.	Divorces in 1919.
New South Wales ..	362	427
Victoria ..	218	346
Queensland ..	28	25

And below they make this remark—

"The bulk of the divorces and judicial separations refer, as the table shows, to New South Wales and Victoria, the Acts of 1899 and 1889 in the respective States having made the separation of the marriage-tie comparatively easy."

Mr. COLLINS: Mostly amongst the wealthy classes.

Mr. MOORE: It does not matter whether those divorces were amongst the wealthy classes or not. We know that there are millions of people who have scruples in regard to obtaining divorce at all, and I do not think it is a good principle to make divorce too easy. They undertake serious obligations and make important vows when

they enter into marriage, and I do not think those vows should be broken merely because they find they have made a mistake. The parties should fully consider the position before they enter into the contract, because they have not only themselves to think of—they have their children and, possibly, their grandchildren to consider. This Bill is certainly going to facilitate divorce, and, therefore, perhaps encourage marriage between people who run into it in an unthinking way. For my own part, I look upon the marriage-tie as extremely binding. I consider that the vows should not be broken under any consideration—at least unless there are very adequate grounds. I am sorry to see the experience of New South Wales and Victoria commented upon in the "Year Book," and that the breaking of the marriage contract is made so easy there as to increase the number of divorces very greatly. I certainly would not like to see Queensland or Australia in the position of some of the States of America, because, to my mind, that condition of things converts marriage from a sacred tie in which the parties make binding vows into something in the nature of convenience for a time. I do not think that is an objective which we ought to seek in any way whatever. There are some hard cases, and if we can facilitate them by keeping the divorce laws comparatively strict, all the better. I do not think that those cases should cause us to rush into making the law comparatively easy. After all, it will be comparatively easy for people to get divorce. We know that very often collusion enters into the question of desertion.

The SECRETARY FOR AGRICULTURE: Do you not think that desertion should be a sufficient ground?

Mr. MOORE: In some cases desertion is a sufficient ground, but we know perfectly well that there is desertion in which there is collusion.

The PREMIER: That destroys the ground.

Mr. MOORE: If you can prove it; but it is a very difficult thing to prove it. The law prevents it at the present time, but there is plenty of collusion. Our laws should make it difficult to procure divorce. I trust that the Minister will look upon this as a non-party measure, and not push it through as it is simply because he wants to bring the law into line with the law in some other State.

Mr. WARREN (*Murrumbidgee*): I think it is a terrible crime for anybody to be tied to a lunatic. I think that the woman should stand in exactly the same position as a man in regard to obtaining a divorce, therefore I am prepared to support the Bill. I hope that it will not have the effect of encouraging divorce; but the present system causes more corruption than will be rendered possible by the passage of this measure. I know of one case where the wife of a man who is in a lunatic asylum is living with another man, and I feel quite sure that there are many such cases. It would be far better for the law to separate those two than that they should continue to live under those conditions. The question of offspring has been mentioned. What would be the position of the offspring in a case like that? My sympathy is with the person who is in that unfortunate position, and I do not think the law should compel it. If Parliament makes divorce easier, it will be doing a very serious thing. Some people may think that this is

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the thin end of the wedge to make things as they are in America; but I hope the administration of the law will be such that it will relieve, not aggravate, the offence.

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

AYES, 40.

Mr. Barber	Mr. Jones, J.
" Brennan	" Kirwan
" Bulcock	" Land
" Clayton	" Larcombe
" Collins	" Morgan
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Petrie
" Deacon	" Pollock
" Dunstan	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gilday	" Theodore
" Gillies	" Vowles
" Gledson	" Weir
" Hartley	" Wellington
" Huxham	" Wilson
" Jones, A. J.	" Winstanley

Tellers: Mr. Pease and Mr. Riordan.

NOES, 8.

Mr. Barnes, G. P.	Mr. Maxwell
" Barnes, W. H.	" Moore
" King	" Roberts, T. R.
" Macgregor	" Taylor

Tellers: Mr. King and Mr. Maxwell.

PAIR.

Aye—Mr. McCormack. No—Mr. Sizer.

Resolved in the affirmative.

COMMITTEE.

(Mr. Kirwan, Brisbane, in the chair.)

Clause 1—"Short title and construction of Act"—put and passed.

[8 p.m.]

Clause 2—"Amendment of section 21—Dissolution of marriage"—

Mr. T. R. ROBERTS (*East Toowoomba*): On the second reading of the Bill I was dealing with the question of

[8 p.m.] insanity as a ground for divorce.

I would like to refer to the opinion of Sir George Savage, an eminent medical man. Dealing with the question of insanity as a ground for divorce, he states—

"There is no doubt of the individual hardship that I have felt. I entered upon it with a feeling, I must say, rather in favour of the divorce, but the more I have considered the individual reports from these people, and the more I have considered my own forty years' experience, I cannot help thinking that there is not ground enough to justify the alteration."

At one time in the United States insanity was a ground for divorce. In dealing with that matter Sir George Savage states—

"It will not be forgotten that the proposed uniform divorce law for the United States does not contain insanity as a ground for divorce, and that during the last few years several States where this ground was recognised have, by express legislation, effected its abolition."

In those States where they had insanity as a ground for divorce they found, after experience, that it was necessary to abolish that provision.

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Mr. TAYLOR (*Windsor*): I beg to move the omission, in lines 10 and 11, page 2, of the words—

"or periods not less in the aggregate than five years within six years"—with a view to inserting the words—
"of not less than seven years."

We are bringing forward legislation of a very serious character. The Minister has pointed out that in New Zealand the period is ten years. This Bill is experimental legislation in Queensland, and it is experimental legislation that I do not appreciate. We have had no information from the Minister with regard to the experience of places where insanity is a ground for divorce. During the past few years more cures of mental patients have been effected than was previously the case. On that ground we are justified in asking the Minister to make the period seven years. The amendment is a reasonable one, and I hope it will be accepted.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I regret that the hon. member has moved the amendment. It is no good tinkering with the Bill. This clause was drafted after mature consideration, and it follows the finding of the Commission in Great Britain. In Victoria and Western Australia the period is five years, and that was brought about when those States were not governed by a Labour Government. If there is anything in the argument of the hon. member for Oxley, we want to bring about uniformity with regard to our matrimonial laws, and in the absence of any action by the Commonwealth Government, we are doing something in that direction. Much as I would like to oblige the hon. gentleman, I do not feel inclined to accept the amendment.

Amendment (Mr. Taylor) put and negatived.

Mr. MOORE (*Aubigny*): I beg to move the insertion, after the word "mind," on line 17, of the words—

"provided that on the hearing of the petition such lunacy or unsoundness of mind shall be certified by the oral evidence of the medical superintendent of such asylum or institution and supported by the oral evidence of at least two duly qualified medical practitioners."

In applications for the dissolution of marriage on the ground of insanity, we should see that no injustice is going to be committed. I think that oral evidence should be given by the medical superintendent and by two duly qualified medical practitioners.

Mr. HARTLEY: Does the hon. gentleman's amendment require evidence to be given by two doctors in addition to the medical officer of the asylum?

Mr. MOORE: Yes. I am not particularly keen on having two other doctors. If the Minister is prepared to accept the amendment after altering the words "two duly qualified medical practitioners" to "one duly qualified medical practitioner" I am prepared to accept that. I want to give a full opportunity to cross-examine the medical officer before a divorce is granted.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I would like to point out that this measure is not introduced to make divorce easier. We are simply creating additional grounds for divorce. The amendment is not acceptable, for the reason

that it will hamper the court, and I do not want to include in this Bill any provisions that will hamper the court. No judge will grant a dissolution of marriage on the ground of insanity unless he is satisfied that the party is incurably insane. Before a person is adjudged insane, two doctors must declare that they are satisfied that he is insane. I am satisfied that the hon. member is unnecessarily alarmed, and he can well leave this matter to the court.

Mr. HARTLEY (*Fitzroy*): I am sorry the Minister is not inclined to accept the amendment, because I am strongly of the opinion that it is a wise safeguard to have in a measure of this sort. The Lunacy Act itself demands that, before anyone can be committed to an asylum, two independent medical experts must agree as to the insanity of the patient. Many people know quite well that in our asylums to-day are to be found men and women who should not be confined in an asylum. That has been my experience in Brisbane, and I am quite sure that if other hon. members will think over their experience, they will be able to call to mind cases where men have been pronounced by medical men to be insane when such has not been the case. Possibly, at the precise time when they were examined they were not altogether normal, but when the worry and anxiety from which they were suffering at the time were removed, they have been demonstrated to be quite sane. Yet I have known at least one case in regard to which the medical man was not prepared to be convinced in the matter, and it took a great deal of persuasion before the person concerned was released. That man has been free for a very long time, and there has been no recurrence of any mental irregularity at all. I hope the Minister will reconsider the question. One of the great safeguards in regard to the incarceration of a lunatic is the open examination of medical expert opinion. That is why the Lunacy Act was framed as it is at present, and if such a provision is important in that connection, it is also important in this matter, seeing the important issues involved. It will not only affect the man or woman whose mentality is called into question, but will also affect the issue of the marriage. I intend to support the amendment, and hope the Minister will think it over and make it mandatory that at least one other medical man, in addition to the medical superintendent of the asylum, shall certify that the man or woman in question is insane and is not likely to recover. That is the important part of the matter, and that is why the very best medical opinion should be obtained.

Mr. TAYLOR (*Windsor*): I desire to support the amendment. As has been pointed out, this is simply providing for an additional safeguard. I suppose there are no cases that come under the notice of doctors where there is so much difference of opinion as there is in regard to mental cases. The Minister told us that the doctor would not do certain things.

The SECRETARY FOR MINES: I said the judge.

Mr. TAYLOR: It must be within his knowledge that within the last twelve or eighteen months there was a good deal of trouble in connection with some woman who came from New Zealand to Sydney. I cannot imagine anything more dreadful than for a sane person to be confined in an insane

asylum. That would be one of the most dreadful punishments possible to any sane person, and, knowing the difficulty of diagnosing mental cases, this safeguard is one that the Minister might well accept. It will give greater safety to persons suffering from mental troubles, and it will make it more difficult for those persons who try to take advantage of this provision.

The SECRETARY FOR MINES: Why not leave it to the court?

Mr. TAYLOR: If you accept the amendment, there is an end of it.

The SECRETARY FOR MINES: The party may be in an asylum in Western Australia.

Mr. TAYLOR: It does not matter whether they are in an asylum in Western Australia or in any other State they are entitled to all the safeguards we can give them.

Mr. PAYNE (*Mitchell*): I am not opposed to any extra safeguards in regard to any man or woman who may be adjudged insane; but it does appear to me that this Bill is pretty well safeguarded, as it makes provision that, before anyone can apply for a divorce on the ground of insanity, the person concerned must have been insane for at least five years out of the six, which will be a good test.

Mr. MORGAN: Under the amendment two doctors would have to certify that.

Mr. PAYNE: Is it suggested that a man who has been in a lunatic asylum for five years is not insane? I have heard statements made that men who are insane have normal periods, and I quite believe it. I had a letter only the other week from a man in Goodna Asylum whom I have known for forty years. He spoke of things which happened thirty years ago just as accurately as if they had only happened ten minutes before, and then he went straight off to something else. He said that it was a disgrace to keep him there, as he was the greatest inventor in the world. I have visited Goodna a good deal, and some of the men there seem just as sensible as anyone here. (Laughter.) The doctor explained to me that patients have normal times as well as insane periods. I am not very particular as to whether the Minister accepts the amendment or not. I think the Bill sufficiently provides that there shall be no undue hardship to men or women who are in an insane asylum, and there is no necessity to load it with amendments.

Mr. KING (*Logan*): I hope the Minister will accept the amendment. We must bear in mind that, before a patient is admitted to a lunatic asylum, it is necessary to get the certificate of two medical men.

The SECRETARY FOR MINES: That is provided for in the Insanity Act.

Mr. KING: Yes; that is in the case of a patient who may be merely temporarily insane, but we are dealing here with far more serious matters. A man may not be five years continuously in an asylum; the Bill provides for an aggregate period of five years. We know that in connection with certain diseases there are periods of insanity—for instance, puerperal insanity in the case of women; yet the Bill provides that, if the period of lunacy extends for an aggregate of five years out of six, it will be a ground for a divorce. The point which we must consider as of the most importance is that the patient must be incurable before

Mr. King.]

there is ground for a divorce. I am quite prepared to admit that medical prognosis with regard to lunacy is reduced to a fine art, and medical men can almost say definitely whether a patient is incurable or otherwise; but down South, where divorce is so easy to get, a judge will get through forty or fifty cases in a day. I say that where judges get through so many cases they are not very particular about analysing the evidence in the way they should do. It is very easy to come before a judge and make an allegation that a person is insane and has been in a lunatic asylum for five years; yet that person may be curable. The judge must be satisfied, but, as a protection to the judge, there is no harm in having the evidence of the medical superintendent and other medical evidence in support. In a case down South recently there were numbers of men on both sides who differed as to whether a patient was incurable. How can a judge, with conflicting opinions of that sort before him, come to a definite conclusion as to whether a patient is incurable or not? I do not want to throw an obstacle in the way of a divorce where a patient can be proved beyond a shadow of doubt to be absolutely incurable: but it is a question for the judge, who should examine very minutely the evidence as to whether the patient is incurable. But, when cases come along at the rate of forty or fifty a day, as they do, how is the judge to satisfy himself about the matter?

Mr. T. R. ROBERTS (*East Toowoomba*): I have in my mind a debate which took place in the House in 1914, when the Labour party were in opposition. There were two speeches made on that occasion, one by Mr. Fihelly, the present Agent-General, who took up the case of certain individuals at the time in Goodna. I want to quote another case which was brought up, which shows how necessary it is to deal very carefully with medical reports. Mr. Fihelly referred to a case where a man in an asylum in New Zealand escaped to Auckland, where he was again confined. He then escaped from Auckland to Sydney, where he joined the Seamen's Union. He afterwards went back to New Zealand and fought his case, and proved that he was not insane. Mr. Fihelly is reported on page 1038 of "Hansard" for 1914. Mr. Theodore, in the same debate, is reported on page 1939, to have said—

"He had journeyed to Goodna with the hon. member for Paddington, and saw Thompson, who complained that he was kept there by the powers that be. He seemed to be a clearly rational person. It seemed to him that Thompson would not be in Goodna had he not associated himself with meetings that were being held in Brisbane some time ago to get free speech. He had the misfortune to be sentenced to a month's imprisonment, and during his term of incarceration he was summarily removed to Goodna. He understood that three medical officers certified to his madness, but he thought that probably in one or two of those cases the certificates were formalities. In his opinion, Thompson was not a lunatic who was likely to cause great danger to himself or the public, and he was not a fit subject for detention in Goodna. That was his dispassionate opinion about him."

I will not further quote from the speech,

[*Mr. King.*

but the Premier devoted a considerable time to showing that this man was wrongly detained at Goodna. I think that is sufficient to show that mistakes may be made, and that we are justified in asking the Minister to give serious consideration to the amendment.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I am still of the opinion that matters may be left to the judge, and it seems to me that the amendment is unnecessary, but I am willing to meet the hon. gentleman by a compromise. I think that will meet with the wishes of the Committee.

HONOURABLE MEMBERS: Hear, hear!

The SECRETARY FOR MINES: I still say that it is quite unnecessary, because patients must be confined as lunatics five years out of six, but I will move the amendment if the hon. member for Aubigny will accept it. I would be very sorry if a mistake was made, and a person suffered in consequence.

Mr. MOORE: I will withdraw my amendment.

Amendment, by leave, withdrawn.

The SECRETARY FOR MINES: I move the insertion, after the word "mind," on line 17, of the following words:—

"as proven by the oral testimony of not less than two legally qualified medical practitioners, one of whom shall be a medical officer of the institution in which the respondent is confined."

Amendment (*Mr A. J. Jones*) agreed to.

Mr. ELPHINSTONE (*Oxley*): I would like the Minister to give some reply to the point I raised in the second reading in regard to cases where lunacy is accepted as a ground for divorce.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I have looked up that matter, and, for the information of the hon. gentleman, I can say that in the principal Act there is power to deal with these cases in camera.

Mr. VOWLES (*Dalby*): I would like to ask if the future maintenance of a woman who has been divorced can be made a subject matter for inquiry by the court?

The SECRETARY FOR MINES: That is entirely a matter for the court.

Mr. VOWLES: There is nothing in the Bill to say so. The legal obligation is still there.

The SECRETARY FOR MINES: Alimony may be granted.

Mr. VOWLES: If the Minister is satisfied that sufficient provision is made for the court to deal with the matter, and if the husband is in the position to pay maintenance, then it is all right.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): For the information of the hon. gentleman, I can tell him that a judge can order permanent alimony, and it is provided for in this Bill.

Clause 2, as amended, put and passed.

Clause 3—"Dismissal or granting of petition founded on desertion; Domicile of deserted wife"—put and passed.

The House resumed.

The CHAIRMAN reported the Bill with an amendment.

THIRD READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move—

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

Question put and passed.

HAWKERS LICENSES AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I do not anticipate that there will be any discussion on this Bill. It amends the Hawkerc Licenses Amendment Act of 1869 in a certain particular. Strange to relate, that Act has not been amended since 1869, before many of us were born. The original Act was passed in 1849, and it fixed the different fees to be charged for different classes of merchandise. The 1869 Act fixed the fee of £10 for all forms of hawking. This Bill provides that in any particular case the Home Secretary may do certain things. It provides that the Home Secretary—

“(a) May authorise the grant of such license for any specified period less than twelve months upon payment of such smaller sum than ten pounds as he may fix; or

“(b) May reduce the amount payable in respect of such license for a full period of twelve months to such sum as he may fix.”

That means that the Home Secretary will have power to issue licenses for any period. The justification for the Bill is that in certain periods a man may be able to make a living by hawking goods. Manufacturers may manufacture some goods and they may wish to place them before the public. They can advertise them by employing men to hawk the goods round and sell them. There is only one principle in the Bill, and I am sure every hon. member is in favour of it. I beg to move—

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

Question—put and passed.

COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

Clause 1—“*Short title*”—put and passed.

Clause 2—“*Amendment of section 8—Fee for personal license*”—

Mr. T. R. ROBERTS (*East Toowoomba*): I would like to know if the Minister means to differentiate between two or three people hawking for the same firm.

The SECRETARY FOR MINES: No.

Mr. T. R. ROBERTS: You will charge only one fee?

The SECRETARY FOR MINES: Yes, only one fee.

Clause 2 put and passed.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move—

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

Question put and passed.

LAND ACTS AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR PUBLIC LANDS (Hon. J. H. Coyne, *Warrego*): I beg to move—

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

Question put and passed.

IRRIGATION BILL.

THIRD READING.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Question put and passed.

LEGISLATIVE ASSEMBLY ACT AMENDMENT ACT OF 1921 REPEAL BILL.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put and passed.

ELECTORAL DISTRICTS BILL.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put and passed.

MACKAY, MARYBOROUGH, AND ROCKHAMPTON SHOW GROUNDS MORTGAGES BILL.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put and passed.

AUCTIONEERS AND COMMISSION AGENTS BILL.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put and passed.

MAIN ROADS ACT AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR PUBLIC LANDS (Hon. J. H. Coyne, *Warrego*): I beg to move—

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

Question put and passed.

CITY ELECTRIC LIGHT COMPANY LIMITED BRISBANE FORESHORE LEASE BILL.

THIRD READING.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Question put and passed.

HARBOUR BOARDS ACTS AMENDMENT BILL.

THIRD READING.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Question put and passed.

LOCAL AUTHORITIES ACTS AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move—

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

Question put and passed.

SUGAR WORKS BILL.

THIRD READING.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Question put and passed.

OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*): I beg to move—

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

Question put; and the House divided:—

AYES, 34.

Mr. Barber	Mr. Jones, A. J.
„ Brennan	„ Kirwan
„ Bulcock	„ Land
„ Collins	„ Larcombe
„ Cooper, F. A.	„ Mullan
„ Cooper, W.	„ Payne
„ Coyne	„ Pease
„ Dash	„ Pollock
„ Dunstan	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gilday	„ Theodore
„ Gillies	„ Weir
„ Gledson	„ Wellington
„ Hartley	„ Wilson
„ Huxham	„ Winstanley

Tellers: Mr. Forde and Mr. Hartley.

NOES, 29.

Mr. Barnes, G. P.	Mr. King
„ Barnes, W. H.	„ Logan
„ Bebbington	„ Macgregor
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Clayton	„ Nott
„ Corser	„ Petrie
„ Deacon	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Swayne
„ Fry	„ Taylor
„ Green	„ Vowles
„ Jones, J.	„ Warren
„ Kerr	

Tellers: Mr. Logan and Mr. Nott.

PAIR.

Aye—Mr. McCormack, No—Mr. Sizer.

Resolved in the affirmative.

PUBLIC SERVICE BILL.

THIRD READING.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Mr. G. P. BARNES (*Warwick*): I take this opportunity to point out the very signal disparity that exists in regard to salaries paid in connection with the State Advances Department. The maximum salary in that department is £320, whilst in the State Taxation Department it is £450 and allowances. If we go to another State, we find that inspectors engaged in the State Advances Department receive £550 and allowances. I mention this because the anomaly is so great as to demand the attention of the Treasurer.

The PREMIER: I will have the matter looked into.

Question put and passed.

INCOME TAX ACT AMENDMENT BILL.

THIRD READING.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

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

Question put and passed.

UNEMPLOYED WORKERS INSURANCE BILL.

THIRD READING.

HON. W. FORGAN SMITH (*Mackay*): I beg to move—

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

Mr. VOWLES (*Dalby*): This Bill was reported to the House from Committee after the “gag” had been applied many times. Many members on this side were deprived of an opportunity of discussing the Bill. Many important principles did not receive the consideration that they should have received.

The PREMIER: The matter was discussed until 1 o'clock in the morning.

Mr. VOWLES: Certain principles in the early part of the Bill occupied a good deal of time, but when we came to the most important principles—especially the dragnet clause—the Premier seemed to prevent us deliberately from discussing matters of very great importance. There were

[9 p.m.] many novel principles in the Bill. The dragnet clause contained powers that should not be given to any Government at all. It was the most objectionable clause in the Bill. The Governor in Council are given power under that clause to do whatever they liked. So far as I can see, they can pass all the legislation that is required for the next twenty years.

Another important matter was the question of labour farms. We do not know where they are going to be, or how they are going to be carried on. In order to put unemployed men and women on those farms, a tremendous amount of money will be spent on the initial stages. It will be an experiment, and there will be a loss right from the beginning. It may be cheaper to have the people living at Dunwich. We know

what Dunwich is costing, but we do not know what this scheme will cost. Provision is made in the Bill to deal with the unemployable. I strongly object to the "gag" being applied on these important principles.

Mr. TAYLOR (*Windsor*): I want to voice my protest against the way the Bill was carried through Committee last Friday night.

Hon. W. FORGAN SMITH: The matter was discussed for nine and a-half hours in Committee.

Mr. TAYLOR: Seven hours or eight hours were occupied by hon. members opposite. When hon. members on this side desired to move amendments the "gag" was applied, and when the leader of the Opposition moved "That the question be now put"—which he had a perfect right to do—he was ignored.

Mr. KIRWAN: Why spoil the end of a perfect day? (Laughter.)

Mr. TAYLOR: My idea of a perfect day is not the same as the hon. member's. We have not had a perfect session; it has been a most disgraceful session. We have given power now to the Government to be able to compel local authorities and employers to do certain things. We shall now have shiploads and trainloads of unemployed coming to Queensland to be maintained and supported by the employers of this State.

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

AYES, 34.

Mr. Barber	Mr. Jones, A. J.
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Pollock
" Dunstan	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gilday	" Theodore
" Gillies	" Weir
" Gledson	" Wellington
" Hartley	" Wilson
" Huxham	" Winstanley

Tellers: Mr. Dash and Mr. Foley.

NOES, 29.

Mr. Barnes, G. P.	Mr. King
" Barnes, W. H.	" Logan
" Bebbington	" Macgregor
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Clayton	" Nott
" Corser	" Petrie
" Deacon	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Swayne
" Fry	" Taylor
" Green	" Vowles
" Jones, J.	" Warren
" Kerr	

Tellers: Mr. Clayton and Mr. Nott.

PAIR.

Aye—Mr. McCormack. No—Mr. Sizer.

Resolved in the affirmative.

HEALTH ACTS AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move—

"That the Bill be now read a third time."

Mr. KING (*Logan*): During the passage of this Bill through Committee I raised a

question in connection with the protection of proprietors of proprietary medicines. I said then that there were certain clauses of the Act which clashed, and, if you will look at clause 39, which deals with regulations, it will be seen that the clause provides that the Commissioner may make regulations, but no regulation under the Act shall provide—

"That the owners or proprietors of proprietary medicines shall deposit, disclose, or publish the formulæ or ingredients of any such proprietary medicines."

In section 139 of the principal Act it is provided—

"Nothing in this Act shall be construed as requiring proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulæ, except in so far as this Act may require to secure freedom from adulteration or false description."

Then in clause 41 of the Bill it is proposed to insert the words "or drugs" after the word "foods" in section 139 of the principal Act, thus bringing drugs within the operations of that section. This appears to be inconsistent with clause 39 of the Bill, and I ask the Minister if the proprietors of proprietary medicines are protected.

Question put and passed.

TITLE.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move—

"That the title of the Bill be 'A Bill to amend the Health Acts, 1900 to 1917' in certain particulars."

I may be permitted to reply now to the question asked by the hon. member for Logan.

I stated, when the Bill was in the Committee stage, that the object of section 139 is to prevent the proprietors of trade secrets from losing the benefits of such secrets by their being stated in the trade description. Where patent medicines contain anything which may be injurious, such as opium, the Food and Drugs regulations require the fact to be stated in a trade description. Subclause (ix.) of clause 39 of the Bill reads—

"But no regulation under this Act shall provide that the owners or proprietors of proprietary medicines shall deposit, disclose, or publish the formulæ or ingredients of any such proprietary medicines."

I think that meets what the hon. member wants, and I think I conveyed that assurance to him in Committee. The amendment made gives additional protection to that already given in clause 39. I can give the hon. member the assurance that he requires.

Mr. KING (*Logan*): I thank the Minister for his courtesy.

Question put and passed.

PERSONAL EXPLANATION.

HON. W. H. BARNES (*Bulimba*): I rise to ask if I may have the privilege of making a personal explanation.

The SPEAKER: Is it the pleasure of the House that the hon. member for Bulimba be allowed to make a personal explanation?

HONOURABLE MEMBERS: Hear, hear!

*Hon. W. H. Barnes.*¹

HON. W. H. BARNES: This afternoon a question was answered by the Secretary for Agriculture, in reply to the hon. member for Pittsworth, and the Minister's answer read—

"I understand that several Brisbane firms, including Barnes and Company, are being enabled, through want of unity amongst Southern dairymen and section 92 of the Federal Constitution, to purchase Victorian butter and import it into Queensland at a price considerably below our local prices."

So far as Barnes and Company, Limited, of which I am the manager, are concerned, we have not imported an ounce of butter into Queensland from the South. I wish further to say, on behalf of Barnes, Limited, that I hold in my hand the following sworn declaration signed by the secretary of the company:—

"Queensland—To Wit.

"I John Richard Lendrum of Brisbane in the State of Queensland company secretary do solemnly and sincerely declare—

"1. I am secretary to Barnes Limited a company carrying on at Wickham street Valley Brisbane aforesaid the business of general merchants.

"2. I know of my own knowledge that Barnes Limited has not at any time since its incorporation either imported or otherwise brought into the State of Queensland any butter whatever that had been made or manufactured outside the said State.

"3. I am duly authorised by my said company to make this declaration.

"And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act of 1867.

"JOHN R. LENDRUM.

"Made and declared by the above-named declarant at Brisbane in the said State this fourth day of October 1922 before me—

"F. G. SHORTT, J.P.,

"A Justice of the Peace."

9.30 p.m.

Mr. J. H. C. ROBERTS: Then the Minister is a liar.

The SECRETARY FOR AGRICULTURE (Hon. W. N. Gillies, *Eacham*): I desire to make a personal explanation.

The SPEAKER: Is it the pleasure of the House that the Secretary for Agriculture be allowed to make a personal explanation?

HONOURABLE MEMBERS: Hear, hear!

The SECRETARY FOR AGRICULTURE: Before I proceed to make my personal explanation I would like to ask you, Mr. Speaker, to call upon the hon. member for Pittsworth to withdraw an expression he used just now. He said I was a liar.

The SPEAKER: I ask the hon. member for Pittsworth to withdraw that expression.

Mr. J. H. C. ROBERTS (*Pittsworth*): I will withdraw the expression that he was a liar, but I cannot help thinking that he is a perverter of the truth.

The SPEAKER: Order! I hope the hon. member will withdraw without any qualification.

[*Hon. W. H. Barnes.*

Mr. J. H. C. ROBERTS: After the letter read out by the hon. member for Bulimba I do not think that I would be justified in withdrawing it.

The SECRETARY FOR AGRICULTURE: You are a mean contemptible skunk, anyhow.

The SPEAKER: I hope the hon. member for Pittsworth will withdraw the expression he used, without qualification.

Mr. J. H. C. ROBERTS: Out of respect for you, Mr. Speaker, I will withdraw it, but not out of respect for the Minister.

The SPEAKER: I hope the hon. member will withdraw it without any qualification.

Mr. J. H. C. ROBERTS: I will withdraw it. I also ask that the Minister be made to withdraw the word. He said I was a mean contemptible skunk.

The SPEAKER: Order!

The SECRETARY FOR AGRICULTURE: By way of personal explanation, I would like to say that the answer I gave to the question this afternoon was in accordance with information supplied to me by my department. That being so, and after hearing the personal explanation made by the hon. member for Bulimba to-night, I can only say that the department furnished me with information based on false premises.

SPECIAL ADJOURNMENT.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move—

"That the House, at its rising do adjourn until Tuesday, 24th October."

Question put and passed.

VALEDICTORY.

The PREMIER: I beg to move—

"That the House do now adjourn."

As Parliament will not assemble again this year I desire to take this opportunity of thanking the officers of the House, including the "Hansard" staff and members of the Press also, for their very efficient services during the session. The session has been a very arduous one.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: It has been a very arduous session especially for the members of the "Hansard" staff and the Press, because they have had to attend here for long hours every day.

Mr. KERR: There was plenty of "gagging."

The PREMIER: We put through a large volume of business during the session. I think our thanks are due to the officers of the House, and we can sympathise with them for the long hours that they have had to work during the session. They will get some respite from their parliamentary duties now that the session is closing, and I hope that will be some compensation to them for the extra hours that they had to work during the session.

Mr. VOWLES (*Dalby*): It is always customary on these occasions to make valedictory remarks. I join with the Premier in wishing the staff a well-earned rest. We have been working on some occasions up to sixteen hours a day and we have inflicted—at least, I should say the Premier has inflicted—a lot of discomfort on the officers. We have to realise that there are other people in this

building besides members of Parliament. There are the clerks, the reporting staff, and other officials, and they have all had to suffer too. We can all understand their discomfort during the session. We have been carrying on business in a way that it should not have been carried on. It was not a fair thing to the employes in Parliament House. We have not treated them in a way in which they should have been treated. The Premier cannot expect to get the best work out of Parliament when men are working fourteen and sixteen hours a day. Complaints have frequently been made in the past by our judges about faulty legislation when we had two Chambers, and when measures which went from here were reviewed in another place, while a good deal of time was occupied and opportunity was given to re-read measures which had gone through this Chamber. We have had—as we had yesterday—twelve Bills going through Parliament as through a sausage machine.

Mr. KERR: Shame!

Mr. VOWLES: What results can you expect under conditions such as that?

Mr. KIRWAN: Who was turning the handle?

Mr. VOWLES: Here you have legislation, ill-digested, without consideration being given to it, many clauses inadequately discussed, and I say that that can have only one result, and that our judges will be again complaining that our legislation is not what it ought to be.

The history of this session is rather remarkable, because it is the first session in an Australian Parliament in which we have had a unicameral system.

The PREMIER: A very successful session.

Mr. VOWLES: One would naturally think that, when the whole of the work was being thrown on one Chamber, sufficient time would be given for the mature consideration which is necessary to enable the Opposition at least to read Bills, let alone comprehend what is in them. I can assure you that during the last fortnight, as leader of this party, I have been supposed to be in touch with every detail of every measure going through the House, and I have not had the opportunity of seeing what was really in some of them.

The PREMIER: Some of your party should have relieved you.

Mr. VOWLES: That is not the point. I endeavour to give to every Bill the attention which every member is supposed to give to all measures introduced here. Every member on either side of the House is supposed to be thoroughly conversant with every detail of every Bill that comes before us; and, when measures are going through under the "gag" and no consideration is given to them—either to the principles or the details—what can you expect from your legislation? We started off the session by amending our Standing Orders.

The SPEAKER: Order!

Mr. VOWLES: I understand that this is the time at which we customarily have the opportunity of referring to these matters. I am not going to waste much of your valuable time, Mr. Speaker, or the valuable time of the House, but I just want to put my objections before the Chamber and the public.

The SPEAKER: The hon. member may ask questions at this stage.

Mr. VOWLES: A good deal of latitude has always been allowed. I can quite understand why the remarks of the Premier have been brief. Possibly he would like mine to be brief, too, but they are not going to be any briefer than you compel them to be.

The PREMIER: Is not this the season of goodwill? (Laughter.)

Mr. VOWLES: Probably if that consideration had been given to the measures which have come before us which should have been given, we would have been approaching that season of goodwill. I have had some particulars taken out of the doings of the session, and I would like to remind the House—

The PREMIER: You are starting an argument.

Mr. VOWLES: I am not. I am going to give some information to the public. The "gag" was applied here forty-one times.

Mr. KERR: Shame!

Mr. VOWLES: Of those forty-one times it was applied twelve times without any discussion, eight times after one Opposition speaker had spoken, four times after two Opposition speakers, once after three Opposition speakers, four times after four Opposition speakers, five times after five Opposition speakers, and seven times after more than five Opposition speakers.

The PREMIER: One member came under the operation of the "gag" on most occasions.

Mr. VOWLES: The Premier admits that one Opposition member frequently came under the operation of the "gag." Why should that be? Why should there be any discrimination? I find that the Speaker gave a casting vote nine times in favour of the Government, but did not vote on any occasion with the Opposition.

The PREMIER: That shows his good sense.

Mr. VOWLES: But, Mr. Speaker, you did not get the record. The Chairman beat you easily. He gave a casting vote fifteen times with the Government and not at all with the Opposition. The Premier, by virtue of the new proxy voting law, recorded 121 votes during this session in addition to his own vote. (Laughter.)

Mr. J. H. C. ROBERTS: And he is the man who talks about one man one vote.

Mr. VOWLES: During the session, thirty-nine Bills were discussed, and the time actually allowed for their discussion—initiation, second reading, Committee stage, and third reading—was 184 hours, and the average time for each Bill—and there were some very big and important Bills—did not amount to more than four and three-quarter hours.

A good deal of reference has been made at different times to happenings in the past. On the Mines Regulation Bill, when it was before the House some years ago, there were ten Labour speakers on the second reading, and the "gag" was not used at all. In the Committee stage, [9.30 p.m.] clauses 30 to 71 were put through, after two full day's discussion, under the Standing Orders commonly known as the "guillotine." The then Premier, Mr.

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Kidston, offered the Labour party an extra day, which was refused. We did the whole of our work on Bills in four hours, yet these gentlemen opposite complained on that occasion that they did not have sufficient time to do the same work.

On the second reading of the Industrial Peace Bill there were forty-four Labour speakers, and the "gag" was not used at all. On the Committee stage, the discussion was limited to eleven days. Yet, we put through twelve Acts of Parliament in one day!

The PREMIER: That was a very efficient Opposition.

Mr. VOWLES: The session in 1910 lasted from 12th July to 23rd December, and in 1912 from 2nd July to 17th December—five months in each case. This session has lasted only three months, yet we have a record in every direction, more particularly as far as the objectionable portions of the Standing Orders are concerned. We began the session with an amendment of the Standing Orders. When those Standing Orders were amended and the Address in Reply was curtailed, promises were made by the Premier that all our rights would be preserved, and that every member would have an opportunity of expressing himself on other occasions.

The PREMIER: They had the opportunity.

Mr. VOWLES: The Premier broke that promise, and on every occasion deprived some hon. members of their undoubted right to express the wishes of their electors. It has been a most unsatisfactory session so far as the Opposition are concerned. We have not received from the Government that courtesy to which we are entitled. We have not been allowed to devote to the various measures the consideration that they warranted. I would like to point out to the Premier that quite recently, Mr. Speaker, the Country party sent him a letter asking him to give consideration to certain matters which have been agreed to by the House.

The SPEAKER: Order! I cannot allow the hon. member to proceed in that way.

Mr. VOWLES: I submit that I am entitled to do this.

The SPEAKER: Order! No one knows better than the leader of the Opposition that he is not entitled to do it.

Mr. VOWLES: It is always customary on these occasions to review the doings of the session. I have a very lively recollection of what took place at the termination of the last session. A lot of things were done and said. I do not intend to say or do anything now, because, as the House is rising for the session, it could not be followed up to-morrow. I want to ask the Premier why he did not accede to the request of the Country party when he was asked some time ago to meet a deputation from that party with a view to considering certain matters, more particularly the motion of the hon. member for Drayton in connection with the voting power in country electorates, the motion of the hon. member for Mirani urging the desirability of rendering assistance to co-operative groups of farmers in the construction of tramiines and for establishing motor-lorry services, the motion of the hon. member for Drayton with respect to the rendering of assistance to co-operative groups of workers in the establishment of factories, and the motion of the hon.

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member for Mirani of last session asking the Commonwealth to join in an inquiry as to the possibility of lowering the cost of production in the manufacture of mill white sugar.

Hon. W. H. BARNES: There might have been someone under the table. (Laughter.)

Mr. VOWLES: We would have taken very good care to see that there was not. Why this unduo haste to adjourn the House?

The PREMIER: The sessional programme is finished.

Mr. VOWLES: In what way has it been finished? Why could not that deputation have been received? Why could not these important matters, which have been agreed to by the House, have been taken into consideration by the Premier, with a view to passing legislation during this session? If the Premier was in earnest in respect to some of the matters to which I have referred, and which were agreed to by the House, he would at least have met a deputation, with a view to passing the necessary legislation. That is all I have to say. We are leaving this House with matters in a very unsatisfactory condition. Many important questions have not been thoroughly considered. The session has been brought to a hurried conclusion at the expense of hon. members on this side, who were deprived of their right to speak and to ventilate matters appertaining to their electorates.

OPPOSITION MEMBERS: Hear, hear!

Mr. TAYLOR (Windsor): I desire to thank the officers of the House and the "Hansard" staff for the kindness and assistance we have received from them during this session. The session has been a very troublous one—unsatisfactory from many points of view. I have two Bills which we have considered, one containing fifty-five amendments, and the other forty amendments, and, outside the Minister in charge of the Bills, I challenge any hon. member to know what we really amended. I asked the Premier in presenting Bills to this House, when the Government are amending Bills, to put in one column the amendments intended and in another column the section that it is proposed to amend. Nothing has been done in that direction. If we are going to legislate in the best interests of Queensland, we shall have to carry on differently than we have done in the last three months. We have been sitting all day for about five weeks. I do not mind doing a bit of work, and I have attended as well as any hon. member: but, if we desire Queensland to progress, it will be necessary at a very early date to repeal a lot of the legislation we have passed.

OPPOSITION MEMBERS: Hear, hear!

The SPEAKER: I desire, on behalf of myself, the Chairman of Committees, and the staff, to thank hon. members for their appreciation of the work done by the staff. The session has been a very strenuous one, and the officials of the House have been called upon to perform what has been almost a physical and mental impossibility. I hope that hon. members will bear that in mind later on.

HONOURABLE MEMBERS: Hear, hear!

Question put and passed.

The House adjourned at 9.39 p.m.

BILLS ASSENTED TO AT CLOSE OF SESSION.

Gazettes Extraordinary were issued notifying the assent of His Excellency the Governor to the following Bills:—

(Friday, 6th October)—

Officials in Parliament Act Amendment Bill.

(Tuesday, 10th October)—

Legislative Assembly Act Amendment Act of 1921 Repeal Bill.

(Monday, 16th October)—

Criminal Code Act Amendment Bill, No. 2.

(Tuesday, 17th October)—

Brisbane Tramway Trust Bill;

Factories and Shops Acts Amendment Bill;

Cairns Hydro-Electric Power Investigation Board Bill;

Agricultural Education Bill;

University of Queensland Act Amendment Bill;

University Site Bill;

Water Power Bill;

Workers' Homes Act Amendment Bill;

Maternity Bill;

Electoral Districts Bill;

Main Roads Act Amendment Bill;

City Electric Light Company Limited Brisbane Foreshore Lease Bill;
Mackay, Maryborough, and Rockhampton Show Grounds Mortgages Bill.

(Thursday, 19th October)—

Auctioneers and Commission Agents Bill;

Unemployed Workers Insurance Bill; Irrigation Bill;

Sugar Works Bill;

Public Service Bill;

Income Tax Act Amendment Bill;

Health Acts Amendment Bill;

Land Acts Amendment Bill;

Harbour Boards Acts Amendment Bill;

Local Authorities Acts Amendment Bill;

Hawkers Licenses Amendment Bill.

BILL RESERVED FOR ROYAL ASSENT.

On Thursday, 19th October, a *Gazette Extraordinary* was issued notifying and declaring that His Excellency the Governor, "acting in conformity with the provisions of paragraph (1) of Clause VII. of 'The Instructions passed under the Royal Sign Manual and Signet, to the Governor of the State of Queensland and its Dependencies, in the Commonwealth of Australia'"—"reserved . . . for the signification of His Majesty's pleasure thereon"—

"A Bill to amend 'The Matrimonial Causes Acts, 1864 to 1897,' by making further provision for Dissolution of Marriage, and for other consequential purposes."

[PROROGATION.]

Parliament prorogued by following Proclamation in Gazette Extraordinary, Thursday, 19th October, 1922:—

A PROCLAMATION by His Excellency the Right Honourable Sir MATTHEW NATHAN, Major on the Retired List of His Majesty's Corps of Royal Engineers, having the Brevet Rank of Lieutenant-Colonel in His Majesty's Army, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor of the State of Queensland and its Dependencies, in the Commonwealth of Australia.

[L.S.]

MATTHEW NATHAN,
Governor.

IN pursuance of the power and authority vested in me as Governor of the State aforesaid, I, Sir MATTHEW NATHAN, do, by this my Proclamation, Prorogue the Parliament of Queensland to Tuesday, the Fifth day of December, 1922.

Given under my Hand and Seal, at Government House, Brisbane, this Nineteenth day of October, in the year of our Lord one thousand nine hundred and twenty-two, and in the thirteenth year of His Majesty's reign.

By Command,

EDWARD G. THEODORE.

GOD SAVE THE KING!