Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 20 NOVEMBER 1942

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Mr. SPEAKER (Hon. E. J. Hanson, Buranda) took the chair at 11 a.m.

ASSENT TO BILLS.

Assent to the following Bills reported by Mr. Speaker:—

Registration of Firms Bill.

Financial Arrangements and Development Aid Bill.

Companies Act Amendment Bill.

Registration of Deaths on War Service Bill.

United Grand Lodge of Antient Free and Accepted Masons of Queensland Trustees Bill.

Civil Defence Acts Amendment Bill.

ENCOURAGEMENT OF PRIMARY INDUSTRIES.

Mr. SPEAKER: I have to advise hon. members that I have received from the Prime Minister and Premiers of the various States replies to the letters I sent to those hon. gentlemen on 9 October embodying the text of the resolution passed by this House on 8 October. I table the correspondence for the information of hon. members.

QUESTIONS.

AMERICAN 7 PER CENT. LOAN.

Mr. YEATES (East Toowoomba) asked the Treasurer—

"1. What was the total amount in pounds Australian of the Queensland 7 per cent. American Loan, including the profit on conversion and expenses?

"2. What was the total in pounds Australian of—(*a*) interest and exchange payments; (*b*) redemption payments; (*c*) balance converted to new loan?"

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich), for **The TREASURER** (Hon. F. A. Cooper, Bremer), replied—

"1. £2,894,910.

"2. (*a*) Much work would be involved in extracting the information in respect of the period of the currency of the loan, and in view of the present staff shortage this is not considered to be warranted. (*b*) £2,010,576. (*c*) £1,614,260."

RAILWAY ACCOMMODATION FOR FIGHTING FORCES.

Mr. BRAND (Isis) asked the Minister for Transport—

"In appreciation of the noble and outstanding national service rendered by members of the fighting services, will he make special provision on all passenger mail trains for select modern carriage accommodation for the convenience of such forces travelling in Queensland on home or special leave?"

The MINISTER FOR TRANSPORT (Hon. J. Larcombe, Rockhampton) replied—

"Every effort is made to comfortably accommodate members of the fighting services when travelling on leave by train, and the department will continue to do the best possible in this direction."

RAILWAY TARPAULINS FOR SUGAR.

Mr. BRAND (Isis) asked the Minister for Transport—

"In view of the acute shortage of tarpaulins for sheeting perishable produce in transport on open railway wagons, and failing the importation of such covers, will he give consideration to an experimentation of proofing 8-oz. duck material or similar cloth (of which there is available quantities in Australia) for servicing the carriage of sugar during the 1942 sugar season?"

The MINISTER FOR TRANSPORT (Hon. J. Larcombe, Rockhampton) replied—

"A certain amount of canvas is now coming to hand and more tarpaulins are being manufactured. Eight-oz. duck is too light to stand up to the heavy wear occasioned by railway use. Tarpaulins manufactured during the present war from duck heavier than 8 oz. are coming back to the workshops badly split."

BRISBANE CITY COUNCIL ELECTIONS.

Mr. DART (Wynnum) asked the Secretary for Health and Home Affairs—

"Do the Government propose any action to postpone the forthcoming elections of the Brisbane City Council?"

The SECRETARY FOR LABOUR AND EMPLOYMENT (Hon. T. A. Foley, Normanby), for **The SECRETARY FOR HEALTH AND HOME AFFAIRS** (Hon. E. M. Hanlon, Ithaca), replied—

"The action of the Government in this respect will be determined in the light of circumstances operating, and will be announced in due course."

CASES OF VENEREAL DISEASE, 1919 TO 1942.

Mr. J. F. BARNES (Bundaberg) asked the Secretary for Health and Home Affairs—

"What was the total number of venereal disease cases from 1919 to 1942?"

The SECRETARY FOR LABOUR AND EMPLOYMENT (Hon. T. A. Foley, Normanby), for **The SECRETARY FOR HEALTH AND HOME AFFAIRS** (Hon. E. M. Hanlon, Ithaca), replied—

"The information is being obtained."

MR. C. G. JESSON, M.L.A., AND CAIRNS BY-ELECTION.

Mr. J. F. BARNES (Bundaberg) asked the Secretary for Health and Home Affairs—

"1. Who gave the authority to the police to drive, in relays, Mr. C. G. Jesson, member for the Electoral District of Kennedy, from Townsville to Cairns, enabling him to get to Cairns for the opening of the official Labour campaign in the recent by-election?

"2. Who paid for the use of the police cars, and for the petrol for this 400-mile return trip?"

The SECRETARY FOR LABOUR AND EMPLOYMENT (Hon. T. A. Foley, Normanby), for **The SECRETARY FOR HEALTH AND HOME AFFAIRS** (Hon. E. M. Hanlon, Ithaca), replied—

"1 and 2. Police cars were being used for official purposes at the material time. Mr. Jesson, M.L.A., was proceeding to Cairns, and as accommodation was available, he was given the necessary facilities to travel to Cairns."

PRODUCTION OF SUGAR-CANE, INGHAM.

Mr. JESSON (Kennedy), without notice, asked the Secretary for Agriculture and Stock—

"In giving evidence before the royal commission on sugar, Mr. Livingstone, Secretary of the Canegrowers' Association, Ingham—as per report in the 'Courier-Mail' of to-day's date (20 November) stated that through insufficient cultivation 1½ tons of cane to the acre would be lost at the Victoria Mill, and 2 tons to the acre to the Macnade Mill.

"Tractor impressments in the Ingham district were 106, and four hired to the Main Roads Commission, making a total of 110.

"Many requests have been made for the return of some tractors for the Ingham district, but these have not been granted.

"In view of the precarious position of the growers in the district through no tractors being available for working, will the Minister take the matter up with the competent authorities and have this position eased as much as possible."

The SECRETARY FOR AGRICULTURE AND STOCK (Hon. F. W. Bulcock, Barcoo) replied—

"The answer to the hon. member's question is 'Yes.'"

MINISTERIAL EXPENSES, 1941-42.

Mr. YEATES (East Toowoomba), without notice, asked—

"Can I have the return asked for on 26 August last regarding Ministerial expenses."

Mr. SPEAKER: As a special occasion I shall allow the question to be asked.

(Question not answered.)

PRICE OF ONIONS.

Mr. MAHER (West Moreton) without notice, asked the Secretary for Agriculture and Stock—

"Has he received any reply from the Hon. W. J. Scully, Minister for Commerce, in regard to the fixation of a minimum price for onions?"

The SECRETARY FOR AGRICULTURE AND STOCK (Hon. F. W. Bulcock, Barcoo) replied—

"When, following on the hon. member's raising this question a few days ago, I communicated with the Minister for Commerce, Mr. Scully, by wire and to date have received no reply."

MINISTERIAL EXPENSES, 1941-42.

RETURN TO ORDER.

The following paper was laid on the table:—

Return to an Order made by the House on 26 August last, on the motion of Mr. Yeates, showing expenses of Ministers for 1941-42.

PETROL CONSUMPTION OF MINISTERIAL CARS.

RETURN TO ORDER.

The following paper was laid on the table:—

Return to an Order made by the House on 26 August last, on the motion of Mr. Decker, showing the petrol consumption of each Ministerial car in 1941-42.

PAPERS.

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

Report of the Bureau of Industry for the year 1941-42.

Report of the Under Secretary, Department of Labour and Employment, being the Fourth Report upon the Operations and Proceedings under the Income (State Development) Tax Acts, 1938 to 1941, for the year 1941-42.

Report of the Fish Board for the year 1941-42.

The following papers were laid on the table:—

Proclamation under the Group Sales Act of 1942.

Regulation under the Group Sales Act of 1942.

Proclamation under the Companies Act Amendment Act of 1942.

Order in Council under the Liquor Acts, 1912 to 1941.

Order in Council under the Jury Act of 1929.

Order in Council under the Employment Exchanges Acts, 1915 to 1941.

JURY (WAR EMERGENCY) BILL.

INITIATION.

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich): I 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 make special provision with respect to juries for the period during which His Majesty is engaged in war."

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Brassington, Fortitude Valley, in the chair.)

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich) (11.14 a.m.): I move—

"That it is desirable that a Bill be introduced to make special provision with respect to juries for the period during which His Majesty is engaged in war."

This measure is very simple. It provides that in certain circumstances the number of jurymen shall be reduced from 12 to 7. The Bill provides for certain exemptions, i.e., where the judge of the court thinks that the gravity of the matter at issue requires 12 jurymen he can order that that number be empanelled. In addition it is provided that certain issues must be tried by 12 jurymen and not by the reduced number. The reduction in no case shall apply to trials of persons charged with treason, wilful murder, murder, conspiracy, or murder as mentioned in the second paragraph of section 81 or under section 82 of the Code, which deal with crimes committed on His Majesty's ships on the high seas. Accused persons are tried under these sections when they make port in our State.

We are also making provision for the raising of the age of jurors from 60 to 65 years from the expiration of the present panel at the end of the next sittings. As preparations had already been made for this panel we did not think it wise to make the effort to put the change into effect at once, so that the altered age will apply as at the compilation of the next panel, which takes place after 30 June, 1943. We provide also for a reduction in the number of the panel of jurors from 48 to 28.

Those are the whole of the principles contained in the Bill. For some time representations have come to the Government from the bench for a reduction in the number of jurors. The judges have pointed out the difficulty of getting enough men to form a complete panel of jurymen. At the last criminal sittings in Brisbane it was very difficult to get enough.

Mr. Edwards: I think that applies all over the State.

The ATTORNEY-GENERAL: I suppose it would, as men are either enlisting or being called up all over the State, and there is no obligation upon them to notify the sheriff. That being so, it often happens that summonses have been sent out to men who have gone away with the fighting forces.

When representations were first made I was rather chary about interfering with our jury system in any way, and nothing was done at the beginning of the year, but the matter was raised again last week and we called upon the sheriff for a report. He reported that 118 summonses had been served, or sent out, in order to get 47 men to attend the sittings to serve as jurors. Many had been called up, a number were on active service, and others were performing other war duties. It was very difficult indeed to complete the panel.

Although we are reducing the number of jurors from 12 to 7 in certain cases, we are not interfering with the present law in serious crimes. Persons will still be tried by a panel of 12 jurymen for such serious offences as wilful, murder, murder, conspiracy, treason, or any crime committed on the high seas, and I think hon. members will

agree that that should be so. It is only on trials for what we may call ordinary or smaller offences that the number of jurors is reduced.

Mr. MACDONALD (Stanley) (11.20 a.m.): As the Attorney-General has stated, this is a simple Bill, and it is one that has been needed for some time. Indeed, the Opposition are astounded at the fact that a Bill was not introduced much earlier for this purpose. We expected, in view of the utterances from the bench, that the Government would have expedited the reduction in the number of jurors, but I am pleased to see that it is proposed to retain the full jury of 12 for trials of offences such as wilful murder, murder, conspiracy, and offences under sections 81 and 82 of the Criminal Code. We all understand the difficulties now being experienced through shortage of man-power in obtaining the required number of jurymen, and I can assure you, Mr. Brassington, that the Opposition heartily support this measure, and will do their best to expedite its passage.

Mr. BRAND (Isis) (11.21 a.m.): As the Minister has explained, the Bill appears to be simple and it should have the support of hon. members generally. It is a serious thing to interfere in any way with a jury system, a system that we have always been proud to claim as equal to any other system in the world where justice is dispensed. I recognise that in these times when we are at war, it is difficult to get the required number of jurymen, and I think the Minister has taken an excellent way of overcoming this difficulty to a certain extent by increasing the age from 60 to 65 and by reducing the number of the panel from 48 to 28. That seems to be an excellent arrangement under prevailing conditions. If the Bill does nothing more than that, I hope it gets a very speedy passage.

Mr. SPARKES (Aubigny) (11.23 a.m.): Like the hon. member who has just resumed his seat, I support the Bill, but probably for another reason. To my mind it is a step in the right direction to reduce the number of jurors generally. I have seen many cases tried in the country—cattle-stealing and similar cases—in which the jury have actually dictated to one of the highest personages in the country, the presiding judge. There have been instances in which the judge has summed up entirely in favour of a conviction and the jury have been able to return an opposite verdict.

Mr. Massey: This will not get over that.

Mr. SPARKES: It reduces the number on the jury to seven. I am of the opinion that the time is coming when judges will have the power to decide such cases, especially in the country.

Mr. MAHER (West Moreton) (11.24 a.m.): I should like an assurance from the Minister that the Bill is merely a war-time emergency measure. I am very loth to depart from the time-honoured system of trial by a jury of 12 men. If it could be established that a smaller jury could take a more intelligent and more judicial view in criminal cases, or in any other cases for that matter, I should be inclined to agree with the Minister, but there is no certainty that a reduced number of jurymen will be able to overcome the difficulties suggested by the hon. member for Aubigny. Frequently juries give rather extraordinary decisions that do not accord with justice and judges have been obliged to draw attention to the fact. At times the venue has had to be changed so that there would be an opportunity of having the case justly considered. I do not think that in reducing the number of jurymen to seven we are going to get over that difficulty; quite conceivably we could increase the difficulties. However, I accept what the Minister has said, that he has introduced the Bill for emergency reasons because it is difficult to get the number of jurymen required. Offhand, I should say that most men who would be on the jury panel would be above military age and so the number of jurymen available should not be affected by enlistments for war service.

The Attorney-General: Men up to 60 years of age are liable to be called up.

Mr. MAHER: Still, there are a great number of men on the jury panel who have not been called up. In the country most graziers and farmers of good standing are on the jury panel, and as most of them would be principals in their industry they would not be liable to a call-up. Of course, their sons are in the army or in one of the other fighting services.

The Secretary for Public Lands: There is a distance limit for service on a jury.

Mr. MAHER: I realise that, too. The position may be a little more acute in the metropolitan area, and some of the larger provincial cities, but I do not regard as sound the argument that this should be done because of the difficulty in getting men. However, I am prepared to accept the Minister's assurance that this is an emergency measure and that after the war the position can be reviewed in the light of experience to enable us to decide what is the right thing to do in the interests of justice. I am very loth to weaken the structure of justice or to do anything that would interfere with time-honoured standards we have adopted as a result of long experience, so that those who come before the court might have the utmost opportunity of defending themselves. There should be enough men of intelligence and fair outlook who can assess the evidence and be guided by the judge's interpretation of the law. Sometimes, possibly, with a limited number of jurymen, it may not be possible to get that required number of men of that degree of intelligence.

There are some who say that the number of members of Parliament should be constantly reduced, apparently on the score of economy, but the more you reduce the number of members of Parliament the more you reduce the scope for getting capable men. With the greater number of members of Parliament you are able, on the law of averages,

to get a greater number of men with intelligence and experience who can serve the interests of the people to the highest degree. So it is with the jury. If you limit the number of jurymen you limit the possibility of getting highly intelligent and capable men who can help in the proper administration of justice. The more jurymen you have up to the old panel of 12 the better the chance of getting two or three men to act as leaders of others who are not so sure of their judgment in important matters, and where the liberty of a man is at stake. Important principles are involved, and I should be loth to do anything that would not give a fair chance to those who had to face serious charges in our courts.

I accept the Minister's dictum that this is purely a war measure because of the difficulty of getting enough jurymen. I hope that when the war is over, he or his successor will give us a review of the effect of the change. In this way Parliament could decide whether we should retain the reduced number of jurymen or return to pre-war conditions.

The Attorney-General: This Act automatically terminates six months after the end of the war.

Motion (Mr. Gledson) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Gledson, read a first time.

PATRIOTIC FUNDS BILL.

INITIATION.

The SECRETARY FOR PUBLIC LANDS (Hon. E. J. Walsh, Mirani): I 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 consolidate and amend the law relating to patriotic funds and the administration thereof, and for purposes incidental thereto or consequent thereon."

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Brassington, Fortitude Valley, in the chair.)

The SECRETARY FOR PUBLIC LANDS (Hon. E. J. Walsh, Mirani) (11.36 a.m.): I move—

> "That it is desirable that a Bill be introduced to consolidate and amend the law relating to patriotic funds and the administration thereof, and for purposes incidental thereto or consequent thereon."

Hon. members will remember that shortly after the outbreak of war in 1939 the Government brought a Bill before the House based on a regard to the need for so controlling patriotic funds that they would be administered in a proper way. It will be remembered that the Bill generally re-enacted the law that prevailed during the period of the war from 1914 to 1918. Owing to the extensive operations of the patriotic funds since the outbreak of the present war, and as a result of the experience of the department in the control of those funds, certain phases of administration have been found to be faulty, and the Bill I shall present has the object of tightening up the law in those respects.

Briefly, the law provides for the control of moneys only, but since this war began it has been pointed out that the patriotic bodies have engaged in very wide activities with a view to assisting the fighting forces. Hon. members will have knowledge of these activities. That meant the building up of a large volume of assets, which must be controlled in the public interest, and the Bill sets out to do this. The Bill further provides for more stringent control in the way of auditing the various accounts. When one remembers that there are something over 1,000 patriotic funds within the State, I think it will be admitted that the administration of the funds generally has been very satisfactory. That is creditable to those who have undertaken this work on a voluntary basis. I should like to pay a tribute to the patriotic bodies for the very valuable work they have done for the fighting services. That they have been administered in a very satisfactory way is borne out by the reports submitted to the Chief Secretary's Department and audits carried out from time to time as required by law. However, it has been found there are several weaknesses, and the Government think it desirable that further powers should be sought so as to make the control more effective. It was thought we might be able to amend the existing law, but on consideration it was found more desirable to bring down a consolidating Bill and so cover the whole field.

The Bill provides for the setting up of the corporation of the Chief Secretary. Funds that are not properly administered, or in connection with which there has been maladministration may be transferred to the corporation; and assets that may at the termination of the war be in the hands of the various bodies and cannot be dealt with by them in the public interest may be vested in the corporation so that they may be dealt with in the public interest.

There is a provision relating to the appointment of trustees. Hon. members will remember that when the Bill was introduced in 1939 the Government accepted a proposal from the Opposition that not more than one-third of the trustees should be Government representatives. That provision is retained. The power to remove trustees where funds are not being administered in a proper way, or appoint trustees where a sufficient number have not been appointed in accordance with the Act is also continued.

I propose to give further information on the second reading of the Bill.

Mr. BRAND (Isis) (11.41 a.m.): Any law relating to the control of patriotic funds in this State should have the mature consideration of hon. members, and should be discussed in the proper way. I remind the Minister, therefore, if he is in control of legislation such as this, that Parliament is at least entitled to have sufficient time to discuss it.

The Secretary for Public Lands: You can have sufficient time.

Mr. BRAND: The hon. gentleman is aware that this session will finish to-day.

The Secretary for Public Lands: As far as the Government are concerned, we do not care if it continues into next week.

Mr. BRAND: That is all very well so far as the Government are concerned. I agree with the Minister's remarks in regard to the need for the amendments now asked for, but Parliament is entitled to have a Bill such as this in time to enable a check to be made with the Act so that, if possible, the law can be improved.

I hope the Government will get out of their heads the idea that it is only the Government and not the people of Queensland who control Parliament. There are hon. members in this Assembly with different ideas, and we are entitled to demand that a Bill such as this be brought down earlier. There is nothing that could have prevented this measure from coming before us earlier in the session, which began some time in August last.

It is essential to have control of patriotic endeavour in the State, and the original Act laid down that principle. If there are any circumstances in which there is some doubt as to the rightful disposal of funds that have been collected, it is a good thing to give power to the Under Secretary, Chief Secretary's Department, to enable him to have full control of their disposal. Many people in Queensland to-day are engaged in patriotic work, and we must pay our tribute for the way in which they have rallied to the cause. Their services deserve every commendation, and possibly, had we had more time, we might have been able to recognise it in this Bill.

Mr. Power: You have plenty of time. The House need not rise until Christmas.

Mr. BRAND: I have been a member of Parliament long enough to know that on frequent occasions measures are brought down on the last day of the session. I know the session could continue until Christmas. The Opposition are not here to stonewall. I am making it quite clear to the new Minister that we are entitled to have this legislation earlier in the session. I agree that control of funds, as mentioned by the Minister this morning, is desirable, but I will see what the Bill provides when I receive it.

Mr. MAHER (West Moreton) (11.47 a.m.): The Minister gave the Committee a very sketchy outline.

The Secretary for Public Lands: You have had the Bill. You had the Bill yesterday. Be fair.

Mr. MAHER: I did not have a copy.

The Secretary for Public Lands: Your leader had it.

Mr. MAHER: I hope the Minister will give a more detailed explanation at the second-reading stage. Although the Leader of the Opposition received a copy he would hesitate to use the information at the introductory stage of the Bill, and consequently we must now wait until we hear what the Minister has to say on the second reading. All we understand at present is that the Bill consolidates the law relating to patriotic funds. I am willing to admit the principle that Government oversight of patriotic funds is necessary, but interference or meddling with patriotic bodies is not necessary, except in instances of maladministration, wrongful expenditure or negligence.

The Secretary for Public Lands: You said that on the introduction of the first Bill. You have no experience to the contrary, have you?

Mr. MAHER: Why the necessity for the amending Bill, unless the Government desire to tighten up control or have some particular aim in view?

The Secretary for Public Lands: You were speaking of governmental interference.

Mr. MAHER: I have not seen a copy of the Bill. No doubt the Minister will tell us more on the second reading, so that we can grasp what the Government's motive is in introducing this amending Bill. I should hate to think that there was going to be any interference with the work of the local patriotic bodies in the rural districts. Splendid work is being done by patriotically-minded people in this city, in provincial cities, towns, villages, hamlets, and farm settlements throughout Queensland to-day. Funds are being created in these districts for the welfare of the lads who enlist from them. Frequently some of the moneys are used to give a fitting send-off for the boys who go away in the fighting services. Most of the country patriotic bodies wish to have a nest egg to spend locally for the welfare of the lads when they return. That is a practical patriotic work, and in the meantime the surplus funds available to these bodies are invested in war bonds. In the fullness of time, when the money is required to help the boys returning from the war, the bonds will be realised upon and the local bodies, the people who raised the money, will decide in what manner the funds shall be distrbuted to the lads. I should not like to feel that it was possible for the Government to control those bodies or to direct how they shall expend those moneys, or otherwise to interfere with their autonomy. I hope the Minister has not got that in his mind.

There are, of course, people who wish to centralise the administration of funds, to have a pooling of funds from all over the State. That is the desire manifest in many people who wish to have power over large sums of money. I hope the Minister is not listening to the voice of the siren. I hope

he has not been led off the path by those who seek to have power to direct the transfer of money from country bodies to any central body and to use that money according to the dictates of the Minister, his advisers, or those who have an axe to grind elsewhere to prevent its being expended by the country patriotic bodies in the way they think right.

The Secretary for Public Lands: The patriotic bodies lay down their own charter; the Government do not lay it down for them.

Mr. MAHER: I hope no power is being taken in this amending Bill to interfere with the rights of patriotic bodies to run their own affairs.

The Secretary for Public Lands: Except where they are not operating properly.

Mr. MAHER: I concede that if there is maladministration, dishonesty, mismanagement, negligence, or any other factor of that kind, the Minister is justified in taking a stand, but if the country bodies are carrying out their duties according to their own standards and ideas and deriving their power from the good will of the people who contribute the money there should be no interference with them. There should be no attempt to direct the transfer of moneys from these autonomous local country patriotic bodies to any central fund in Brisbane.

Mr. Brand: That is not contemplated.

Mr. MAHER: The Minister is silent and we have to await the receipt of the Bill so that we can examine its text to learn what the Minister is driving at. There is very frequently a nigger in the woodpile, and in my experience he is often a big, substantial hefty nigger. These Bills are often introduced plausibly, and everything would appear to be flourishing like the green bay tree, but on close examination afterwards it is found that there is a sting in them. I hope there is no provision in the Bill to direct the transfer of funds away from those who have raised them, unless there are sound grounds for such action. I hope there is no attempt by the Government to control unduly the funds of the bodies that have raised them and wish to use them according to their own ideas.

I can say no more at this stage because I have not got a copy of the Bill. At this stage we are asked to confirm the desirableness of introducing it and I cannot say anything against that at the moment. However, we should have a look through the Bill when we get it. I hope when the Bill is taken to the second-reading stage the Minister will give us a more detailed explanation of the powers he seeks.

Mr. PIE (Hamilton) (11.55 a.m.): I think the Bill is a wise one, but it is very difficult to make any comment on it at present. I know that there has been a little trouble with patriotic organisations in Brisbane, but as the Minister will understand, it arises purely from ignorance and possibly because the people concerned did not realise what they had to do. One little club composed of women has been built up from nothing to a splendid organisation, but those women had no knowledge of auditing and accountancy, and so I think that the proposal to establish trusts and enlist the services of people familiar with accountancy principles is a very wise one. Many patriotic organisations are being developed for the purpose of raising funds and some are actually trading to some extent. No-one objects to that in a patriotic cause.

Mr. Edwards: How are they trading?

Mr. PIE: Women are making things voluntarily and selling them. These things have to be controlled and possibly they are not being controlled in a proper manner to-day. I understand from the Minister that the main purpose of the Bill is to appoint trustees who have a knowledge of accountancy so that these matters can be properly controlled and a proper report supported by dockets can be furnished to the Chief Secretary's Department.

Mr. DART (Wynnum) (11.57 a.m.): The Minister has given very scant information about this important Bill. His words of commendation of the work of the various patriotic organisations were well chosen, but I hope that the effect of the Bill will not be to interfere with their spirit or retard progress. I am associated with one such organisation, which has been able to raise money locally for the benefit of the soldiers who may return. The money has been invested in bonds and already it has been drawn upon to help some of the men who have returned. For instance, one man wanted to learn engineering and we gave him a book that cost three guineas. I am sure that similar things are being done in various parts of the State.

We can only conjecture what is in the Bill. When the Minister mentioned the establishment of a corporation it suggested to me that perhaps a central fund was to be created into which local bodies that have shown much energy and activity in raising funds for local requirements would have to pay their funds.

The Secretary for Public Lands: Do not be so stupid.

Mr. DART: I am only suggesting that that might be the proposal. It would appear that there is to be further control of these organisations. Government control up to the moment has been sound because it provides for the auditing of accounts with the object of preventing irregularities. I should be one of the first to say that the Minister should deal with such things. We do not want irregularities, we want honesty in these transactions. The majority of the people who have so freely interested themselves in patriotic work have been thoroughly honest and imbued with the idea of helping the men who return. For this purpose they are determined to build up reserve funds. If these bodies are called upon by the Government to send their money to a central fund, the trustees of the central fund

may not have an adequate knowledge of local requirements and the people there to be able to disburse the money as wisely as it would be spent if local people were allowed to continue to control their own funds. I am not opposed to Government control, but the Government should take the local people into their confidence and ask them to help the Government in every possible way. I hope the Minister will bear in mind that it is extremely important to see that the people associated with patriotic endeavours are not discouraged, because up to the moment, they have done a wonderful work for the people of Queensland and the soldiers.

Mr. EDWARDS (Nanango) (12 noon): This is a very important Bill. I hope that the Government do not contemplate any action that will hamper or discourage that noble band of citizens associated with our various patriotic bodies. The work is proceeding very harmoniously.

The Secretary for Public Lands: Hear, hear!

Mr. EDWARDS: Any person acquainted with the work done in country districts has some knowledge of the enormous sacrifices being made by the honorary workers. I am sure that many of these workers have no conception of the labour entailed in this work when they associate themselves with it for the first time. One wonders how they keep going considering the distances they travel both by day and night to keep the patriotic organisations working smoothly and continuously. The work is not confined to one class, but includes old people and even children. We should be lacking in our public duty if we did not seek to instil a feeling of confidence into these people and commend them for the wonderful work they do for the great war effort. They undertake many and varied duties, no matter what strain they entail. I know in my own home alone of the desire to do more and more to help the men and women in our fighting services, the work is the chief theme morning, noon, and night. Many of our country citizens are working for three or four different patriotic bodies at the same time. I appeal to the Minister not to enact any legislation that would even arouse suspicion in the minds of these workers that the Government believe everything connected with the work is not right, or that any centralisation is to receive official sanction, as it will hamper the good work. It must be admitted that there are some people who will not themselves associate with or do anying for these patriotic bodies. Their indifference makes the work difficult for those who put their heart and soul into it.

A commendable spirit is created in boys and girls who have been induced to take up war work. It will help materially to make them public-minded and to mould the character of these future citizens. They are giving of their best and a grounding is being established we shall never regret. I hope the Bill will help all people engaged in our great patriotic efforts.

Mr. LUCKINS (Maree) (12.5 p.m.): I was glad to hear the explanation by the Minister. Only recently we read public comment on one or two organisations that had come under the notice of the Auditor-General. It is fitting that these organisations should bear the hall-mark of the Government in order that those of our citizens who support the work by their subscriptions and voluntary effort may continue to do so feeling confident that the administration of the funds is sound. I wish to pay tribute to the active part played in all patriotic movements by the Lord Mayor of Brisbane and the mayors and chairmen of provincial local authorities, together with the noble band of women and men associated with them. A considerable number of people are giving at least one day a week to voluntary work for our patriotic organisations. I am sure the efforts of these people will be appreciated by the Government.

I object to the bringing down of a measure of such importance in the dying hours of the session.

The Secretary for Public Lands: It is purely a machinery measure.

Mr. LUCKINS: I was wondering whether the Minister had had any talks with the people controlling these funds with a view to obtaining suggestions to be incorporated in the Bill. It is sometimes wise to meet these people and find out if there is anything that could be usefully added. Sometimes Governments and councils do not want advice on these matters, but in the interests of the community I think it would be advisable if the Under Secretaries or heads of departments consulted the people controlling these funds. If they did so they might receive suggestions for incorporation in a Bill that would obviate amendments later on. The Bill not being before the Committee, it is difficult for hon. members to give a true expression of opinion on it. I shall therefore defer comment until I see the Bill.

Mr. NICKLIN (Murrumba) (12.8 p.m.): I thank the Minister for the courtesy extended to me in giving me an advance copy of the Bill, and thereby affording me an opportunity to examine its provisions. At this stage I do not think there is anything of a very controversial nature in the Bill. As the Minister said, it is a Bill consolidating the law regarding patriotic funds, and I agree that to a great extent it is machinery, but it does extend the legislation dealing with patriotic funds in that it gives power to the Government to control the disbursement of funds as well as the collection of funds. That is a principle that could be dangerous, but if administered along right lines could be of assistance.

The Secretary for Public Lands: I think you will agree it is very necessary to have some such power.

Mr. NICKLIN: I do agree it is necessary for a responsible body such as the Governor in Council to have some powers over a fund that is not being administered as it should be. I think it can be truly said that considering the hundreds of patriotic organisations in this State, the percentage in which there has

been any doubt about the handling of the funds has been remarkably small. That reflects great credit on the people of the State and shows that wise control has been exercised generally.

It is proposed to create a corporation of the Chief Secretary and to give that body authority to handle funds that may have to be dealt with under this legislation. That is wise. If we did not have such a corporation, there would be nobody to whom we could hand over the funds, if it was necessary for the Governor in Council to take action in regard to them.

The matter mentioned by the hon. member for West Moreton and the hon. member for Nanango vitally concerns country patriotic funds. As the Minister knows, there was a move at one time to consolidate patriotic funds, to make country patriotic funds send all their money to a central body in the State. That move was very strongly resisted by the country organisations because they raised a great deal of their money by telling the people that they were raising the funds particularly for district boys; consequently, they got a great deal of support, because the people felt the money was raised for their own lads. As trustees of a public fund they have to see the money is used for the purpose for which it is collected. I take it that it is not the intention of the Minister that there should be any interference with funds of that kind, if they are administered in conformity with the regulations under the Act.

The Secretary for Public Lands: They make their own charter.

Mr. NICKLIN: Exactly. Each patriotic fund has its charter, if the people who collect it work within that charter I hope it is not the intention of the Government to make them send their funds to any central fund or hand them over to the corporation of the Chief Secretary.

The Secretary for Public Lands: It may be necessary to amalgamate for the benefit of an area.

Mr. NICKLIN: At times there are instances in which there could be an amalgamation of funds, but that matter will have to be handled very diplomatically. If two funds are being collected for a certain purpose and it is pointed out that it would be advantageous to amalgamate them, perhaps amalgamation could be brought about if diplomacy was exercised, but to try to do this by wielding a big stick would, I am afraid, create real trouble.

Personally, I am of the opinion that in addition to having control of the collection of funds it is wise to have some control over their disbursement and at times to see how they are used. Sometimes funds are collected and held, not used for the purpose for which they are collected. That is wrong and there is no provision in the present legislation to deal with circumstances such as those. If a patriotic fund is collected for repatriation purposes when our boys come home, there should be no interference with that fund at the present time. It should not be used for the purchase of comforts or something like that. I do not think there will be, and I strongly deprecate any attempt along those lines at the moment. The provisions of this Bill on the whole are desirable, but I reserve further comment until the next stage of the Bill.

Mr. NIMMO (Oxley) (12.15 p.m.): The Government will have to be very careful about bringing in a Bill that allows them to interfere with the distribution of patriotic funds. A wonderful spirit has been shown in Queensland in raising funds for patriotic purposes. What has been done is truly remarkable, and if at times public officials may think the amalgamation of certain funds in the best interests of the beneficiaries, the feelings of the people who subscribe those funds must also be taken into consideration. The difference of opinion existing in regard to certain patriotic funds is remarkable. There are those who contend that all one's efforts should be devoted to working for the Australian Comforts Fund. Others will work for the Red Cross Society. Again, there are those who will contribute only to the Red Shield huts. The fact is that all the people working for any of these patriotic funds are doing a wonderful and a necessary work. The Red Cross Society works for the benefit of our wounded and sick soldiers and prisoners of war. The Comforts Fund provides comforts for our troops at the front, to give them the feeling that they are not being neglected by the people at home. The Red Shield huts give a wonderful service to our boys, even right in the front line. They are all doing wonderful work and I for one should not like to see any interference by the Government. There is mention of amalgamation of funds and their distribution by an organisation.

The Red Cross Society is doing a wonderful work, but there are those who are loth to subscribe to the funds of this organisation because they recall that after the last war it had a credit balance of something like £80,000. They must not forget that the Red Cross Society continued its great work after the boys came home. It looked after our wounded and sick soldiers for many years after the end of the war. In my suburb was situated the Ardoyne home, in which tuberculosis patients of the last war were treated. That institution carried on for 20 years or so after the war. The Red Cross Society cared for the wounded from the last war and this absorbed much of its funds. An ordinary outsider, or a man who is butting in can say, "You had funds over from the last war; disburse them," but it must be remembered that some very brainy men are connected with the administration of these funds, and that they have worked out a plan that is calculated to do the most good for the most people.

I wish to pay a tribute this morning to the wonderful work being done by the women, not only in visiting hospitals, but in raising funds by running business ventures, as mentioned by the hon. member for Hamilton.

I was astounded to see the work that the women put into some of these undertakings. I know of women who work in one cafe in the city almost every day in the week. There are women there actually washing dishes who in their own homes have no occasion to do such work. Young married women are going to this cafe and doing excellent work. We have to take our hats off to the women-folk who are setting this splendid example to us all for the sake of the boys who are away fighting our battles.

Mr. YEATES (East Toowoomba) (12.20 p.m.): I am sorry I was not here when the Minister was explaining the Bill.

Mr. Sparkes: You should have been here.

Mr. YEATES: I was unavoidably absent. I presume that the Bill is designed to take control in some way of the disbursement of patriotic funds. During the 1939 session I directed a question to the Premier and I advocated the introduction of a Bill to control the collection of funds, and I referred to the possibility of having those funds supervised by the Chief Secretary's Office. All that was done, and I now want the Government to be careful about the control of the spending of those moneys, because the people who worked so assiduously in collecting the funds—and many of them have been mentioned by the hon. member for Nanango and the hon. member for Oxley—do not take kindly to any Government interference with the spending. I hope the Government propose to take only a supervisory control that will act as a Westinghouse brake if any committee should suggest the expenditure of these moneys in a wrong direction.

I wish to say that the women of Toowoomba, who are working assiduously, are to be commended on the funds they have collected—the Australian Comforts Fund, the Red Cross, and others.

Mr. Devries: Do not forget the Salvation Army.

Mr. YEATES: The Salvation Army has done splendid work through its Red Shield huts. I often receive letters from lads on the war front that were written in these huts, and those lads say that the service is perfect.

Motion (Mr. Walsh) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Bulcock, read a first time.

ELECTIONS ACTS AMENDMENT BILL.

SECOND READING.

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich) (12.27 p.m.): I move—

"That the Bill be now read a second time."

The Bill was thoroughly discussed on its initiatory stage but there are one or two points that call for a reply. The first provision is to enable printed forms under captions of different dates to be used in the future notwithstanding that the dates have been altered. The object is to save paper and man-power that would be needed in printing other forms but for this provision.

The next provision is to enable every person whose name appears on the electoral roll to have a vote for the candidate he or she desires should represent him or her in Parliament. Such a person is to have one vote only. Let me explain to hon. members how the old provision has operated for half a century. Some figures explaining the practice have been quoted by hon. members on both sides. At the 1941 elections the total number of votes cast was 529,246, of which 9,520 were informal. You, Mr. Speaker, must know as a scrutineer at the elections and as a candidate for election that the informal votes were cast by persons who attempted to use the right of optional contingent voting. I am not going into detail concerning the figures because it does not matter how many votes were cast for one party or the other. The Bill is not directed at any one political party; it is purely a non-party measure in that it may affect any hon. member regardless of the party to which he owes allegiance. I think it will be admitted that the informal votes have been those of people who have attempted to exercise contingent votes. Although 529,246 votes were cast at the 1941 elections, very few persons sought to take advantage of the right to exercise their contingent vote.

Mr. Yeates: What is the reason for introducing the Bill?

The ATTORNEY-GENERAL: I do not know what has gone wrong with the hon. member for East Toowoomba.

Mr. Yeates: Tell us what is behind the Bill.

Mr. SPEAKER: Order!

The ATTORNEY-GENERAL: The hon. member spoke at least a dozen times last night, and I did not interrupt him once.

Mr. Yeates: Tell us what is the purpose of the Bill.

Mr. SPEAKER: Order!

The ATTORNEY-GENERAL: The hon. member spoke without interruption but when any hon. member on this side wants to speak the hon. member wants to interrupt him.

Mr. Yeates: But tell us why you are introducing the Bill.

Mr. SPEAKER: Order! The hon. member must obey my call to order. I warn him now that if he offends again I shall deal with him.

The ATTORNEY-GENERAL: I propose to show the position in regard to contingent voting and how it was used in the 62 electoral

districts. It was used in the Cunningham electorate. The votes cast there were—

Mr. Castles	1,704
Mr. Deacon	4,062
Mr. Hilton	2,806

Mr. Deacon did not get a majority—he very nearly did so—over the other two candidates. The contingent vote was used and it gave him a majority of 3,082 over Mr. Hilton. No alteration took place in the result in that case by the use of the contingent vote. As a matter of fact, Mr. Deacon's majority, by its use, was increased by 1,430. Mr. Castles received only 54 contingent votes.

Let us take the Kurilpa electorate. The result of the voting here was—

Mr. Brandon	4,374
Mr. Copley	4,556
Mrs. McGrorty	477

Only 168 of Mrs. McGrorty's supporters used the contingent vote, 309 not exercising it. The exercise of the contingent vote here made no difference to the result.

The contingent vote was used in the Nanango electorate, where the voting was—

Mr. Anderson	1,271
Mr. Edwards	4,052
Mr. Tracey	3,668

Mr. Edwards did not have an absolute majority and the contingent vote was counted. Only 969 of Mr. Anderson's voters exercised the contingent vote. Of this number Mr. Edwards received 517 and Mr. Tracey 452.

Mr. Nimmo: Every elector there had the right to use it.

The ATTORNEY-GENERAL: That is what I am pointing out, but they do not use it.

Mr. Yeates: Make it compulsory.

The ATTORNEY-GENERAL: My argument is that because they do not use it they evidently do not want it. The contingent vote has been the right of the people for 50 years and yet they do not use it. That is the point. What is the use of having such a provision in our law when the people will not use it?

Let me continue with my illustrations. Let us take the Sandgate electorate. The result here was—

Mr. Decker	3,838
Mr. Fry	2,457
Mr. Hislop	3,969

As no candidate had an absolute majority, the candidate lowest on the list, Mr. Fry, was eliminated and his contingent votes allocated. Of Mr. Fry's 2,457 primary voters only 1,215 exercised the contingent vote. Of this number, Mr. Decker got 1,079 and Mr. Hislop 136.

Mr. Decker: There was a special reason there why the contingent vote was not used.

The ATTORNEY-GENERAL: I do not know whether there was a special reason or not, but usually there is a special reason in every electorate. The same reason must apply in every electorate.

The only other electorate in which the contingent vote was exercised was Windsor. Here the voting was—

Mr. Moorhouse	4,185
Mr. O'Sullivan	1,401
Mr. Williams	4,491

Only 561 voters exercised the contingent vote. Of this number Mr. Moorhouse got 462 and Mr. Williams 99.

Mr. Sparkes: The exercise of the contingent vote there made a difference between Mr. Moorhouse and Mr. Williams.

The ATTORNEY-GENERAL: It did. The information I have given shows that the contingent vote was exercised in only five of a total of 62 electorates. Under 1 per cent. of the electors exercised the contingent vote.

Mr. Nimmo: There was no reason for using it in the other electorates.

The ATTORNEY-GENERAL: Let me come to the recent Cairns by-election held last month. What did the people of Cairns say? Did they want the contingent vote? No-one will say that the people of Cairns want the contingent vote. The total primary votes cast were—

Mr. Barnes	2,101
Mr. Crowley	2,169
Mr. Griffin	851
Mr. Tucker	1,776

Now there were 2,627 voters who had the right to exercise the contingent vote. How many used it? Only 600 used it.

Mr. L. J. Barnes: That was because it was rumoured in Cairns on the Saturday morning that the contingent vote had been cut out.

The ATTORNEY-GENERAL: Are those figures not a sufficient mandate for the elimination of the contingent vote? They should be sufficient for anyone, even the hon. member for Cairns. He should have enough brains to understand that. If he cannot, it is pretty hard to knock understanding into him.

Mr. L. J. Barnes: You supported a whispering campaign against it.

The ATTORNEY-GENERAL: 600 used the vote and 2,027 did not.

A Government Member: The 600 gave them a majority.

The ATTORNEY-GENERAL: Yes, a half of one per cent. of the people of Cairns altered the election. Is that democratic rule? Is it getting the will of the people, if half per cent. of the people can put a representative into this House? (Opposition interruption.)

Mr. SPEAKER: Order!

The ATTORNEY-GENERAL: I am giving the facts; I am not trying to bring in personal matters; I am giving the figures and the facts.

What is this amending Bill? It simply gives the right to every man and woman in Queensland to use his or her vote for the representative he or she wants. The people who have had this vote for years, said, in effect, "We do not want the contingent vote," because they have not used it. It merely gives the right to a small percentage—half of one per cent. in the case of Cairns, to elect a representative.

Mr. Sparkes: He is there by the will of the majority of the people.

The ATTORNEY-GENERAL: Let us see the big majority the hon. member for Cairns has. He got 2,101 votes on the primary count, and then he got 435 contingent votes, giving him a total of 2,536 votes out of 6,955 votes. There were 4,419 votes against 2,536. That is how he won the seat, yet he comes here and wants to suggest that he got a majority of the votes of the people of Cairns. He got no majority at all. If he gets many more majorities and victories like that there will be no Barneses left.

That is the only principle contained in the Bill. There are the figures, and the acts of the people show that they certainly do not want to use the contingent vote, that they do not want to have the right to vote two or three times, but they do want the right to vote once for the man they want to represent them. That is what the people want, and that is what they are going to be given by this Bill—the right to vote for the person they desire to vote for and no other person.

I do not think there is anything else I can usefully add. I cannot reply to all the extraneous matter that was raised during the debate yesterday. The only principle of the Bill I can discuss is the contingent vote. All the other matters raised could be easily blown to the wind, just as the majority for Barnes at Cairns has been blown away. Hon. members opposite talk about getting a majority of the people. None of them has a majority of the people; they were all returned on a minority vote.

Mr. Dart: I was not.

Mr. Yeates interjected.

The ATTORNEY-GENERAL: The hon. member for Wynnum says he is not. He would not be in this House if it had not been for the minority vote. This Bill gives the right to every man and woman to use the vote, and vote once—one adult one vote, as the hon. member for Logan says.

Mr. Yeates interjected.

Mr. SPEAKER: Order! If the hon. member offends again I shall have to deal with him. I shall not give him any further warning.

Mr. NICKLIN (Murrumba) (12.41 p.m.): When the Attorney-General introduced this Bill he gave a very weak explanation for doing so, and his second-reading speech is no better. If that is all the argument he can adduce in favour of the Bill it is evidence that it should never have been introduced.

Opposition Members: Hear, hear!

Mr. NICKLIN: Hon. members on the other side have for years and years held themselves up as the watch-dogs of democracy; yet they bring this Bill down in the dying days of the session. This Bill is an absolute negation of democracy. We have had the friends of hon. members opposite introducing into the Commonwealth Parliament a Bill to be discussed at the Constitutional Convention next week, to transfer the sovereign rights of the people under the Federal Constitution to a chance majority in the Federal House. Hon. members opposed it, but now the same hon. members, the State Labour Party, are destroying the sovereign right of the Queensland people to give true expression of their will in electing their Parliament.

Hon. members of the Government have at all times prided themselves on their introduction of progressive and advanced legislation, but the measure under discussion cannot be put in that class. It is beyond all doubt retrogressive legislation. Apparently hon. members do not trust the intelligence of the people of the State. If they can say that the people of Queensland cannot use the preference vote intelligently, that is an insult to the intelligence of the people. Hon. members opposite are content to use contingent voting in their plebiscites, they use the exhaustive ballot in the choice of officers of the party, but apparently they think they are the only people with sufficient intelligence to make proper use of the right of contingent voting, and there is only one reason that can be deduced for the introduction of this measure—that it suits the Labour Party under present circumstances. They "have the wind up" in connection with the recent by-election, and think this Bill will give them a better chance in any future by-election.

Mr. O'Shea: That is the best reason for this Bill that you can give.

Mr. NICKLIN: I am not concerned with the rights or wrongs or aims or objects of political parties. I stand for the rights of the people of Queensland, and for giving them the right to express their opinions in true democratic fashion, and there is no doubt that in this Bill we are taking from them the right to do that. We are taking from them the right of contingent voting, taking from them a democratic right that they have enjoyed since 1892. The taking from them of this right is a negation of democracy and a retrograde step.

The Attorney-General, in endeavouring to make a case for the measure, said that in the 1941 election preference votes were used in only seven electorates.

The Attorney-General: Five.

Mr. NICKLIN: That makes my case better. In the 1941 election there were 18 electorates in which there were more than two candidates, and in all these preference votes were used. Only in five electorates did the preferences have an effect on the result of the election. Had he said that it would

have been correct, but he endeavoured to mislead this House by saying that in only five electorates did the voters use the contingent vote. We find that the right of contingent voting was exercised in 18 electorates. If the people have that right and make use of it, why should we take it from them? That is the question that not only we on this side but many thousands of people in Queensland ask. What is behind this move of the Government to take away the right the people have had for so many years? That it has not been used to the full is of no consequence. It is there to be used by the people if they wish to do so.

If this Bill goes through Queensland would be the only State in the Commonwealth in which the retrograde system of "First past the post" operates.

Mr. Devries: The State will be the richer for it.

Mr. NICKLIN: The State will be richer in Labour members for it, but it may have a boomerang effect and it may result in there being fewer Labour members than at present. Let us consider this position: It is possible, if any political party cared to make a redistribution favourable to it, almost to assure to itself the Government of this State, because we all realise that in most circumstances the sitting member has an advantage in an election. If things are at all close then on a "First past the post" principle the sitting member is usually a very good bet. If the electorates were so arranged that the party that happened to be in power had the advantage with regard to the distribution of electorates, they could almost assure to themselves that they would never go out unless there was an absolute revulsion of feeling on the part of the people of the State.

The Attorney-General: There is no arrangement in that way while this Government are in power.

Mr. NICKLIN: Far be it from me to suggest that the Attorney-General's Government would ever do such a thing! I merely use that illustration to suggest possibilities. The Attorney-General will admit that that could happen with an unscrupulous Government, with the result that we should not get a correct interpretation of the feelings of the people of the State. With the system of preferential voting that we have or, better still, with a system of compulsory preferential voting, if any political party attempted any gerrymandering of electorates those attempts would be counteracted by a true expression of the will of the people at the ballot-box. If anything can be gathered or proved at all from the arguments and figures put forward by the Attorney-General in his second reading speech, it is that instead of doing away with contingent voting we should introduce compulsory contingent voting. I, for one, cannot uphold anything in connection with this Bill. I correct myself. There is one provision with which I can agree—that relating to the utilisation of the printed election material that is already in existence. With that one exception, there is nothing in the Bill that has any virtue in it or for which a good word can be said.

Summing up my conclusions in connection with this Bill, I say again that it is negation of democracy, it is an endeavour to thwart the will of the people at the ballot-box, and that the Labour Party's claim to uphold democratic principles disappears with the passage of this Bill.

Mr. BROWN (Logan) (12.52 p.m.): I am surprised at the attitude taken up by the Opposition after the long debate we had on the initiatory stages. In the early hours of this morning they wanted the Government to apply the gag. They were working for that all along, but they were not successful.

Mr. Nicklin: Who says that?

Mr. BROWN: I do—we had the Opposition so weary at the end of the debate while we were just getting into our stride.

When speaking to the Bill on the initiation in Committee I said that I had given this matter a good deal of study. The question is not new to me. Hon. members opposite forget all about the first four Commonwealth elections at which the system of voting was "First past the post."

Mr. Sparkes: Why did they change it?

Mr. BROWN: Because Billy Hughes left the Labour Party. When he went to the other party he introduced preferential voting at Commonwealth elections with a view to keeping the Labour Party out of office, and he was successful. When the Commonwealth Constitution was adopted it did not contain any provision for preferential voting, it contained the principle of "First past the post."

Mr. Healy interjected.

Mr. SPARKES: Mr. Speaker, I rise to a point of order. Is the hon. member for Warwick in order in saying that the Hon. William Morris Hughes got £25,000 for altering the principle of voting?

Mr. SPEAKER: The Right Honourable William Morris Hughes is not a member of this Parliament.

Mr. BROWN: The constitutional convention that was called to draft the Commonwealth Constitution was not representative of Labour men alone. There were some of the biggest Tories in the country there. They did not decide upon preferential voting, and there was no preferential voting for the first four Federal elections. A man or woman is entitled to one vote and one vote only. Ever since the principle of contingent voting has been in operation in Queensland the people have shown that they do not want it because in those cases only 1 per cent. and in some other cases even less than that have exercised the contingent vote. I shall not be satisfied until preferential voting is abolished in the Federal arena, too.

The Tories should be the last people to squeal about this legislation. In 1931 they adopted the direst Tory tactics that could have been adopted for municipal elections in Brisbane, and thereby deprived thousands of people of the franchise. They decided on that occasion that if a person owned a piece of property or had some bricks and mortar he could have a vote at the municipal elections. That was not done 50 years ago; it was only as far back as 1931. That law meant that if a man had a piece of property in each of 20 wards in Brisbane he could have 20 votes, and several men did record 20 votes on that occasion. Is that a democratic principle, and is that something that should be offered to the people who have been educated to the standards they have attained to-day? Hon. members opposite do not want to abolish contingent voting, but they were prepared to disfranchise thousands of men and women at the Brisbane municipal elections. Even before the adoption of the residential qualification in parliamentary elections, the law provided that if a man owned a piece of property in each of the 72 electorates in Queensland he could go to the Town Hall or wherever the polling booths were situated, and record 72 votes. That was the system adopted by men who now say that contingent voting should not be abolished.

The system of contingent voting is disgraceful when you come to think of it, and I could devote a whole day to the condemnation of it. It should have been abolished years ago. It is nothing new for me or my party to advocate the abolition of contingent voting; I have advocated it for years. Why should one man have only one vote while another man may have two votes? Did not the Moore Government enact the provision whereby owners of property could have a vote in respect of each piece of property they owned in the Brisbane area? I had four votes myself on that occasion, and I could have had five if I had been like some landlords and paid the rates and so taken the vote from the tenant. The law provided that if the landlord paid the rates in his own name he could have the vote, not the tenant.

This legislation entitled a man, if he owned property in the 20 wards, to a vote in respect of each. Labour's policy is one adult, one vote. On that occasion I had four votes, which I took good care to exercise. I had one vote as the owner of the property I lived in and three votes as a trustee of different bodies in various wards. Several persons recorded 20 votes on that occasion because they had property in each ward.

Mr. SPEAKER: Order! I remind the hon. member for Logan that this Bill contains only two principles. I hope he will confine his remarks to them, and not enter into a general discussion, as might have been done on another stage of the Bill. If he does he will be out of order.

Mr. BROWN: I was following along the lines of the speech of the Leader of the Opposition. The hon. member for Sandgate said I was a bloated landlord. I am a landlord in a small way, but I am a humane landlord. That is more than the hon. member can say. Any man who is a house and land agent cannot be a humane man. (Laughter.)

Contingent voting did not operate in the local authority elections held under the Moore Government. My wife had no vote on that occasion because the property was in my name, but our neighbours, because their property was in their joint names, had two votes. Thousands of citizens were disfranchised by the 1929-32 Moore legislation. In my own electorate 25 ratepayers on the roll gave their addresses as Singapore.

Mr. SPEAKER: Order! The hon. member is still departing from the principles of the Bill.

Mr. BROWN: I have always opposed contingent voting. When I entered Parliament about seven and a-half years ago I did my level best to induce caucus to abolish it. My opposition to it has not suddenly arisen because of the result of the Cairns by-election. I oppose contingent voting on principle because I believe in one man one vote. Any person who desires more than one vote has no right to be a citizen because he desires electoral advantages over his fellows.

The men who brought in the Constitution of the Commonwealth comprised a certain number of Labour supporters and a certain number of Tory supporters. They never thought of giving a preferential vote in 1900 when the Constitution was framed. It was "First past the post" then. At that time six senators were wanted for Queensland, and the first six with the largest number of votes were declared the winners. There was no preferential vote. The highest three on the list were elected for six years, and the bottom three were elected for three years, and no-one ever thought about preferential or contingent voting. It was not until Billy Hughes ratted from the Labour Party that he introduced preferential voting in an endeavour to block the Labour Party from getting into power in the Federal Parliament. It is not asking too much of Parliament to ask it to pass this Bill, because the people do not want the contingent vote.

Mr. Massey: How do you know?

Mr. BROWN: If the hon. member looks at the records of elections during the last 50 years at which the contingent vote applied he will find not 1 per cent. of the people used it; therefore the people do not want it.

There are numbers of hon. members opposite who were elected by a minority. I am not here on a minority vote; I worked my way through all the time with a good majority.

I did not intend to speak on the second reading; I thought it would be finished with last night. We took the wind out of the sails of hon. members last night. They never thought that we had a few marathons on this side. When the adjournment took place we had them all exhausted, but we were just coming into our stride. If they like to go on this afternoon

and to-morrow and Sunday, let us go ahead and finish the thing; we will give them marathon going if they want it. Their object last night was to provoke the Government into applying the gag, so that they could say to the people, "They put the gag on, and we were not allowed to discuss the Bill." The Acting Premier did not care how long they went. The Attorney-General read a book and let them go ahead and talk themselves out. They did not have a leg to stand on.

Mr. SPEAKER: Order!

Mr. BROWN: I hope the thing will go through and we shall be done with it. Then we shall know where we are.

Mr. DECKER (Sandgate) (2.25 p.m.): I still oppose the Bill because I think it is absolutely undemocratic. The arguments used by the Minister, supported by figures, prove that the Bill is undemocratic.

It was stated by the Minister that I came in on a minority vote. I came in with a majority of 810. If there had been no preferential voting we should have had this peculiar position in my area, which is a fair example of areas generally: the Labour candidate with 3,969 votes—just one-third of the number of people on the roll who voted—would have been elected to Parliament. If you can tell me that is majority rule, then there must be something wrong with my argument.

It has been said that very few people use the preferential vote. That statement cannot be substantiated. Of course, where there are only two candidates there is no need for a preference vote, but wherever there have been three candidates during the last 50 years the people have always exercised the preferential vote. To what extent have they used it? That depends on what they are asked to do by the candidates. We know it is the practice of the Labour Party and their candidates to advise their supporters not to give a preference vote, in case it may aid the Opposition party. Those people who follow the advice of the party opposite do not use the preferential vote. They do not use it, not because they have no wish to, but because of direction by the party concerned. The figures for my electorate are—

	Votes.
Labour	3,969
Decker	3,836
Majority for Labour on first count	136

Another anti-Labour candidate polled 2,457 votes, and an analysis of these figures proves that two-thirds of the electors did not want Labour representation.

The Secretary for Public Lands: You got only 47.9 per cent., even with the contingent votes of the other man.

Mr. DECKER: The total vote for me was 4,915 out of a total of 10,262. The Labour candidate opposing me totalled 4,105, and I had thus a majority of 810.

The Secretary for Public Lands: But there were 5,347 against you.

Mr. DECKER: The Government appear to be not at all satisfied with their majority in Parliament. They are not satisfied with having 41 Labour members as against 21 Opposition members, and apparently will not be satisfied until they have 62 members. Immediately that stage is reached our system of government is absolutely wrecked. The Attorney-General, who is piloting this Bill, gave the figures for the 1941 elections—

No. of votes cast	529,000
Labour	299,000
Anti-Labour	222,000

Virtually half the votes polled favoured anti-Labour, whereas the representation in this Parliament is Labour 41, anti-Labour 21. There is something wrong with this state of affairs. I am using the figures given by the hon. gentleman to prove the unfairness of it all, but notwithstanding this a Bill is brought down that provides for a retrogressive step by abolishing preferential voting.

From the arguments used by hon. members opposite we know that the result of the Cairns by-election has been a severe blow in Labour circles. It shows that those who in the past have supported the Labour Party are now discarding it, and consequently the Government have come to the conclusion that there is something wrong, and in order to rectify that position they bring down a Bill to abolish contingent voting, but this will be more damaging to them. It will do more than anything else to cause the people to lose confidence in the Government who take the opportunity to alter an Elections Act that has stood the test of half a century, and in doing so show their own unworthiness.

This amendment is unworthy of the Government. It is one of the most tragic happenings of my two years in Parliament, especially as it is occurring in the closing hours of the session. We are given to understand that there will be a session in March. Why could they not postpone this measure, thus giving an opportunity for public debate on the questions involved and an opportunity to the Opposition to study it. There is a reason for their action: there will probably be two by-elections between now and the beginning of the next session, and the Government are showing very plainly that they are afraid. The whole thing points to fear on the part of the Government of what might happen at the next election because of the results of the past election.

The hon. member for Logan has a fetish—that is, that preference voting should have been abolished years ago, but it is only a fetish. It is wrong to contend that a preference vote gives an elector two votes. He receives only one ballot-paper, but by making use of the preference vote he is exercising his right in electing the candidate that he desires to represent him in Parliament. It is founded on a system of elimination and provides for majority rule, and if we believe in majority rule then we must also believe in preferential voting.

If we do not believe in majority rule but favour minority rule, then we should abolish

preferential voting, but in doing that we are lowering the standard of decency, we are sliding away from a principle of democracy that rules all over Australia. We do not see the Federal Government asking for the abolition of preferential voting in their sphere. We do not see the other States of the Commonwealth asking for abolition of the preferential vote. This move originates in Queensland, and when we see what has happened recently at Cairns, we have not to look any further to find the reason for it. It is terribly wrong, totally undemocratic, and unworthy of the Government, and it certainly will breed distrust in the people. The fact that the Government see fit to introduce this Bill proves conclusively that party interests mean more to the present Government than the people's interests.

Mr. MOORE (Merthyr) (2.34 p.m.): The criticism levelled at this measure, which centres round the effect of it upon the absolute majority has been very unconvincing. If the debate had not become wearisome one could probably say that it had its humorous aspects.

Mr. Yeates: You are hurrying to get away every session.

Mr. MOORE: I came to this Parliament to try to serve the electors as their parliamentary representative, not to divide my time between parliamentary duties and private business. That being so, I am willing to stay here as long as there are matters of importance to debate.

The pathos of hon. members opposite concerning the alleged repercussions of this measure and its effects upon this party causes one to become rather sentimental. There was one occasion when, had the broad shoulders of the hon. member for Bowen been available, one might have wept copiously.

I do not profess to be a very keen student of political history, but there are one or two salient circumstances connected with political happenings over the past 25 years that become fixed in one's mind. It is significant that simultaneously with the popularity of the preferential vote there was a breaking-up of what we might term the Tory parties into a number of adjuncts that reared their heads at election time, and representatives of those adjuncts, we found, were financed on all occasions by the financial big-wigs who finance anti-Labour activities. The result of such a happening centres round the marking of the ballot paper, and that, to my mind, is the meat of the amendment now under discussion. We find that while the Labour Party always sent one representative into the field, the parties opposed to Labour had numbers of candidates, and, by a system that might be called mathematical sleight of hand, the effect on the absolute majority was to disadvantage the Labour candidate on all occasions.

The unfair effect is to be found in the fact that those people who desired to place a "1" or a cross against the name of the Labour representative were disadvantaged because certain people were allowed to use one ballot paper and to mark it in such a way that the parties opposed to Labour had more than one vote.

That should be very plain to the people who will look at the matter in a fair and impartial light. In order to arrive at the absolute majority take the recent by-election. About 435 people—I am not sure of the exact number—had the right to decide who would be the representative of Cairns in this Parliament. That means that of approximately 7,000 voters a special privilege was given to 435, yet hon. members opposite prate about democracy and about minority and majority representation. I challenge hon. members opposite and any student of figures to show in the Cairns by-election or in any by-election where a number of candidates contest the elections and the contingent vote applies that a very small number of people are not given the right to say who in the final analysis shall be the parliamentary representative. The Bill will counteract what I have described as mathematical sleight of hand in connection with parliamentary representation. For that reason I make no apology for supporting the Bill, but on the contrary give the Government credit for having courage to introduce it.

Another matter for consideration by students of figures is that in the final analysis where the contingent vote is used the total number of votes counted exceeds the total number of ballot-papers issued. I am leaving informal and discarded votes out of calculation. This is a fact that will require a great deal of wiping out by those people who argue that the preferential system is in the interests of democracy. Hon. members opposite have argued that the Labour Party avails itself of the system of exhaustive ballot in the election of hon. members to Cabinet rank. Under the system of exhaustive ballot certain candidates are eliminated with a view to arriving at an absolute majority for those that remain, and all voters are given the opportunity of having a direct vote for the representatives who remain in the ballot.

Mr. Nimmo: That is an argument for compulsory preferential voting.

Mr. MOORE: I shall deal with that point in a moment. When only two candidates remain the electors are still given an opportunity of deciding who shall be their choice. It is quite obvious that that system of ballot would be entirely impracticable for State elections. Therefore, the red herring that has been drawn across the trail in connection with the Bill can be swept aside, and can be placed under the heading of political platitudes for the publicity agent of the Tory party, the "Courier-Mail." These platitudes seem very nice in print but to the student of politics and the student of figures they are a mere nothing. Who can tell how the preferences are going to be distributed? Take the case where there are five political candidates. The contingent or preference vote can be effective only if the voter has some idea how the preferences of the candidate to be eliminated will be distributed. I say it is a gamble and a lottery, things which

hon. members opposite have always opposed, but it appeals to them in this instance. They think that should be allowed. For party-political purposes they are prepared to use these methods to down Labour candidates. The point is that the politics of Labour's opponents over a period of years have become warped and have not appealed to the electors. They have always attempted to devise some expedient to bolster up their failure in politics. Strange to say, these expedients have often been originated by some political Labour rat to down the cause he deserted for self-aggrandisement.

The defeat of the Government in the Cairns by-election has been emphasised in this debate. I remind hon. members that in 1929 the electors of Queensland decided on a change. They got it, but in 1932, they could not get to the ballot-box quick enough to have another change. The hon. members for Bundaberg and Cairns in this Parliament have exhibited no political knowledge, and I forecast that on the first occasion their electors have the opportunity they will choose Labour men to represent these electorates.

Mr. BRAND (Isis) (2.47 p.m.): I want to address myself to the right of the Government to alter the election law at this time. I sympathise with the Minister in having to whip up his back-benchers to come to his aid. It is quite interesting to find the Minister in that position. I know well that his supporters will come to his aid on this matter because we heard from him the reasons why this Bill has been brought down. Can one understand a responsible Minister of the Government, no less than the Attorney-General, telling us that he has brought this Bill down because it will help each political party in the House?

Mr. Devries: It will help no party.

Mr. BRAND: The Minister said that.

The Attorney-General: That is an absolute misstatement.

Mr. BRAND: It is not a misstatement. You said that it would help hon. members on this side of the House.

Mr. SPEAKER: Order!

Mr. BRAND: I heard the hon. gentleman distinctly.

The Attorney-General: You did no such thing.

Mr. BRAND: I am not misquoting him. The hon. member for Merthyr indicated quite clearly that the reason for bringing this Bill forward is to help the Labour Party.

Mr. Moore: What are we here for? We are not here to help the pastoralists.

Mr. BRAND: The hon. member is here to look after the interests of the electors in general. He has no right to help any party. As a Parliament we must leave the people the rights they possess if there has been no direct appeal to them with respect to those rights. We have heard the babbling tongue of the Secretary for Public Lands talking about certain rights of another Parliament, and we have heard hon. members sitting behind him arguing that the Moore Government did certain things regarding the local government franchise. The Moore Government definitely sought the endorsement of the electors in 1929 on the alteration of the franchise. That was included in the policy speech of its leader when he went to the country in 1929. The Government have no mandate during the life of this Parliament to alter the franchise as laid down in the Elections Act. If when they go to the country at the next election that is in the policy speech of their leader and they obtain a mandate from the electors they will have a perfect right to come back to this Parliament and make this alteration.

What they are attempting to do is to alter something that affects the rights of the people. The people have had the right to exercise the contingent vote since 1892, when it was introduced with the object of winning a majority verdict at elections. The Labour Party was willing to recognise this form of voting until about a fortnight ago. There was no intimation in the Governor's Speech that there was to be an amendment of the Elections Act. Apparently, it was not thought of. This is something that has sprung since a certain event in Cairns. I am of opinion that the Government should not proceed with this Bill. I recognise they, the Government, having the majority, think they may use the brutal power behind them and do anything; and they usually do it. Surely, we can ask the Government not to carry into effect something that takes away rights from the people? Preferential voting was instituted in an endeavour to obtain a majority verdict to carry out the ideals of democracy by the people of this country. We find that preferential voting operates when—and only when—the leading man does not get an absolute majority. In order to carry out democracy entirely we should agree to the exhaustive ballot, but it would be an expensive process for an election, and preferential voting being simple and inexpensive was introduced instead to ascertain the majority view of the people. I should be unwilling to think that the Government have no desire to recognise a majority verdict. At all events, they must realise that preferential voting gives to the people the right to exercise their preference if they desire.

Claim has been made by the Minister or one of his supporters that in the Cairns by-election only 600 people exercised the preferential vote. Whether they exercised it or not, they should have the right to exercise it. After hearing the remarks of the Minister this morning—and I listened very attentively to them—I came to the conclusion that he appeared to be more concerned about the results of forthcoming by-elections than about anything else and to see that the first past the post should be the victorious candidate. The Government are interested in their pre-selection ballots. They want to deny the rights of the electors to a selection, their desire being to force on them a pre-selection ballot, and consequently they are denying to the people the right to which they are entitled of expressing their viewpoint.

It is commendable that in Cairns at least four candidates with different policies submitted themselves to the people. If we believe in the right of the people to exercise their votes as they think best, we should welcome a number of candidates in electorates and should provide a system to enable the people to select their representative. I am not afraid of submitting myself to the people without a pre-selection ballot, but I believe that this Bill will give an opportunity for the practice of certain undesirable abuses. The hon. member for Merthyr was somewhat troubled because, he said, some candidates secured certain financial assistance.

Mr. Moore: No.

Mr. BRAND: He did, but dozens of times he has received financial assistance from his own organisation.

Mr. Moore: No.

Mr. BRAND: We know that the Labour Party is the wealthiest organisation in the political field.

We are told so, but should we be concerned in this Parliament about a Bill to alter the Elections Act with the financial assistance given to candidates? That is not the point. The real purpose of the Bill is to deny to the people rights that they have enjoyed for 50 years. That is what we are fighting for. We must maintain our democracy as far as we can. Questioning people in George or Queen streets, Brisbane, to-day, I doubt if you could find five men who do not want State Parliaments abolished. You would be very lucky, indeed, if you could find five people who desired that they should continue functioning.

Mr. Devries: A number would believe in the abolition of State Parliaments after the exhibition last night.

Mr. BRAND: I do not know what the hon. member means. There was no exhibition last night. It was a fight put up to prevent a Bill that took from the people certain rights from becoming an Act of Parliament. The Opposition certainly did put up a fight. To-day I am looking at the matter from the point of view of the electors, who are the masters of their representatives in this Parliament. We have a very low opinion of the good sense of the people who elect us to Parliament if we think they have not sufficient brains to vote intelligently under a system of compulsory preferential or optional preferential voting.

I believe that the people of this country have a full knowledge of how they should vote. We spend a good deal of money on "How to vote" cards, but they are not the determining factor, they are not what influences the electors' final decision at the ballot. Before they go to the polling-booth the electors know quite well how they are going to vote, and if they propose to exercise a preferential vote they will do so.

We cannot agree with the argument that the present hon. member for Cairns was elected on a minority vote at the recent Cairns by-election. Of the 2,500 people who voted against Labour and the King O'Malley Labour candidates at that election, only 600 exercised the preferential vote. Every elector had the option of exercising a second preference, and the fact that only 600 availed themselves of that right is no evidence that the electors in Cairns in general do not favour it, nor is that fact the concern of anyone other than the electors of Cairns. The fact that it was not exercised by more electors at that by-election does not give us the right to take that privilege away from the electors of Queensland in general.

I suggest that the Government withdraw the Bill. If they desire to do something along these lines then let them have the courage to include it in their policy speech at the next election and see what the people will say to it.

Mr. COPLEY (Kurilpa) (2.59 p.m.): Despite all the hot air that has been let off on this matter, hon. members must realise that any Bill brought before this House should, on principle, be brought here. There is a vital and just principle involved in that. I know that disreputable Governments occasionally bring down Bills for political expediency. Quite a number of hon. members of the Opposition have been saying that this is a fear Bill, that the Labour Party has introduced it out of fear, but let me say that in bringing down this Bill just after the Cairns by-election the Labour Party is showing its customary courage and determination to do what it believes to be right. I realise that this will not be a popular thing, but it is the correct thing. I think I am as good a judge of mob psychology as any other hon. member in this Chamber, and I realise that political capital will be made out of it, but we are doing a correct and courageous thing in bringing down this legislation.

At 3 p.m.,

Mr. MANN (Brisbane) relieved Mr. Speaker in the chair.

Mr. COPLEY: For the benefit of those hon. members who probably have not bothered to study political history, let me say that the methods of voting are straight-out voting, which is the system sought to be introduced by this Bill, the optional contingent vote, and the compulsory contingent vote, which is a form of exhaustive ballot. If it were possible to get all the electors of any constituency into a certain compound and get them to follow the system of exhaustive ballot, that of letting the last man drop out, then having a fresh ballot, you would get the most effective expression of the wish of the people. Compulsory contingent voting may have that effect, but because of its ramifications, and because we have aged people exercising a franchise, it might not be wise, if there are a number of candidates, to allow the compulsory contingent vote to be operative.

In 1885 the Elections Act was consolidated, and in 1892 sections 78 and 78E were incorporated. Section 78 deals with the absolute

majority. Section 78B says that a member must obtain an absolute majority of the votes polled. Then 78C deals with optional contingent voting, and that section, except with the amendment of a few wards, is virtually the sections we have in our Elections Act of to-day. The old Act went further and set out when a member was to be returned in electorates returning two members.

A Labour renegade by the name of William Morris Hughes, when he was in the Federal Parliament, was one of the first to realise that the best method of defeating Labour was to make voting as complicated as possible. If hon. members opposite will look at section 124 of the Commonwealth Elections Act they will see the method of voting. Not only did Billy Hughes deal with Senate voting but he also introduced the group system and made it as complicated as possible. One of the first acts of the Moore Government was to amend the Elections Act to bring it as close as possible to the Act passed by Billy Hughes in 1922. They amended it and they endeavoured to cut out the cross, but they did not have the courage to do the job properly. They retained section 74, which allowed a vote to be deemed formal so long as the intention of the voter was clear. We have heard a good deal about minority representation, but when we consider the provisions of the mongrel Act passed by the Hughes Administration to deal with voting for the Senate we shall find that the principle of "First past the post" enables the first man to bring in the second, third, and fourth candidate for his party. Instead of the man with the smallest number of votes dropping out and his preference being distributed, we have the spectacle of Myles Ferricks polling 130,000 odd votes, or about 20,000 behind the Tory leader for the Senate. Neither Myles Ferricks nor any of his party was returned to the Senate. Where is the sense, where is the reason in that? Probably it was deemed advisable by the Hughes Administration to take all the party men first past the post. We have considered the methods of voting and although a considerable quantity of water has gone under the bridge since the Act of 1885 was passed, I have noticed that hon. members opposite, who are crying to-day about the Bill, are the hon. members who are in Parliament on a minority vote. They speak about a fear complex on this side of the Chamber, but it must be obvious to every hon. member that the fear is in the hearts of the Opposition who are doing their very best to see if they cannot possibly retain their seats on minority representation.

Mr. LUCKINS (Maree) (3.12 p.m.): I have listened with peculiar interest to the speeches by the Attorney-General and other hon. members opposite in trying to arrive at the real reason for the Bill, but up to the present I have been disappointed because nothing has been said by them to show why this has been done. The present Act gives the elector the important election right of a second choice for a political candidate, which I think is to be preferred to the idea of restricting it to the principle of "First past the post." It would be well for the Government to reconsider their decision and to retain all the existing rights instead of depriving the citizens of any of them. As a matter of fact, this is the testing time of democracy and anything we do to restrict the franchise and thereby destroy our faith in democracy will have repercussions. It occurs to me again that there is the old saying, "Self-preservation is the first law of nature," but I should prefer to quote Labour's modernised version of "Self-preservation is the first law of the Labour Party." This is a desperate attempt by the Government to destroy the rights of the people, and it is my intention to tell the people that the Government have introduced it for their own preservation, that they desire to retain power without giving the people the democratic right of enjoying the largest and broadest measure of franchise it is possible to give them. Instead of introducing such a retrograde measure in the dying hours of the session, the Government should withhold it and put it to the test at the two by-elections that are looming.

I thought we should have had some encouragement from the ex-Premier, as he made a Press statement to the effect that he intended to resign his seat in this Parliament on 10 November and take another appointment. The by-election for his seat could be used to test whether the electors showed they wanted this amendment of the franchise or otherwise. It would have been a nice gesture on the part of the Government to use that occasion to get a mandate from the people. They have no such mandate, and therefore no authority. After all, it is the people who are the masters of the Government. The citizens' right must be safeguarded at all times notwithstanding the political party in power for the time being. I appeal to the Government to withdraw this Bill and test the feeling of the electors on it at the forthcoming by-elections. That is the only method of obtaining a true reflex of the opinion of democracy. If not, the Government will deprive the citizens of their rights.

Mr. J. F. BARNES (Bundaberg) (3.18 p.m.): To my mind there are three good points associated with this Bill that have no real relation to its principle. In the first place John Brown, the hon. member for Logan, has been the only sincere speaker. The other contributors to the debate spoke with their tongues in their cheeks. In the second place, the hon. member for Bowen has taken his defeat heroically, for he has smiled all the way through while the lips of his colleagues have dropped to the bottom of their chins. The third point is that the balance of the arguments for the Bill have been so weak that I cannot understand why the hon. members rose to speak. They would have shown discretion had they remained silent. Their argument has been as weak as that of the Minister who introduced it. They proved that the Bill has been introduced for party gain, nothwithstanding that it will rob the people of their rights. I feel very sorry now that I won the Cairns by-election as it has caused all this trouble. Perhaps I should

say that I feel very sorry I did not use "How to Vote" cards at the polling-booths as had I done so I should have wiped out the majority of 58 votes the official Labour candidate gained on the primary votes. Had I done so this Bill would not have been brought down, as this is austerity time. As campaign director of that election I should feel ashamed of myself for not eliminating the Government's majority on the primary vote.

The Secretary for Public Works: You had no preference on your placard. That is your policy.

Mr. J. F. BARNES: I compiled my book seven weeks before the Cairns by-election. Then I did not know how many candidates would be in the field, so I could not advocate the use of preference votes. Last night I read out my advertisements, showing that I advocated the use of the preference vote; and because I gained those preference votes Labour is now squealing because its campaign director failed to get in its candidate. Why do the Government not take it? They cannot take it. They will have to take it.

At 3.20 p.m.,

Mr. SPEAKER resumed the chair.

Mr. J. F. BARNES: This principle of the Act under discussion was enacted in 1892. It is in the platform of the Labour Party. Last night I quoted clause 55 of the constitution of the Queensland Labour Party in support of my statement. When I did so an hon. member opposite waved a yellow book—mine was a red one—and suggested that the book I read from was out of date. Hon. members will notice they never read from the yellow book the provision with respect to contingent voting. The only difference in the books was the fact that mine had a red cover and the book displayed by an hon. member opposite had a yellow one.

It has been suggested that this is another of my publicity campaigns, that I gave the Government £100 to bring the Bill forward. If that is so I cannot be blamed for taking advantage of the ignorance of the Government. The day I was elected I said it would not be long before my party, instead of being a party of one, would be a party of 43. The Government party now totals 39 so it will not be long now before I shall supplant them.

The hon. member for Merthyr made some reference to mushroom parties and remarked that they get financial help from other sources. All that I have to say about that is this: Nobody helped me in Bundaberg to win my seat except myself; and to win the Cairns seat I went £65 in debt, and I hope the hon. member for Merthyr is correct and that some guy comes and pays it to me.

Mr. PIE (Hamilton) (3.22 p.m.): As I spoke on this last night I do not propose to traverse the ground again; but there is one important point I wish to bring before the House. We must analyse the Government's reason for bringing this Bill before the House. I take it that before the Bill came before the House, in accordance with the usual practice, it was submitted to caucus. I take it that before the Opposition decided to do anything they, too, submitted it to the party. As an Independent, I think this measure could be regarded on a truly non-party basis, for this reason: we are not taking away the rights of this House, but we are taking away the rights of the people to vote; therefore, the matter should be regarded on a strictly non-party basis. We know it must have come before caucus before it came to this House. Suppose there were 40 at the caucus meeting, and 30 were for it and 10 against. That means with 24 people on this side, that there is a majority against it. That is the point I want to make, that there was a majority in this House against it. Of course, it is pure supposition that in caucus there were 30 for it and 10 against it. In my opinion, there are more people against this Bill—if they are honest and regard it strictly on a non-party basis—than for it. Therefore, I hope the Minister will reconsider his decision, even at this late hour, and submit the matter to the people instead of taking away their rights without consulting them.

Mr. POWER (Baroona) (3.25 p.m.): I do not wish to prolong the discussion. I point out to hon. members that in the Sandgate election there were 11,276 on the roll, and 11,708 votes were polled in the electorate from that number of people. That goes to show that the system of voting in operation should be changed and we should get back to the system adopted by the Mother of Parliaments in the Old Country. As I dealt with this matter last night, I do not propose to belabour the question or indulge in tedious repetition, but I take the opportunity of pointing out to the hon. member for Isis, who said his Government had done everything they possibly could and were eager at all times to see the electors have the right to operate the fanchise, and that they had a mandate from the people to make a change in the method of voting in the local-authority election, that those statements are not in accordance with fact. We find they had no mandate, and we do know they deprived many thousands of people of a vote.

An Opposition Member: We did have a mandate.

Mr. POWER: They had no mandate and it was not in the policy speech of the Moore Government. Does the hon. member for Isis suggest that the Moore Government carried out all the promises they said they would carry out in their policy speech? I point out that they never carried out one promise. However, that is by the way. I dealt with this matter last night, but seeing the Opposition have raised it again this morning, I believe I should endeavour to counter their unfair attacks on the Minister and their unjust criticism of the Government. We know that as a result of the system of bringing in the property vote for the local-authority elections throughout Queensland many thousands of people were deprived of a vote.

Mr. SPEAKER: Order! I point out to the hon. member that the hon. member for

Logan was told he was out of order in referring to matters such as that, and I cannot remember any other hon. member who has raised the question since, except the hon. member for Baroona. That matter is completely out of order. There are two principles involved in this Bill and that is all.

Mr. POWER: I was not in the Chamber when you drew the attention of the hon. member for Logan to it, but I want to say that the hon. member for Isis stated that his party had a mandate from the people to alter the franchise. I was sitting here when he made the statement.

Mr. SPEAKER: Order! He said nothing about the municipal elections.

Mr. POWER: He said his Government believed every member of the public should have the right to record his vote. In 1929 many thousands of names were removed from the electoral rolls, many thousands of people were deprived of the right to vote, by the action of the Government in forcing men to travel many miles from their homes before they could obtain rations. An unemployed single man in Brisbane, with his father also unemployed, had no right to obtain rations unless he travelled to another place, and consequently thousands were deprived of the right to vote.

Mr. SPEAKER: Order!

Mr. YEATES (East Toowoomba) (3.28 p.m.): I was astounded at the Government's submitting this Bill to the Committee in the first place. During the four years I have been in this Parliament I thought that the Government did at least measure up to the curate's egg, that they were good in parts. I now find that is not so. The Minister for Transport when dealing with a Railway Bill initiated by the Moore Government referred to it as a "monstrosity," but I say the word should be applied to this Bill. It is a monstrosity to bring the Bill down in the dying hours of this session. The Attorney-General, in bringing down this Bill, could be likened to the little boy whistling in the dark cemetery. He wanted to get it over. He was ashamed, anaemic, nervous, and puerile in his speech for this Bill. I have listened to debates in other Houses of Parliament, but never in my life have I listened to a more slipshod, half-hearted, milk-and-water exposition. He had no reason for it at all. Why has he never come forward with a reason? He is ashamed. He would not answer questions last evening nor this morning, I class it as barefaced audacity to bring down a Bill that takes from the electors the right they have enjoyed for 50 years and amends an Act that has stood the test of time since 1892. Had I my way I should have brought down a Bill to bring in compulsory preferential voting, but apparently the Government think that the end justifies the means.

What does the Acting Premier think of all this? He is an honest man. I have known him for some time. What has he to say about all this? I should like to hear him before we leave, and for that matter I am willing to stay right here. I have no desire to rush away. I have a duty to perform, and I will see it through.

I submit this illustration to the House—

Candidate A, 2,000 votes.
Candidate B, 1,999 votes.
Candidate C, 1,998 votes.

Under the system that hon. members opposite are foisting on the people of Queensland, 3,997 persons will be disfranchised. Do you believe in that, Mr. Speaker? I know you do not.

The official figures just supplied to me by the Chief Electoral Registrar of Queensland for the elections in 1938, East Toowoomba electorate, are—

Primary count.	
Annand	1,986
Kane	3,831
Yeates	2,628
Final count.	
Yeates	4,198
Kane	3,977
Majority for Yeates ..	221
1941 election.	
Kane	3,904
Yeates	4,621
Majority for Yeates ..	717

On the next occasion it may be 1,717. I am not here to brag, but I am confident in anything I take up. Hon. members of this so-called democratic Government got up in this House on two or three days and nights a week or two ago and claimed to be wonderful democrats. They stated that the Constitution of Australia must not be altered without a referendum, that the constitutional proposals must be submitted to the people, but what do we find to-day? These very ardent supporters of the people's rights submit exactly opposite arguments to-day, and I defy any one of them to say they do not. In the last days of the session they are filching from the people of Queensland the right to exercise a contingent vote, which they have enjoyed since 1892. It is obviously a flat contradiction of democracy. Moreover, it is an insult to the average elector. Even the man walking along the street, the man who just goes along slowly and has a drink, and then another, can see through it. This is an attempt to filch a right to which the people are entitled, a right that they are entitled to retain. I do not care twopennyworth of straw about parties. I am speaking now about the people's rights, and I stand up for them. I represent fully 20,000 people, men, women, and children, in East Toowoomba, and I am going to stand up for the rights of every one of them, no matter how they voted or for whom they vote in the future.

This contingent voting is as simple as ABC. Here we find hon. members on the Government side insulting the intelligence of the electors, and I am ashamed that my friend Frank Bulcock is amongst them. It is no wonder he is leaving this Parliament.

I suggest that the Government give the people compulsory preferential voting. If they will not do that, then allow the system to remain as it is, and invite the best brains of the community to contest the elections so that the best man may win. If there is a man more fitted than I am to represent the people of East Toowoomba his proper place is here standing up for the rights of Queensland and Australia. I have noticed certain political jugglings on the part of this Government, but this Bill is unquestionably the worst of the lot because it strikes at the very roots and essence of democracy. Are there any Government supporters who are men enough to get up and stand on their own feet. I fully expected the hon. member for Dalby and others to do it. Are they going to be rammed into caucus and told what to do by just a slight majority there? They believe in majority rule in caucus, apparently, and, that being so, why do they not believe in majority rule when it comes to the election of representatives of the people?

This Bill will be confusing to the electors of Queensland if it is carried. We might have a Federal election next year—not if I know it; it will be an all-in Government, and there will be no election—and the people will be told to vote one way, exercising their preference, and within a month or two there may be a State election and the people will then be told something else. All the time we have this muddledom and fiddlesticks for the sake of party interests. This Bill is designed to serve the Labour Party's interests, and the Minister's excuses for it are pitiful. I like the Attorney-General—he is quite a good citizen—but it was absolutely pitiable to see him introducing a Bill when he had no case. He had the lawyer on the Government side—probably he ought to have been Attorney-General, but it is none of my business—doing his best to make out a case for a Government who are slipping badly. You can see them getting down to the water line gradually—the sinking ship. I say emphatically that this is political cynicism on the part of the caucus. To make it plainer I want to say that it has been brought along wholly for selfish interests; it has been introduced for party ends. You know, Mr. Speaker, that when the Government do a good act I commend them for it. I have come here to speak my mind and to give credit where it is due, regardless of the party label.

This is what the great Alexander Hamilton had to say of democracy—

> "A representative democracy where the right of election is well secured and regulated, and the exercise of legislative, executive, and judiciary authorities is vested in select persons, chosen really and not nominally by the people, will, in my opinion, be most likely to be happy, regular, and durable."

Now let me give the opinion of another noted American, Thomas Jefferson—

> "No Government can continue good but under the control of the people. It is an axiom in my mind that our liberty can never be safe but in the hands of the people themselves."

Here is the opinion of another leading authority, "The Modern Encyclopaedia"—

> "In a democracy a party governs only by right of representing the will of the majority of the community. When, through the decay of political vitality among the people——"

Mark you, we have seen that in the last few years—

> " a party comes to represent only its own theory of government or the will of its leader——"

We have seen that, too—

> "a democracy is again inverted back into a system of autocracy—a transition which has taken place in several European countries in the years following the world war."

I feel that the Cairns by-election was a mighty fine reminder to the Government to bring along this Bill, which had been lying dormant on the shelves since the election in East Toowoomba in 1938. I know that it has been there from the remarks of some of the back-benchers. I strongly urge the Government to withdraw the Bill. If they will do that we can shake hands and say to the Attorney-General, "Good man; you did the right thing." That is the spirit of co-operation that has helped to make Queensland and Australia great. Of course, I know that this job was a difficult one for the Attorney-General, and I sympathise with him. He tried to sugarcoat the Bill so that it would go easily down the throats of the people. He thought that he could get it through quietly in the dead of night.

Mr. SPEAKER: Order! The hon. member is indulging in a great deal of repetition, and he must desist.

Mr. YEATES: Let me remind hon. members that Madam Roland said at the time of the French revolution as she approached the scaffold, "Oh, liberty, what crimes are committed in thy name!" This is not a tiddly-winking Bill; it is one of considerable importance. It is all very well to talk about saving paper—austerity. That was right enough, but it was only to lead us to believe that all was well. The purpose was to include some of the little things that really did not matter in the hope of carrying the big ones through. I do not blame the Attorney-General for trying to make the best possible case. This is a big public affair, but the public will not stand for it. I suppose the Bill will be passed by the aid of the Government's huge majority. I could tell hon. members how they got it, too, if you would allow me, Mr. Speaker, but I know you will not. They will not always have it. However I wish each of them personally well.

This is an important Bill affecting the public. If it becomes law, I intend going around Queensland after I have finished my share of the publicity in connection with the Austerity Loan, and show up the Government in a public way. Then I expect the Government will attempt to withdraw my pass under the Public Safety Act, so as to stop me from travelling. A lot of dictatorship is practised in this country.

Mr. SPEAKER: Order!

Mr. NIMMO (Oxley) (3.46 p.m.): I do not intend to recapitulate matters I discussed on the introductory stage. Contingent voting was first introduced for the express purpose of getting a true expression of the will of the people. People throughout the ages have met together and debated how to obtain that expression, and I am sure that the early Labour pioneers discussed it in their efforts to frame legislation that would enable a true expression of the will of the people to be given. Many methods have been adopted to get that true expression. We have had contingent voting and preferential voting, and the various Parliaments of Australia have led the way in an endeavour to discover the best method of getting that true expression of the will of the people. This Government are going back 50 years and undoing all the good work of the past.

Mention has been made of the British electoral system, but I would remind hon. members that frequently we read of results of British by-elections where of a possible 60,000 electors only 15,000 exercised the right to vote. Those elected representatives are not a true reflex of democracy as we know it in Australia, where every voter is encouraged to go to the ballot-box. Both the Attorney-General and the hon. member for Baroona said if it were not for contingent voting a number of Opposition hon. members would never have been returned to Parliament. Is it the objective of the Government to eliminate as many hon. members as possible of His Majesty's Opposition? Many countries have adopted the proportional system of representation, as they recognise the right of all sections to representation in Parliament. Is it not right that all sections of the people should be represented in this Parliament? A strong Opposition has a steadying influence on any Government. According to the argument from the Government benches, it is the duty of the Government to devise ways and means to prevent any but Labour representatives from entering Parliament. Pre-selection of candidates is one of the great drawbacks of democracy. It should be a criminal offence to permit pre-selection of candidates. If pre-selection did not operate, we could obtain a true reflex of the will of the people. Why should a small coterie get together and elect either a Labour or National-Country Party candidate? If six candidates desired to contest a seat under the auspices of Labour, and another six under the National-Country Party banner, they should all be allowed to stand, so that the people could make their own selection, but if we are to do that we must have compulsory preferential voting.

This Bill has emanated from the fear complex. The Government lost the Cairns by-election and the strength of their party is dwindling. I notice that the figures to-day are 24 on the Opposition side and 36 on the Government side, leaving out of the count the two men who have been put outside the pale. They may, of course, be whitewashed very shortly and be brought back into the fold again.

In conclusion I wish to quote an article that appeared in the "Telegraph" this afternoon, which sums up the position very accurately. It reads—

"Filching the Rights of the People.

"The State Government, that ardent verbal defender of the people's rights, is making a base and miserable attempt to filch away the very basis of representative Government by seeking to eliminate contingent voting.

"The attempt is base because it is a flat contradiction of one of the fundamental principles of the party and a flat contradiction of the essence of Democracy; it is miserable because the end of the session rush is being exploited in the hope that it will slip through virtually unnoticed.

"Mr. Gledson's vague and evasive explanation of the Bill and his gross effrontery in suggesting that preference voting was too complex for present-day electors demonstrate how little sincerity lies behind the move.

"Obviously the Bill is designed to thwart the will of the electors and to protect the Government.

"Under the contingent voting system, which is no great tax on the public mind that Mr. Gledson so despises, effect is given to the wishes of the majority of the people. They express their order of preference for the candidates, and the candidate who gets the majority of votes is elected.

"The Government, however, does not want a repetition of the Cairns by-election where the majority of the people expressed their disapproval of it. It would prefer to maintain itself in office by virtually disfranchising the people who do not support it and hoping for a majority from its party hacks.

"This one vote basis could enable a candate to be elected on the votes of a minority of the electorate, particularly when a number of candidates were facing the electors.

"Nothing could be more satisfactory for a Government which apparently fears the will of the people; nothing could be further away from the democratic principles of which that Government prates.

"The Federal Government, in its frankly stated quest for wider powers, must refer its wishes to the people for endorsement, but the State Government, which raised such a virtuous din about the Commonwealth's proposals, seeks to do something far more sinister without reference to the people.

"Even worse is the pitiable attempt to disguise its motive under the tattered cloak of Mr. Gledson's meaningless words and gratuitous insults to the intelligence of the people who elected the Government to power.

"The Bill is a glaring example of political juggling in its worst form and should be opposed by all Government members who retain some regard for the principles of Democracy."

In the dying hours of other sessions we have had spectacles of this kind. We had the Public Safety Act rushed through in the same way; we had the Liquor Act rushed through in the same way, and now we have this Bill rushed through.

I conclude by quoting the words of Abraham Lincoln—

> "You can fool some of the people all the time, all of the people some of the time, but you cannot fool all of the people all the time."

Mr. SPARKES (Aubigny) (3.56 p.m.): It is not my intention to take up much of the time of the House. I have listened carefully to remarks of hon. members on both sides. It has always been my habit to endeavour to weigh the evidence in a case after I have heard both sides, and after listening to the speeches on this matter I can say I have never heard one hon. member suggest the reason for the change. I admit the Acting Premier said that the system is in operation in the House of Commons. He is a man of very high intelligence, and after he said that I went into the matter carefully. I cannot bring myself to think that that was the reason that actuated the Government in bringing down the Bill. I could not imagine a Labour Government in Australia being swayed by a very conservative House in England; so I put that reason aside and I looked for some other reason for the change. I give hon. members on the Government benches their due and say that no doubt they wish to get the feeling of all the people. I believe a number on that side, as well as a number on this side, are in favour of compulsory preferential voting. They must be, because they have been in power for a number of years and compulsory voting goes back probably longer than I can remember.

Mr. Mann: It goes back to 1914.

Mr. SPARKES: That is 28 years ago and that is a long time. The idea behind compulsory voting was to make everybody vote. I had hoped that after a good night's rest, although certainly he had not much time last night, the Minister would have given further consideration to the matter and withdrawn the Bill. It is quite easy to be pigheaded, but it takes a statesman and a gentleman to admit that he has done wrong, and even at this hour withdraw the Bill. The feeling on the Government benches is that preferential voting is not wanted. The Attorney-General has stated that only so many voters made use of it, and the hon. member for Logan stressed the point.

Mr. Brown: They do not want it.

Mr. SPARKES: The hon. member now repeats it, but no doubt the same feeling obtained when single voting was made compulsory: the electors did not want to use the vote, so the Government decided to make it compulsory in order to ensure that they got the will of the people. I ask the Government to introduce compulsory preferential voting, which would give the feeling of every person who cast a vote. Then we should not have the ridiculous result that a candidate who polled 3,050 as against 6,000 or 7,000 polled by two or three other candidates would be selected.

The Cairns by-election has been thrown backwards and forwards across the House, but had a Labour nominee won the Cairns by-election he would have been elected on less than a 30-per-cent. vote. But compulsory preferential voting would have indicated the feeling of the people of Cairns and given them the representation they wanted. From time to time the hon. member for Bundaberg is held up to ridicule. I do not intend to comment on his position at all, but the success of his candidate in the Cairns by-election is a reflection on the people of Cairns, and definitely a reflection on the Labour nominee. A stranger goes into the electorate and wins the seat. It has been suggested here that he is a yodeller, but I would remind the Government that he defeated their candidate, and that is not very much praise to them. No bouquets have been thrown at their candidate by the result. If the Government wish to get the true feelings of the people, they should bring in compulsory preferential voting. Why should I or any other hon. member who holds an independent view not be permitted to stand for election because we hold those independent views? I have been elected to this Parliament. I have never received any support from any political body. I have paid my own way. Why should I be debarred from the right to stand as a candidate for election to Parliament?

A Government Member: You were not debarred.

Mr. SPARKES: The hon. member knows that I am not concerned with any particular party. If the Labour Party brings down a Bill in which I believe, I will support it; if not, I will not support it. If the House is honest with the people and wishes to give the people their right to select their candidate, it will make compulsory preferential voting the system.

Mr. SPEAKER: Order! The hon. member must remember that the question we are at present considering is preferential voting and not compulsory preferential voting.

Mr. SPARKES: I thank you, Mr. Speaker. I put the suggestion forward. It might be possible, even at this late hour, to induce the Government to withdraw the Bill and substitute something on the lines I suggest. I have no desire to say more than that if the Bill goes through the position will become intolerable. I say that advisedly, because I can see the position arising in which even members of the party opposite will walk into this Chamber on the votes of fewer than one-third of the people in an electorate.

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich) (4.3 p.m.), in reply: There is very little to which I need reply, except to give hon. members an idea of the hypocrisy of the Opposition by quoting from a previous debate in this House on the abolition of the contingent voting. What I

propose to quote will prove that hon. members opposite have been talking with their tongues in their cheeks, for I propose to show that on a previous occasion their party voted for the abolition of contingent voting in this State.

I go back to 1905, to the days when the late Sir Arthur Morgan was Home Secretary. He introduced an Elections Bill for the abolition of contingent voting, and I should like to quote from the words of Mr. Plunkett, who spoke on that Bill. That hon. gentleman was the father of the present hon. member for Albert, and he was a member of the same party as that to which his son now belongs. Mr. Plunkett said—

> "In 1892 an Elections Bill was introduced and the contingent vote was carried by 34 to 13. He was one of the 13 who voted against it. He did not believe in it then and did not now. It was represented that what led up to it was that there was a desire to make certain that members represented an actual majority of the electors. But that was not the object. When he came into the House Mr. Glassey was in it, and shortly after there was a by-election for the Barcoo at which Mr. Ryan was returned. The Government thought that something should be done to prevent men of that class getting into the House, and that was the object of the contingent vote. It was introduced for the sole purpose of keeping Labour men out of the Assembly, and it had not had that effect."

Those are the words of Mr. Plunkett, who was a member of the party represented here by the present Opposition. Mr. Plunkett says further—

> "He had never believed in the contingent vote, and was very glad that it was to be abolished, as it was a first-class instrument for swindling at elections. The primary votes were counted and signed by the scrutineers; but the contingent votes were not counted until afterwards, and that was where the influence of a partisan returning officer might come in, as had happened in his own case. The counting of the contingent votes after the primary votes gave opportunities for marking papers in such a way as to make them informal. The count of the primary votes at the election of 1896, which he contested, gave A 161; B 470; and C 472. The 472 votes were cast in his favour. At the declaration the returning officer said that one of the candidates was entitled to two votes more than he was credited with, and there would have to be a recount, and that the formal declaration would be made at a later period. The hon. member for Bulloo had said that the way the ballot-papers were initialled and sealed was no prevention against their being opened, and that was perfectly true."

Mr. Sparkes: Do you not know that they used to ride in bullock drays in those days?

The ATTORNEY-GENERAL: I do not know whether Mr. Plunkett used to ride in a bullock dray, but I understand he was an honourable gentleman who, though opposed to the Labour Party, was prepared to tell the truth in this House.

Mr. Brand: He was opposed to the then Labour Government, but apparently supported this Labour Government.

The ATTORNEY-GENERAL: If the hon. member can only think back far enough he will realise that there were no Labour Governments then. Let me go further.

Mr. Sparkes: Go further back.

The ATTORNEY-GENERAL: No, we are going further forward this time. The author of this contingent vote was the Hon. A. H. Barlow, who introduced it in 1892. Let us see what he had to say for it in 1905.

Mr. Luckins: What did he think of motor cars in those days?

The ATTORNEY-GENERAL: There are Oppositions, of course, who talk one way at one time and another way at another time in this House. The Hon. A. H. Barlow was speaking about the Fassifern election and he said—

> "One hundred and five persons voted for Dymock, 232 for Heiner, 350 for Jenkinson, 163 for Reading, and 176 for Wuersching. So that the sitting member on the primary votes had just 8 over-one-third. Three hundred and forty-two was one-third of 1,026, and he had 8 votes over one-third. Then the contingent votes were counted, and they were given as follows:—100 to Heiner, which made him 332; and 15 to Jenkinson, which made him 365. As they were the two top candidates, the contingent vote was not counted for anyone else. The result was that when Jenkinson had got his contingent votes he was only 23 over one-third of the persons who actually voted. On the primary vote there were 350 people who wanted him, and 676 who said they did not; and when the contingent vote was counted, there were 365 who said they wanted the sitting member, and 661 who said they did not want him. Could there be a more consistent and convincing argument as to the uselessness of the contingent vote? There were five candidates for the Fassifern electorate, where the people were of average intelligence, all scrambling for the contingent vote."

He had introduced the Bill in 1892 to provide for contingent voting and in 1905 he was speaking in favour of its abolition. He went on to say—

> "He did not know how it came about that the people did not use the contingent vote. All he could say was that they did not use it. That had been the case at every election that had taken place since the contingent vote had been in force. It had been on trial now for 13 years, and he, as the author of the contingent vote, for which he had battled, honestly and unhesitatingly said that it had been a failure.

He did not think the matter was worthy of any longer debate.''

The Bill was carried by a very big majority in this House but the Upper House voted solidly against it and for the retention of the principle of contingent voting. The Hon. A. H. Barlow himself battled hard for its abolition.

Hon. members opposite have discussed this principle for two days but only with the object of getting in a little bit of political propaganda. The introduction of the Bill did not depend upon the Cairns by-election; it did not matter a rap whether that election was held or not. The Bill is not introduced because of the result of one or two by-elections; it is introduced with the sole object of giving the people the benefit of the principle of one adult one vote, and one vote only.

Question—That the Bill be now read a second time (Mr. Gledson's motion)—put; and the House divided:—

AYES, 29.

Mr.	Brassington	Mr.	Larcombe
,,	Brown	,,	Mann
,,	Bruce	,,	Moore
,,	Bulcock	,,	O'Shea
,,	Collins	,,	Power
,,	Conroy	,,	Riordan
,,	Copley	,,	Smith, A. J.
,,	Devries	,,	Theodore
,,	Farrell	,,	Turner
,,	Foley	,,	Walsh
,,	Gair	,,	Williams
,,	Gledson		
,,	Healy		*Tellers*:
,,	Jesson	,,	Clark
,,	Jones	,,	Slessar
,,	Keyatta		

NOES, 15.

Mr.	Barnes, J. F.	Mr.	Pie
,,	Brand	,,	Sparkes
,,	Dart	,,	Walker
,,	Decker	,,	Yeates
,,	Edwards		
,,	Luckins		*Tellers*:
,,	Maher	,,	Macdonald
,,	Nicklin	,,	Massey
,,	Nimmo		

PAIRS.

AYES.		NOES.	
Mr.	Dunstan	Mr.	Clayton
,,	Cooper	,,	Müller
,,	Hanlon	,,	Plunkett

Resolved in the affirmative.

COMMITTEE.

(The Chairman of Committees, Mr. Brassington, Fortitude Valley, in the chair.)

Clauses 1 to 5, both inclusive, as read, agreed to.

Clause 6—Repeal of and new section 64; When candidate elected—

Question—That clause 6, as read, stand part of the Bill—put; and the Committee divided:—

AYES, 28.

Mr.	Brown	Mr.	Larcombe
,,	Bruce	,,	Mann
,,	Bulcock	,,	Moore
,,	Clark	,,	Power
,,	Collins	,,	Riordan
,,	Conroy	,,	Slessar
,,	Copley	,,	Smith, A. J.
,,	Farrell	,,	Theodore
,,	Foley	,,	Turner
,,	Gair	,,	Walsh
,,	Gledson	,,	Williams
,,	Healy		
,,	Jesson		*Tellers*:
,,	Jones	,,	Devries
,,	Keyatta	,,	O'Shea

NOES, 15.

Mr.	Barnes, J. F.	Mr.	Nimmo
,,	Brand	,,	Pie
,,	Dart	,,	Walker
,,	Edwards	,,	Yeates
,,	Luckins		
,,	Macdonald		*Tellers*:
,,	Maher	,,	Decker
,,	Massey	,,	Sparkes
,,	Nicklin		

PAIRS.

AYES.		NOES.	
Mr.	Dunstan	Mr.	Clayton
,,	Cooper	,,	Müller
,,	Hanlon	,,	Plunkett

Resolved in the affirmative.

Clauses 7 to 12, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

The ATTORNEY-GENERAL (Hon. D. A. Gledson, Ipswich): I move—

''That the Bill be now read a third time.''

Mr. NICKLIN (Murrumba): I move the following amendment:—

''Omit the word—

'now'

and add to the question the words—

'this day six months.' ''

Question—that the word proposed to be omitted (Mr. Nicklin's amendment) stand part of the question—put; and the House divided:—

AYES, 29.

Mr.	Brassington	Mr.	Keyatta
,,	Brown	,,	Larcombe
,,	Bruce	,,	Mann
,,	Bulcock	,,	Moore
,,	Clark	,,	O'Shea
,,	Collins	,,	Slessar
,,	Conroy	,,	Smith, A. J.
,,	Copley	,,	Theodore
,,	Devries	,,	Turner
,,	Farrell	,,	Walsh
,,	Foley	,,	Williams
,,	Gair		
,,	Gledson		*Tellers*:
,,	Healy	,,	Power
,,	Jesson	,,	Riordan
,,	Jones		

NOES, 15.

Mr.	Barnes, J. F.	Mr.	Nimmo
,,	Brand	,,	Pie
,,	Decker	,,	Walker
,,	Edwards	,,	Yeates
,,	Luckins		
,,	Macdonald		*Tellers*:
,,	Maher	,,	Dart
,,	Massey	,,	Sparkes
,,	Nicklin		

PAIRS.

AYES.		NOES.	
Mr.	Dunstan	Mr.	Clayton
,,	Cooper	,,	Müller
,,	Hanlon	,,	Plunkett

Resolved in the affirmative.

Motion (Mr. Gledson) agreed to.

The House adjourned at 4.38 p.m.