

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 28 FEBRUARY 1951

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Mr. SPEAKER (Hon. J. H. Mann, Brisbane) took the chair at 11 a.m.

QUESTIONS.

WATER FOR STATE HOUSES, MAIN STREET, TOOWOOMBA.

Mr. WOOD (North Toowoomba) asked the Secretary for Public Works, Housing and Local Government—

“1. Will he please state what steps have been taken to provide a water supply for the 32 houses being erected by the State Housing Commission at Main street, Toowoomba?”

“2. Can he give any idea when this service will be installed?”

Mr. HILTON (Carnarvon) replied—

“I regret that following on the strong representations of the hon. member for North Toowoomba and the hon. the Minister for Transport the problem referred to in the hon. member’s question has not yet been solved.

“1. In June, 1950, during an interview between the Housing Commission and the Toowoomba City Council, it was indicated that the Council had no piping available to supply the required water services and that if a temporary supply was required the commission would have to supply its own piping and that 3-inch piping would be the minimum to meet the temporary water supply to the houses. The commission had no 2-inch or 3-inch piping available and offered 1½-inch piping to supply a twin 1½-inch service. The council advised that a twin 1½-inch service would not provide an adequate service on such a high level area. The Town Clerk, Toowoomba City Council, has advised that the council ordered 74,000 feet of C.I. piping from overseas and 80,000 feet of fibrolite piping from Australian production, but so far has been unable to obtain deliveries from either source.

“2. The question of providing these residences with tanks is under consideration.”

POLICE INQUIRY, BULIMBA ELECTION.

Mr. NICKLIN (Landsborough—Leader of the Opposition) asked the Premier—

“1. Will he kindly make an official statement regarding the progress to date of the police investigation into the finding of gross fraud in the Bulimba Elections Tribunal Appeal?”

“2. Have the investigators yet questioned the officers concerned in the office of the Principal Electoral Registrar?”

Hon. E. M. HANLON (Ithaca) replied—

“1 and 2. The investigations, which are still proceeding, are in the hands of competent and experienced police officers. The question as to what form the investigations should take, or who should be interrogated, is entirely one for the investigating officers to determine. Neither I nor any

of my colleagues in any way interfere with police officers in the execution of their duty, and I can assure the hon. gentleman that no member of the Opposition or newspaper editor will be allowed to do so either. The investigations are continuing and if the perpetrator of the offence is discovered I give an assurance to this House that no matter who he may be he will be immediately charged and dealt with according to law."

NET ENROLMENT, STATE ELECTORATES.

Mr. NICKLIN (Landsborough—Leader of the Opposition) asked the Attorney-General—

"What was the net enrolment at 31 December, 1950, for (a) each State electorate, and (b) all electorates?"

Hon. J. LARCOMBE (Rockhampton) replied—

"The compilation of the rolls embodying the changes that occurred during the calendar year 1950 is now in progress, and it is anticipated that this work will be completed about the end of March."

OPEN SEASON FOR OPOSSUMS.

Mr. NICKLIN (Landsborough—Leader of the Opposition) asked the Secretary for Agriculture and Stock—

"In view of the widespread complaints regarding damage caused to fruit and vegetable crops by opossums in many districts, will he kindly give favourable consideration to the question of an open season for opossums this year?"

Mr. COLLINS (Tablelands) replied—

"The limited amount of damage by opossums to fruit and vegetable crops in cases reported to and investigated by departmental officers does not indicate that an open season for opossums is warranted. Power to deal with opossums in such cases is already provided in Section 24 of the Fauna Protection Act of 1937, which reads as follows:—'24. If it is proved to the satisfaction of the Minister or of any person authorised by the Minister to grant permits under this section that any fauna are in such numbers as to lead to serious damage to any vineyard, orchard, or garden, or to any crops or grass upon any land owned or occupied by any person, the Minister or such authorised person may permit in writing such person and/or his employees to take or kill any such fauna upon such land notwithstanding that the fauna may at the time be fauna in respect of which a close season is in force or that the land is included within a sanctuary.'"

STATE HOUSE SOLD TO MR. PEEL.

Mr. MORRIS (Mt. Coot-tha) asked the Secretary for Public Works, Housing and Local Government—

"1. Further to my Question of 5 December and his answer thereto, wherein he stated that plaster for the renovation of the residence Brisbane 1244, of Edith street, Enoggera, was expected in the near future, is he aware that, although some

repairs have been effected, the lounge of this residence has not been repaired since that date and still has visible cracks in the plaster on the walls?

"2. Will he advise when these repairs will be carried out?"

Mr. HILTON (Carnarvon) replied—

"1. No cracks were visible in the plaster of the lounge of this residence when it was last inspected.

"2. It is not intended to replaster this room."

SUPERVISION OF HOUSE BUILT FOR MR. MCPHIE.

Mr. MORRIS (Mt. Coot-tha) asked the Secretary for Public Works, Housing and Local Government—

"In respect of the house being built for Mr. McPhie at Mitchelton, will he advise whether the faults enumerated in the Housing Commission's letters of 18 August and 23 October have yet been rectified by builder Burgess and whether he has secured finality in this matter, as mentioned in his reply to my question of 23 November last year?"

Mr. HILTON (Carnarvon) replied—

"A conference was held at the office of the Queensland Housing Commission on 27 November last. Since then the contracting parties, Mr. and Mrs. McPhie and Mr. A. C. Burgess, have been negotiating through their solicitors for settlement of the matters under dispute."

SUSPENSION OF HOUSING INSPECTOR.

Mr. MORRIS (Mt. Coot-tha) asked the Secretary for Public Works, Housing and Local Government—

"1. Will he advise whether the Inspector of the Housing Commission, recently reported to have been suspended for permitting faulty concrete stumps to be passed as correct, was the same inspector who passed the concrete stumps, admitted to be not up to specifications, in the residence being erected for Mr. McPhie, at Mitchelton?"

"2. Will he further advise whether the official reason for this inspector's suspension was because he approved of faulty concrete stumps, or was there some other reason for this suspension?"

Mr. HILTON (Carnarvon) replied—

"1. The same inspector is not involved.

"2. The matter is sub judice."

SHORTAGE OF FRUIT CASES.

Mr. NICHOLSON (Murrumba) asked the Secretary for Public Lands and Irrigation—

"In view of the serious shortage and high cost of fruit cases and the heavy losses caused thereby, will he give favourable consideration to the following remedial measures, namely, (a) the release to case mills of such timbers (usually regarded as useless and unsuitable for building) as quondong, maiden's blush, marara, and white cedar, for the manufacture of fruit cases; (b) if the answer

to (a) is "yes," will he also give consideration to the waiving of royalties on such kinds of timber in order that the cost of such cases to the growers will be reduced?"

Hon. T. A. FOLEY (Belyando) replied—

"On Crown sales, the cutting of the species mentioned is not restricted, and the millers operating them are not prevented from sawing them or any other timber into case material. These varieties are readily accepted by sawmillers and are not unsuitable for use in building operations, as the hon. member suggests. For instance, quondong has always been regarded as a valuable timber. Is useful for linings, cabinet work, and turnery. Marara, similarly, is valuable, especially for interior use, such as flooring in buildings, and is extensively so used. White cedar is a very handsome timber. Its rareness prevents its common use in furniture. Maiden's blush is another timber which, if treated, is very suitable for furnishings and internal furnishings, and is often so used."

COMPENSATION FOR T.B. CATTLE.

Mr. NICHOLSON (Murrumba) asked the Secretary for Agriculture and Stock—

"In view of the heavy increase in the cost of replacement of dairy cattle destroyed under the T.B. provisions of the Diseases in Stock Acts, will he give favourable consideration to an appropriate increase in the amounts of compensation for destroyed cattle payable under such provisions?"

Hon. H. H. COLLINS (Tablelands) replied—

"As the status of the Stock Diseases Compensation Fund during 1950 permitted some relief to contributors, it was decided that a reduction in the rate of levy assessed would be more generally beneficial than an increase in the compensation rate, and action was taken accordingly. It should be appreciated that a diseased beast is of practically no commercial value and represents a potential menace to the remainder of the herd. The price for dairy products is based on a cost of production survey conducted by the Commonwealth, and herd wastage is a cost of production."

1.

February, 1951.

	19th.	20th.	-22nd.	23rd.
(a)	21	19	25	38
(b)	54	39	27	85
(c)	B18½ engine 5 carriages 1 mail van 1 baggage car	B18½ engine 5 carriages 1 mail van 1 baggage car	B18½ engine 6 carriages including 1 sleeping car for South-West plus 1 mail van and 1 baggage car	B18½ engine 6 carriages plus 1 mail van and 1 baggage car

2.

	19th.	21st.	23rd.
(a)	37	18	34
(b)	42	27	63
(c)	B18½ engine 6 carriages and 1 mail van	B18½ engine 5 carriages and 1 mail van	B18½ engine 5 carriages and 1 mail van

WATER FOR STATE HOUSES, NORTH STREET, TOOWOOMBA.

Mr. CHALK (Lockyer) asked the Secretary for Public Works—

"If piping is not available for the installation of water at the unoccupied State Housing Commission homes at North street site, Toowoomba, will the commission give an assurance to provide 1,000-gallon rain-water tanks and stands at each home immediately so as to overcome the difficulty and enable several families to whom the homes have been allocated to move into the homes without further delay?"

Hon. P. J. R. HILTON (Carnarvon) replied—

"See answer to question from the hon. member for North Toowoomba."

TRAIN AND ROAD PASSENGERS, HELIDON-TOOWOOMBA.

Mr. CHALK (Lockyer) asked the Minister for Transport—

"1. With regard to the evenings of 19, 20, 22, and 23 February, will he state— (a) How many rail passengers travelled on each of the evenings between Helidon and intermediate stations to Toowoomba on the passenger train known as 20 Up; (b) How many passengers travelled on the same evenings between Helidon and Toowoomba on the co-ordinated road service; (c) What engine power and the number of coaches comprised 20 Up between Helidon and Toowoomba on each of the evenings mentioned?"

"2. In relation to the mornings of 19, 21 and 23 February, will he state— (a) How many rail passengers travelled between Toowoomba and intermediate stations to Helidon on the passenger train known as 17 Down; (b) How many passengers travelled on the same mornings between Toowoomba and Helidon on the co-ordinated road service; (c) What engine power and the number of coaches comprised 17 Down between Toowoomba and Helidon on each of the mornings mentioned?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"In tabling the information, I wish to state that I shall at all times be pleased to furnish hon. members with the maximum information, but if the question asked does not, to any material degree, affect public interest and the amount of work involved taxes the staff available, I intend to exercise some discretion in authorising the collating of the necessary data."

PAPERS.

The following papers were laid on the table—

Orders in Council under the Abattoirs Acts, 1930 to 1949 (14 December, 1950), the Dairy Products Stabilisation Acts, 1933 to 1936 (18 January, 1951), the Primary Producers' Organisation and Marketing Acts, 1926 to 1946 (14 December, 1950 (2), 18 January, 1951).

Regulations under the Diseases in Stock Acts, 1915 to 1950 (2) (8 February, 1951), the Fruit Marketing Organisation Acts, 1923 to 1945 (14 December, 1950 (3), 21 December, 1950 (4), 15 February, 1951), the Poultry Industry Acts, 1946 to 1950 (18 January, 1951), the Primary Producers' Organisation and Marketing Acts, 1926 to 1946 (30 November, 1950, 7 December, 1950), the Stock Foods Acts, 1919 to 1935 (7 December, 1950).

PERSONAL EXPLANATION.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (11.17 a.m.), by leave: I wish to make a personal explanation. In reference to the statement by Alderman G. S. Stephenson in to-day's "Courier-Mail," under the heading of "Ridiculous Remarks," I wish to make it clear that I made no remarks whatsoever yesterday about the Ipswich by-election in 1949 and that I included the by-elections for Ipswich and Kurilpa in my amendment only because they had been included in the motion moved by the Premier, to which the amendment referred.

WANT OF CONFIDENCE MOTION.

STATE ELECTIONS.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (11.18 a.m.): I move—

"That the Government does not possess the confidence of this House, for the following reasons, namely:—

1. The failure of the Government to conduct an open public inquiry into the malpractices and gross fraud found by Mr. Justice Mansfield in the recent Bulimba Elections Tribunal Appeal.

2. The determination of the Government to proceed with further elections under the same electoral laws and with the same electoral officials as at the last State elections.

3. The cases of gross fraud proved in the recent Bulimba appeal were not confined to that electorate.

4. The delay by the Government in seeking to have Parliament called together to deal with the judgment of the Elections Tribunal.

5. The approval by the Government of Mr. Gardner's action in withholding his resignation as a member of the House, which approval indicates a contemptuous attitude by the Government towards the fundamental principles of democracy on which the Constitution of the State and the democratic rights of the people are founded.

6. That at the State elections in 1947 and 1950 the electoral boundaries were so arranged and so contrary to democratic principles that the Labour Party was enabled to secure office although, on each occasion, it obtained a minority of votes.

7. That under Labour legislation the electoral rolls for the two elections mentioned, and others, contained tens of thousands of excess and false enrolments and thus facilitated corrupt practices at the polls.

8. That although the attention of the Government has been drawn to the defects in the Elections Acts which facilitate excess and false enrolments, it has neglected to amend such Acts so as to prevent or reduce such facilities and has thus connived at electoral corruption."

We on this side of the House do not lightly submit a motion of this kind. We believe that the subject matter of the motion I have moved this morning contains such grave statements of fact that it is undoubted that the Government have lost the confidence, not only of this House but also of the people of this State.

Opposition Members: Hear, hear!

Mr. NICKLIN: The judgment of the Elections Tribunal delivered on 2 January of this year in the Bulimba appeal has served to highlight a general condition of electoral corruption that has existed in Queensland over a long period of years.

Mr. Hanlon: What is your authority for saying that?

Mr. NICKLIN: I will give my authority if the Premier will have patience.

By their electoral legislation the Government have instituted and connived at corrupt practices, and must accept the responsibility. What individuals may have done is of far less importance than the fact that their fraudulent practices have been facilitated by the legislation and administration of Labour governments in this State. The position as has now been revealed by the judgment in the Bulimba case fully justifies the passing of this motion.

I am sure that all hon. members on both sides of this House will agree that one of our most priceless possessions is our democratic right to elect the Government we want to govern us, and anything that is done in an attempt to take away that privilege should be resisted with everything in our power.

Elections based upon democratic principles and free from corruption are the foundation of liberty, and any Government worth their salt should ensure that our electoral machinery is, like Caesar's wife, above suspicion. Unfortunately, the actions of the Government of today, following the judgment that was delivered early in January, have shown that they have a contemptuous disregard for the purity of our electoral machinery. In fact, over the years members of the Labour Party have demonstrated very conclusively that they have not the slightest regard for the rights of the electors of this State, but are concerned only with saving their own political hides from the wrath of the electors of this State. By their actions in gerrymandering the electoral boundaries and by a lax administration of the electoral machinery of this State, the effectiveness of which has been broken down by Labour legislation, the State Government have made it very clear that they are concerned only, as I have already said, with saving their political hides at all costs.

Over the years elections have shown that but for these aids we should have had very few Labour Governments in this State. For example, in the 1947 election the Labour Socialist Party obtained only 43.6 per cent. of the votes but won 35 of the 62 seats. Again in the 1950 election, the Country-Liberal Party got 50.2 per cent. of the votes and Labour only 46 per cent., yet Labour won 42 of the 75 seats.

The gross fraud that has been proven in the Bulimba case is indicative of the general corrupt practices that have taken place in this State over the years. The public are shocked at the revelations that have been made. For years they have had their suspicions about our electoral machinery but very few of them thought for one moment that there were such gross fraud and such electoral corruption in this State as were proved by the findings of the Elections Tribunal in the Bulimba case. In fact, its findings have destroyed the confidence of the people in the entire electoral system of the State and at present there exists in the public mind considerable misgiving about the general state of our electoral machinery. This misgiving is growing day by day as a result of the Government's inaction and their contempt for the opinion and feelings of the people and their rights as electors. A duly constituted tribunal found that there were official incompetence and neglect and that gross criminal fraud was perpetrated in an election in this State. It also found that corruption and malpractice existed. Yet the Government sit back complacently and take no proper steps to deal with these very serious matters. There is only one right and proper way to clear this business up and the Opposition propose that that right and proper way should be taken. It is set out in the first paragraph of the motion, which says—

“...to conduct an open public inquiry into the malpractices and gross fraud found by Mr. Justice Mansfield.”

The same question is being asked by thousands of people in this State today: why are the Government not prepared to have

an open public inquiry? Have they something to hide? Are they frightened of the result of such an inquiry? They must be. No one can blame the public or anyone else for so thinking in view of the way the Government have acted after the startling revelations in the Bulimba inquiry. The Premier, supported by his Ministers and hon. members sitting behind them, have endeavoured to cloud the real issue by blaming everybody but themselves. Indeed, they have endeavoured to put the blame on the Opposition and to blame the “*Courier-Mail*” and other organs of the Press in the State. We as an Opposition are only doing our duty and if we did not take this action we should be recreant in our duty and if we did not take some drastic and firm action in an endeavour to clear this matter up we should not be fit to represent the majority of the people in this State, as we do.

Mr. Devries: You do not represent the majority of the people.

Mr. NICKLIN: We do represent the majority of the people. (Interruption.)

Mr. SPEAKER: Order! I cannot allow this interruption and heckling to go on. The Leader of the Opposition must be allowed to make his speech without interruption.

Mr. NICKLIN: I repeat that the Opposition are only doing their duty in bringing this matter before the House.

Mr. Collins: You did not bring it before the House.

Mr. NICKLIN: The Government are blaming us for bringing the matter up. Does the hon. gentleman think that we should sit back complacently and say nothing about this affair? If we did, we should be recreant to our duty and false to our trust as the representatives of the majority of the people. The Premier and the Deputy Premier have taken every opportunity afforded them to blackguard the “*Courier-Mail*” and other sections of the Press in this debate. The Press too have a responsibility to the public and they have accepted that responsibility. Irrespective of whether they hurt the feelings of the Premier, the Government or anybody else, the Press have properly brought the matter before the people.

Mr. Hanlon: They have the same responsibility as you have to tell the truth.

Mr. NICKLIN: I challenge the hon. gentleman to show that anything I say here today is not the truth. I will stand up to everything that I have to say. I ask the hon. gentleman to refute my statement that the Government have not done everything possible to have a full inquiry into this matter.

That is No. 1 question he has to answer. The people of this State demand that the Government, who are their representatives, even though they represent the minority of the people, should clear this matter up. Notwithstanding the fact that the Premier has blamed members of the Opposition and has

blamed the Press for this, that and the other thing, do not let us forget that we have no power to take action to clean this matter up except the line of action we are taking constitutionally here in this House. The responsibility rests entirely with the Government to take the necessary action to clear this matter up. (Government interjections.)

Mr. Burrows: They are not shirking their responsibilities.

Mr. Nicklin: They have shirked them. They apparently are not yet prepared to do their duty and accept their responsibility as a Government to institute that full and proper inquiry which is the only way to clear up the unsavoury mess that has been revealed by the Elections Tribunal's finding in the Bulimba election case. Right up to the present time the Government, as a Government, have shown no evidence whatsoever or any real desire to clean this mess up. Yesterday in this House the Premier refused an amendment from this side of the House because he alleged it would bring about delay to the investigations necessary to clean this business up, yet a little later in the debate he quite innocently said that he had a letter from Inspector Bischof dated 16 January this year asking for a certain action. Yet he sits back for six weeks and does nothing about it! These are the men who want speed and action to have this matter cleaned up yet demonstrate very clearly, by what the Premier said yesterday, that they are not concerned in doing so. That is shown by all the delays that has occurred so far. If the Premier had any real regard for cleaning this matter up immediately the Elections Tribunal report was furnished to the Government, he would have called this House together.

Opposition Members: Hear, hear!

Mr. Nicklin: It is interesting to note how eager the Premier and his Ministers are to clean this matter up. On 10 January this year the Premier, replying to a demand for a royal commission, said—

“There is no harm in them asking. It is a free world.”

He was not prepared to appoint a royal commission or anything else; he was just prepared to let things go along. Then a few days later, on 19 January, when replying to a demand for the calling of Parliament together, the Premier had this to say—

“The question of declaring the Bulimba seat vacant will be dealt with by Parliament. The Bulimba seat will be declared vacant if Parliament so wills.”

What did he mean by that? Did he mean he was going to use the majority he had to override the decision of the Elections Tribunal? (Government dissent.) Instead of doing the proper thing and calling Parliament together, he in effect said, “I will sit back and I will do what I desire with my majority.” Does that show any desire to clean this matter up? The Premier is not concerned to clean the matter up at all.

Then the Secretary for Health and Home Affairs was reported to have said that he washed his hands of the whole affair. It did not interest him if the whole electoral machine of this State was under gross suspicion.

Mr. Moore: Mr. Speaker, I rise to a point of order. I ask that that statement be withdrawn. I did not make that statement to the “Courier-Mail.” The “Courier-Mail” was not decent enough to print my reply. I ask that the statement be withdrawn and I want to tell the Leader of the Opposition that I will have a bit to say about it later.

Mr. Speaker: The Leader of the Opposition must accept the denial of the hon. gentleman.

Mr. Nicklin: May I call your attention, Sir, to the fact that I said, “He is reported to have said.”

Mr. Speaker: Order!

Mr. Nicklin: I will accept the Minister's assurance in that respect. In fact, what I quoted was what he was reported to have said. (Government interjections.)

Mr. Speaker: Order! I ask hon. members to allow the hon. gentleman to make his speech without continuous heckling.

Mr. Aikins interjected.

Mr. Speaker: Order! That refers to the hon. member for Mundingburra as well as to other hon. members.

Mr. Nicklin: On 7 February the Premier said that there had been no disagreement between members of Cabinet and him on the actions either of Mr. Gardner or the Government. So you can see by the statements by the Premier and responsible Ministers that they were not at all desirous of any speed in cleaning this matter up. They were prepared to let things go; they did not want an open inquiry. I ask again, why? Apparently they must be frightened.

Mr. Hanlon interjected.

Mr. Nicklin: The Premier is relying entirely for his defence of the action of the Government and their callous disregard for the laws of the State and the rights of the electors, on a campaign of insinuation and innuendo. They are endeavouring by all sorts of wild statements to show that members on this side are responsible for what happened in Bulimba. What tommy-rot! Even if that statement were correct, we are so convinced that everything is O.K. that we demand a full and open inquiry. That is the only way in which these insinuations can be refuted. This half-baked inquiry will not get us anywhere. We want a full and open inquiry. I think the evidence before this House absolutely demands that an open inquiry should be held. Anything that will be said on this side of the House will be in accord with provable facts; and, after all, provable facts speak for themselves. We do not bring a case before this House unless we can support it by the necessary evidence. I have given the necessary evidence that the Government do not want the open inquiry and for some reason or other are frightened of an open inquiry into the findings of the judge at the Bulimba inquiry.

Mr. Hanlon: Where is the evidence?

Mr. NICKLIN: The evidence is in the Judge's own findings, where he finds—not alleged—proven grave fraud. When it is found, gross fraud is taking place in the operation of our electoral system, is not that sufficient evidence to cause any Government who have regard for the purity of the electoral system to have an open inquiry straight away to find out where the fraud is and to clean up the matter up immediately?

There is need for this open inquiry because it is proved that the electoral laws allow those malpractices and grave frauds to continue. That these frauds do take place and personation takes place and that there are stuffed rolls in existence, there is ample evidence, as I shall show later. Let me put in the witness box one of the candidates concerned in the Bulimba by-election.

Do not let us forget that this gentleman is an ex-member of the Labour Party, a Mr. Marriott, a man who was conversant with what goes on in the inner workings of the Labour organisation. In a published statement he had this to say—

‘Factions in the A.L.P. complied ‘dummy rolls’ of voters who were dead, away from the electorate, absent overseas, or ill, so that they could be impersonated at general elections.’

He went on to say that members had voted again and again in electorates other than their own. Mr. Marriott was a member of the Labour Party for over 12 years, and in that statement he said he had been trying to clean up voting irregularities at plebiscites and elections since 1938. He said his information came from past experience and personal observations.

Mr. Hanlon: I often wonder how he won a plebiscite.

Mr. NICKLIN: It is all very well for the Premier to endeavour to smear somebody else.

The second paragraph of my motion concerns the determination of the Government to proceed with further elections under the same electoral law and the same electoral officials as at the last State election. This is a very serious matter, because it has been shown in the judgment of the recent Elections Tribunal that the electoral officers concerned did not carry out their duties in accordance with the law.

Mr. Hanlon: What electoral officers?

Mr. NICKLIN: The findings reflected grave suspicion on the Chief Electoral Officer and electoral officer of this State.

Mr. Hanlon: Which one?

Mr. NICKLIN: There is grave suspicion on these electoral officers and they will be under suspicion until they are cleared by an inquiry. Unfortunately for these officials, the Government are not concerned with them because they have refused an open inquiry that would tend to clear them if they are not guilty. We find that genuine ballot papers were used in these grave frauds. Where were these ballot papers obtained? We find that the envelopes in which these ballot papers

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were enclosed were evidently very carefully handled. It was not a rush job of taking the original ballot paper out of the envelope and substituting a false one. It must have been done very carefully and taken some considerable time. The evidence also showed that the Chief Electoral Officer of this State failed in his duty as laid down in the Elections Act.

Mr. Hanlon: Do you say the judge found that?

Mr. NICKLIN: I do that, definitely: he found that the Chief Electoral Officer held in the Chief Electoral Office these ballot papers seven to nine days after the voters took them in but the Elections Act very definitely sets out that immediately after these votes are completed the electoral officer shall forthwith forward them to the returning officer concerned. That was not done. For seven to nine days these ballot papers lay in the Chief Electoral Office and in view of the grave suspicion that now lies on the Chief Electoral Officer and officers working in that office who had anything to do with these ballot papers they should be relieved of their duties until it is proven beyond doubt they were not implicated in the fraud stated in the finding of the Elections Tribunal.

Nobody can come to any other conclusion than that grave doubt exists that all is not well in the Chief Electoral Office of this State when these things can go on. The Government are now going to proceed with by-elections under these same officers in charge of the electoral machinery of this State at a time when they are under this grave suspicion. In their own interests these officers should be suspended until they are proven not guilty, and it is the duty of the Government to suspend those officers and conduct the quickest and most open inquiry into the whole matter. In the meantime, the Government should certainly not conduct any other elections with those officers in charge whilst they are under this grave suspicion.

Mr. Hanlon: You write out a charge against any of the officers.

Mr. NICKLIN: The Premier is endeavouring to dodge his responsibility. It is not my responsibility; it is the responsibility of the Government to see that the laws of the land are carried out, and, above all, to see that the electoral machinery of this State in the conduct of any elections should be entirely free of suspicion. That is the responsibility of the Government, and if they do not accept their responsibility the matter is entirely on their own shoulders.

Mr. Devries: You do not accept any responsibility for your statements.

Mr. NICKLIN: I accept my responsibilities. I have said that grave suspicion exists. Grave suspicion exists in regard to the officers concerned, as is shown by the finding of the Elections Tribunal.

Mr. Hanlon: You make the charge.

Mr. NICKLIN: The Elections Tribunal made the charge and the Government, if they

had any regard at all for their responsibilities, should have acted on what the judge said.

Mr. Hanlon: Read where he makes that charge.

Mr. NICKLIN: The Premier can squeal as much as he likes, but he has got to take it. He cannot get out of his responsibilities that way.

Mr. Smith: I have heard that you are under suspicion.

Mr. NICKLIN: Then if I am I want a full inquiry to clear me. (Interruption.) I am not trying to get out of my responsibilities.

A Government Member interjected.

Mr. SPEAKER: Order! I ask the hon. member to obey my calls to order. I say to all hon. members that this is not a matter for hilarity. It is a serious matter and I ask them not to continue in the manner in which they have been doing.

Mr. NICKLIN: I pass on to Reason No. 3, that the cases of gross fraud proved in the recent Bulimba appeal were not confined to that electorate. I do not propose to develop my argument on that ground, because it will be covered by other speakers who will produce evidence to prove that gross fraud existed in other electorates besides Bulimba.

Mr. Foley: You have not submitted any evidence yet.

Mr. NICKLIN: The Secretary for Public Lands and Irrigation cannot get out of it that way. Let him answer what I have said and what will be said by other speakers on this side in due course. He will have his opportunity. Let him give his answer to the finding of the Elections Tribunal.

Reason No. 4 refers to the delay by the Government in seeking to have Parliament called together to deal with the judgment of the Elections Tribunal. The Premier made quite a song yesterday about delays and accused us of doing certain things that would bring about further delay in investigating fully the electoral scandal now under discussion. When an Elections Tribunal makes a finding, Mr. Speaker, its report comes first to you as the chief officer of this Parliament and it should be dealt with by Parliament as quickly as possible, particularly when it contains such grave charges as were contained in the finding that you laid on the table of this House yesterday. No excuse whatever exists for the Government's sitting back complacently for two months and for their failure to call this House together to give it an opportunity of dealing with the finding that was presented by the Elections Judge. The only reason that I can see for the Government's taking no action in this matter was that they did not want this House to discuss it because they did not want these things to be brought to the light of day. They did not want an open inquiry into the matter but wanted to keep

it hidden in the hope that the people of this State would forget all about it. Unfortunately for the Government, however, the people of this State have not forgotten all about it; in fact, they are very concerned about not only the gross fraud that has been revealed but also the failure of the Government to take some action as the result of the Tribunal's findings.

This is a very vital matter. In fact, it is the very core of our democratic system that our electoral machinery should be above suspicion. The failure of the Government to call this House together immediately after a report was received to the effect that a grave fraud had been perpetrated in the operation of our electoral machinery, shows that they have no regard whatever for the functions of Parliament or the rights of the electors of this State. The Government should have called Parliament together immediately after the receipt of the Tribunal's findings and given this House the right to discuss the matter fully and to take any action that it deemed appropriate. As I pointed out yesterday, the Elections Act provides that Parliament can take appropriate action when fraud is proven by giving directions to the Elections Judge to carry out certain inquiries and to take certain action. As I have said, if the Government had any regard for their public responsibility they would have called this House together immediately the Tribunal's findings were presented and given Parliament an opportunity to deal with the problem instead of sitting back as they did and doing nothing about it.

Further, when the Premier received the request from the inspector of police who is conducting the inquiry into this matter that some further action should be taken to enable him to carry out his investigations, even then he took no action to call Parliament together to give the inspector the necessary power. The Premier held that letter for six weeks before he called Parliament together. The quotation that I made earlier in my speech showed a contemptuous disregard for the rights of the people by the Government. The Government have fallen down completely on their responsibility to the people of this State by not calling Parliament together earlier and giving Parliament an opportunity of cleaning up this unsavoury electoral mess.

I now move on to the fifth reason, which reads—

“The approval of the Government of Mr. Gardner's action in withholding his resignation as a member of the House, which approval indicates a contemptuous attitude by the Government towards the fundamental principles of democracy on which the constitution of the State and the democratic rights of the people are founded.”

Immediately the Elections Tribunal gave its finding any man who had any regard at all for honesty in public life would have resigned his seat. The judge having found that he had been improperly elected he should have had no hesitation in resigning his seat, but instead of doing so Mr. Gardner even had the temerity to challenge the finding

of the Elections Tribunal. He did not exercise his legal right of challenging the finding by appealing but simply challenged it in a statement issued to the Press. I do not blame Mr. Gardner personally for the action he took because it was done with the connivance and approval of the Government, as the Premier has said. Public life in this State has sunk to a very low level when that state of affairs can go on, where a man improperly and illegally elected continues to retain his seat in this House with the connivance and approval of the Government. Surely anybody who has any regard for morality in public life must be alarmed and disgusted with any Government who act in that way and insist that Mr. Gardner retain his seat after he has been declared illegally elected?

Let us go back a little in the political history in this Commonwealth and contrast Mr. Gardner's action with that of the late Alfred Deakin after he had won his first election. Because of a small irregularity at the polling he promptly resigned when it was pointed out to him. The small irregularity was that one polling booth had run out of ballot papers and about four electors were deprived of their votes. Although Mr. Deakin had a majority of 97 he believed he was not properly elected and immediately resigned. We want more of that kind of morality in public life and less of the morality displayed by the Government in having Mr. Gardner retain his seat after he had been declared by a competent tribunal to have been improperly elected.

I now move to paragraph 6, which deals with the gerrymandering of the electorates that took place in this State over the years and particularly at the State elections for 1947 and 1950, when the electoral boundaries were so arranged—

Mr. Power: Go back to 1929-32.

Mr. NICKLIN: I am quite prepared to go back to 1929-32. At the moment I am going to show that at the two elections in 1947 and 1950 there was such an arrangement of electoral boundaries that it gave a tremendous advantage to the Government and permitted them to have a big majority of seats in this House although they represented a minority of the people.

At the State elections for 1947 the total net enrolment was 697,000. The electoral quota was 11,248, with a maximum of 13,497 and a minimum of 8,999. In that election 23 of the 62 electorates were outside the prescribed limits and it is very interesting to note that 10 of the 11 electorates below the statutory minimum were represented by Labour. Ten of 11 electorates below the statutory minimum were represented by Labour! Charters Towers, virtually a city electorate, had 8,306 fewer enrolments than the country electorate of Murrumba.

The Government allowed this state of affairs to come about in our electoral machinery contrary to the provisions of the Elections Acts because it gave to the Government a very definite political advantage. That has been the attitude of the Government all

through toward the Elections Act. Over the years they have introduced amendments into the Act that have given them a definite political advantage and they have used the Act in such a way, by not exercising its provisions, as to give themselves such a political advantage that they have ruled as a minority Government for many years. As I pointed out in my earlier remarks, if we had had decent electoral machinery we should not have had the long run of Labour Governments we have had because the people have shown definitely that they do not want Labour Governments, as they have given them a minority of votes.

Mr. Hanlon: How do you account for the win in 1932?

Mr. NICKLIN: The Premier and the Minister for 1929-32, the Secretary for Mines and Immigration, want something about the 1931 electoral redistribution. I will tell them. When the Moore Government were elected they found that there was then, just as there is now, a considerable mess in the electoral machinery. They brought about a redistribution.

Mr. Jesson: They wiped out eight Labour seats.

Mr. NICKLIN: They wiped out eight seats, and rightly so, and they tightened up the electoral machinery, which resulted in the elimination of such things as over 100 people giving their address as at a certain boarding house in South Brisbane that had only 12 beds. That is the sort of thing that went on under Labour administration and that it was found necessary to clean up under non-Labour administration.

Let us come back to 1929.

Mr. Hanlon: Your Government struck 88,000 names off the roll then.

Mr. NICKLIN: If those names were taken off the roll they deserved to be taken off the roll. You could strike 30,000 or 40,000 names off the roll now without any trouble. At the general elections in 1929 the enrolment was 490,338, the statutory quota was 6,810, the statutory maximum 8,172 and the statutory minimum 5,448. There were then 31 of the 72 electorates that were outside the limits laid down by the Electoral Districts Acts, 1910 to 1922. In view of that fact do you not think that any Government with any regard for their responsibilities would take some action? Of course they would. That is what the Moore Government did. Let us look at the electorates that were above the statutory minimum and those that were below the statutory minimum. There were three Labour electorates above the statutory maximum and ten non-Labour electorates above the statutory maximum. There were 12 Labour electorates and one non-Labour electorate below the statutory minimum.

Mr. F. E. Roberts: Do you want that state of affairs continued?

Mr. NICKLIN: No, we do not; it was cleaned up in those days as it should have been cleaned up.

The statutory maximum, as I have said, was 8,172, but 13 seats were above that limit. Of these non-Labour held 10, eight of which were above 8,700; and Labour held three, only one of which was above 8,700. The statutory minimum was 5,448, but 18 seats were below it, and of these non-Labour held only one and Labour held 17, ranging downwards from 5,415 to 2,652. There were actually nine Labour electorates with fewer than 4,000 electors. Yet hon. members complain because some Labour electorates were wiped out! Obviously, under a fair redistribution of electorates the majority of the 10 electorates to be eliminated had to be Labour because they were so far below the statutory minimum provided. In fact, although Labour members allege that that distribution was unfair, Labour won the 1932 election on it; it could not have been so unfair to them.

Let us analyse the result of that election. The Country-National Party gained 29 seats with an average of 7,771 votes per seat won, and Labour won 33 seats with an average of 7,569 votes per seat won. It was one of the fairest and evenest elections held in this State. That is a plain answer to the allegations of the Secretary for Mines about the allegedly unfair redistribution carried out at that time.

Now I return to 1950, when the redistribution under the zoning system gave such a tremendous advantage to the Labour Party. The Labour Party sensed that it was on the way out and it devised this iniquitous scheme of zoning the State with the idea of saving the political hides of its members; and it succeeded remarkably well from its point of view because although the party only got 46 per cent. of the votes Labour had a handsome majority in this House.

May I point out that in the drawing of the electoral boundaries in the redistribution the provisions of the Act were fractured on a number of occasions. The Electoral Districts Act of 1949 contained a clause dealing with community or diversity of interest and means of communication, yet, Mr. Speaker, when objections were lodged to the boundaries drawn under that redistribution pointing out that every provision laid down in regard to community of interest had been broken, every petition lodged from this side was just wiped out.

That is the sort of thing that has been going on in respect of our electoral machinery and that is why we say in this motion that by such unscrupulous gerrymandering of electoral boundaries, the Labour Party has gained electoral advantage that is not in the interests of democracy or in accordance with democratic principles.

The last redistribution has brought about the anomaly that the member for Clayfield, who obtained 7,459 votes, has the same voting power in the House as has the hon. member for Flinders, who obtained 1,907 votes.

Hon. members opposite call that democracy but I say it is the very antithesis of democracy and it is very much akin to what has happened in countries under a totalitarian regime, countries in which they have only the

one candidate. We here are approaching perilously near to that condition of affairs as the result of the gerrymandering of electorates and the Government's adjustment of the elections machinery in this State. The House should very emphatically not only signify its disapproval and abhorrence of such a travesty of democracy but should insist upon the insertion in the Constitution of this State of a provision that would prevent any recurrence of the position that we find existing in Queensland today.

I come to the paragraph of the motion that reads—

“That under Labour legislation, the electoral rolls for the two elections mentioned, and others, contained tens of thousands of excess and false enrolments and thus facilitated corrupt practices at the polls.”

There is no doubt that the best way to eliminate the corrupt practices that have taken place in this State would be to have clean electoral rolls; but it is not in the interests of hon. members opposite to have clean electoral rolls. Every legislative action taken since Labour came to power has been aimed at breaking down the checks that were previously in the Elections Act to prevent dual enrolment, personation, and unclean rolls. Because Labour benefits as the result of the grossly stuffed rolls in this State, it allows such a state of affairs to continue.

Let me deal briefly with the pre-Labour legislation as to the keeping of rolls. The Elections Act then provided for the holding of bi-monthly registration courts for each electorate to deal with (a) claims for enrolment, and (b) removal of names of persons who had died, become disqualified, or left the district for two months or upwards. The procedure was to advertise the list of persons intended to be removed and send a notice of such intention, and the reason therefor, to the elector at his address on the roll. If proof of right to remain on the roll was not furnished, the local court struck out the name of the elector concerned. The court could also question the validity of any claim for enrolment. Rolls were thus revised, locally, at least six times per annum. As a result of this, there were reasonably clean rolls in Queensland.

As a protection for persons temporarily leaving their addresses, such as seasonal or nomadic workers, the Act provided—

“Absence therefrom, if there is a power of returning at any time, and an intention to return, will not prevent a legal residence.”

Quarterly as well as annual rolls were printed. This did not suit the interests of the Labour Party, because in 1944 it abolished the quarterly roll. Since Labour was elected in 1915 it abolished these checks on the electoral rolls that prevent roll stuffing by amending the Elections Act, changing the residence qualification from 12 months in Queensland and two months in the electorate to three months and one month respectively.

The bi-monthly registration and revision courts were abolished. Apart from removal of electors who had died or become disqualified through convictions, electoral registrars could not remove the name of a person who had left the district unless the objection showed that the elector had obtained enrolment for some other district.

The new Act omitted the provision that the place of residence in any claim for enrolment must be described so as to enable it to be easily and clearly identifiable. It provided that the witnessing elector could be for any district instead of for the district for which the enrolment was claimed.

Immediately after the amendment to the Act in 1915, an Act that facilitated enrolment of persons without residential qualifications, the number of people enrolled jumped greatly.

Mr. Hanlon: That is the crime?

Mr. NICKLIN: It is not a crime. The previous electoral laws did not prevent any body who was legally entitled from getting onto a roll but they prevented those who were not legally entitled from getting onto a roll. Labour legislation facilitated this illegal enrolment and, as a result, brought about the corrupt electoral practices that have taken place in this State, such as those revealed in the recent Bulimba election. In those days the rolls were reasonably pure and we did not, as Mr. Marriott pointed out, have the possibility of lists being compiled by Labour organisers of people who were dead, and we did not have gangs of impersonators working on election day.

What is more important in regard to the keeping of electoral rolls up to date is the fact that the previous local check of electoral rolls was removed and we had a system of centralised checking under which everything was done in the Chief Electoral Office instead of in the various electorates where the electoral registrars had a knowledge of local conditions and a knowledge of those seeking enrolment as well as information as to those who had left the electorate. Hon. members opposite contend that they are advocates of decentralisation but they are certainly not advocates of decentralisation in regard to electoral rolls. They want things centralised in the office in Brisbane so that they can get the stuffed rolls.

(Time, on motion of Mr. V. E. Jones, extended.)

Mr. NICKLIN: I thank the hon. member for his courtesy.

The effect of this Labour legislation regarding enrolment was shown immediately in what followed, and if hon. members opposite want evidence, here it is. In the three years following the passing of the 1915 Act the net enrolment increased by 122,355 although in the same period the adult population increased by only 411. Opportunities for dual enrolment existed and I repeat that although the population increased by only 411

the enrolment figures increased by 122,000-odd. For the 1920 elections the net enrolment was 22,533 greater than the adult population as disclosed by the census of 4 April, 1921, six months later. Who can deny the correctness of the census?

Hon. members opposite ask for evidence. That is unanswerable evidence of the condition of the electoral rolls of this State following the amending of the electoral machinery by the Government and the lax provisions for the checking of enrolments. On many occasions since 1920 the net enrolment for elections has exceeded the adult population of the State. Should we have more names on the electoral rolls of this State than there are adults in the State? The essential thing to prevent the making of a proper check is an over-stuffed electoral roll. Hon. members opposite are quite happy to have these corrupt electoral practices in our midst and still desire to have the present loose machinery that permits the use of stuffed electoral rolls. As I have said, census figures have proved that there are many thousands more names on the rolls of this State than there are adults in this State.

Anybody who has studied electoral rolls knows that in a pure roll one cannot hope to have more than approximately a 90-per cent. enrolment, because there are persons in mental hospitals and in gaols, unnaturalised persons and persons otherwise disqualified under the Act who may be included in the census but who are not entitled to be on the roll. In addition, many thousands of people who are qualified to be on the roll neglect to enrol. As the result of investigations by electoral authorities in many parts of the world, it is accepted that a pure enrolment should not exceed 90 per cent. of the adult population, yet for the 1920 elections the net enrolment was 22,553 greater than the adult population as disclosed by the census in April, 1921.

Then we move on to 1947. The adult population on 30 June, 1947, was shown by the census to be 702,102. When the rolls closed in March, 1947, it would be over 4,000 less, that is, 698,000. The net enrolment was 697,405, that is, about equal to the total adult population of the State. A minimum pure enrolment, that is, 90 per cent., would have been 629,000, so that there were 68,000 excess names on the roll. There were more names on the State rolls in April, 1947, than on the Commonwealth rolls for the elections in 10 December, 1949, 32 months later notwithstanding the fact that the number of persons in this State available for enrolment in that period of 32 months had shown a considerable increase.

The same conditions existed in the 1950 elections, and evidence extending over 35 years shows conclusively that Labour legislation and administration create inflated electoral rolls and facilitate false enrolments, which provide opportunities for corrupt practices. That is why we say that it is the duty of the Government to clean up our electoral rolls and remove the possibility of corrupt practices.

And now I move to the final reason in our motion, which says that although the attention of the Government has been drawn time

and time again to the defects in the Elections Act that facilitate excess and false enrolments, the Government have refused consistently to amend the law in order to bring about pure rolls in our State.

And why? The reason is that it suits the political purpose of hon. members opposite to have this state of affairs in existence. I think that the factors I have presented to the House this morning are more than sufficient evidence to show that the Government have lost the confidence of this House as well as the confidence of the people of this State and more than justifies the action of the Opposition in moving the motion.

Let me sum up. It is true that through a most unscrupulous gerrymandering of the electorates the Government have twice obtained office on a minority vote and the Government's minorities have included fraudulent votes—not only are they content to be elected on a minority of the votes, but their minority includes fraudulent votes. Corruption in State elections is facilitated by legislation that the Government have consistently refused to amend in directions that would reduce excess and the false enrolments and opportunities for fraudulent practices. After the revelations in the Bulimba judgment the Government indicated their contempt for judicial inquiries and for honesty in public administration in accordance with democratic principles. Any House imbued with a belief in democracy cannot have confidence in such a Government. For that reason I move the motion.

Mr. HILEY (Coorparoo) (12.27 p.m.): I rise to second the motion of no confidence moved by the Leader of the Opposition. At the outset let me say that the care of electoral rectitude is not the exclusive charge of either the Government or the Opposition; it concerns the instrument of Parliament as a whole and I go so far as to say that even if the blame is sheeted home to an individual, a member of a particular party, it still smears the whole institution of Parliament that such gross fraud should have been possible and should have been practised. It hurts the whole institution of Parliament, it hurts the whole concept of democracy that this sort of thing could have happened in a community that prides itself on its outlook on democracy.

This motion is not based merely on what happened in Bulimba. I go so far as to say that if in spite of what happened in Bulimba there had been instantaneous satisfactory action I do not think there would have been any justification for a motion of no confidence today. The thing that gives point to the motion today is not only what happened in Bulimba—but what has happened since Bulimba—some of the things that the Government have said since Bulimba, some of the things now found to have happened elsewhere. Any study of the eight-point motion before the House today will show that what I say is related to these points.

The motion is one of no confidence in the Government. All my argument and all my appeal will not be addressed to those who

believe in the divine right of Labour to rule by any method or by any device. Rather shall I address all my argument to those who have a genuine regard for the institution of democracy such as we have and who have a genuine desire to subscribe to and uphold the integrity of our electoral system. Every man in Queensland and every man in this Assembly should by his action and outlook be prepared to defend what I regard as the real jewel of democracy and that is the right of the individual, of the elector, to freely, honestly, and secretly exercise his privilege at the ballot box. Of course, in speaking of democracy I am reminded that where representative government is practised, apart from the right to criticise there is only the precious right of the ballot box. Anything that tampers with it and shows a lack of concern for that right cannot be tolerated by anyone who professes to have any real regard for this institution of democracy of which we as members of the Legislative Assembly form an important part. The motion that is submitted is justified by what I shall describe, as its reaction, or inaction, as you prefer it, by what the Government have done and what they have failed to do, that is violently opposed to the public wish. There will not be any public inquiry. On the contrary, the Government have ordered their servants to hold a private inquiry, the evidence of which may never be published. On the last occasion on which there was a police inquiry into a political crime—that term can be applied to the demand for an inquiry into the payment of the Communist fines—there was no publication of the police report. There was a private inquiry and there was no publication of the findings nor was any document laid before Parliament to indicate the result of that inquiry. This inquiry with which the Government content themselves, and with which they ask the people to be contented, is comparable to the police inquiry into the payment of the Communist fines, which had such an abortive result and with which the public was greatly dissatisfied. As yet there has been no report or apprehension of the wrongdoer, and as yet no attempt to correct the elections law, yet the key personnel, whose conduct in this matter I propose to examine in the light of the judge's findings at considerable length, remain secure in their present positions discharging the same responsibilities and possessing all the responsibilities of office held by them at the time of the publication of the judge's findings, which declared they contributed to that result.

Mr. Power: Have you any evidence that the Electoral Office committed that fraud?

Mr. HILEY: I propose to satisfy even the Minister with ample quotations from the judge's findings to show just the extent to which the electoral officers have been mistaken in their duties or recreant to their duty. I propose to put that information before this House at considerable length.

Mr. Power: The Leader of the Opposition gave no information.

Mr. HILEY: Lest there should be any doubt about it, let me remind this Chamber

that this motion has a number of heads. The Leader of the Opposition developed some of them. I propose to develop the first two heads and other speakers will develop others. Let there be any suggestion that we neglected to deal in the fullest detail with the eight points, I want to say that my concentration will be on the first two and that other speakers who follow me will deal with the remaining points.

This is the real kernel of the case for the motion: this State is faced with the necessity for conducting immediately two by-elections. As the position is, these by-elections must be conducted under the same laws by which this fraud was made possible. They must be conducted by the same officials, in whose care and in whose custody the votes were, on the findings of the judge, when the trouble occurred, with these same officials in the same positions. Any Government to show such a callous disregard for the integrity of the electoral system at the approach of the by-elections that must be held in a short time under the same laws and with the same officials who made this disgraceful position possible deserve to forfeit the confidence of the House, as they have forfeited the confidence of a great number of their own followers and the public generally.

Now, Mr. Speaker, I think we should spend some little time examining what did happen in Bulimba. So far, from the Government side there appears to be a disposition to suggest that the only thing that happened was fraud and that because the judge could not name the rascal it may easily have been one of us. That appears to be the stock line of approach. Let us look at what the judge did find. The judge found—and I quote—

“It is clear then that there has been committed in relation to eleven ballot papers, a flagrant breach of the Acts and a criminal offence under the Criminal Code. The ballot papers which purported to be those of the eleven witnesses were not in fact theirs, and had been at some time between the casting of the votes and the counting thereof substituted in the declaration envelope for the true ballot papers of the witnesses.”

That is a quotation from the judge's finding, but observe that that was in respect of the 11 votes. The gap to be bridged between the return found by the returning officer was 42 votes. A correction of 11, taking 11 off Gardner and putting 11 onto Hamilton, only accounted for a difference of 22. There were 42 votes involved. I want the House to bear with me while I show a series of what at this stage I will call returning officer's mistakes, but when I completely review the class of mistake I will challenge the House to say whether it still thinks they are simple mistakes or whether it does not amount to gross partisanship on the part of the returning officer.

Very few members have read the full text of the judgment, to say nothing of reading the tremendous transcript of evidence, and I suggest that for any member to presume to consider the implications of this matter

who has failed to read the full text of the findings is not to do justice to his responsibility. It is only by reading the full text that there can be a true appreciation of the facts and the inferences to be drawn from this unfortunate happening.

The first class of mistake to which I wish to draw attention is dealt with by the judge as follows—

“In the square opposite the name of the petitioner the marks of a pen forming the figure 1 are clearly visible. Outside the top left-hand corner of the square opposite the name of the respondent Gardner, there is a mark resembling a figure 1. On close examination this mark can be seen to be the result of a blot made when the ballot paper was folded.”

I want the House to observe that here is a ballot paper with the figure 1 in the square opposite Hamilton's name, and there is a mark that resembles the figure 1 outside the square opposite Gardner, which examination showed to be a blot—let us accept that the returning officer did not recognise it as a blot—but there is the figure 1 opposite our candidate's name and the figure 1 outside the square of the other candidate and at the best it might be suggested that the intention is not clear. What did he do? He gave the vote to Gardner. The Premier will tell us that that is another Liberal plot. (Opposition laughter.) For mentioning that fact we shall be told that we are smearing somebody. What rot!

Now let us have a look at another class of these mistakes by the returning officer—

“The next case of mistake was a group of postal votes and on one of these the electors wrote the name and initials of Gardner and placed the figure 2 in a square opposite that name. Below that name he wrote the name and initials of Hamilton, J. E., and in a square opposite that name placed the figure 1.”

I am quoting from the judgment of the tribunal. Have you the clear picture, Mr. Speaker? This is a ballot paper with two names on it; the figure 2 is in the square opposite Gardner's name and the figure 1 is in the square opposite Hamilton's name; whom do you think this returning officer allotted that vote to? To Gardner. Again I have no doubt that the Premier will discover another Liberal plot; he will characterise this as a smear campaign against public servants. If that is the sort of thing that amounts to a smear campaign, it is high time somebody did some smearing—if that is the sort of nonsense we have to put up with.

I will leave the mistakes at this stage, although I will suggest that by the time I am finished recounting these any honest and impartial member in this House will reach one conclusion only and that is that quite apart from the question of the case of fraud that the judge found we have to deal in this case with a grossly partial returning officer.

Mr. Burrows: Will you say that outside?

Mr. HILEY: On these facts, Mr. Speaker, no-one would run the slightest risk in saying that outside.

The next case relates to a mistake that the returning officer made. This does not touch on his partiality but it does touch his effectiveness in his work. Again I quote from the judgment—

“In this case a declaration under Section 70 in the name of John Mulcahy was signed by one ‘Annie Wilson.’ The irregularity was not noticed by the returning officer and the vote was not disallowed.”

That does not touch on any suggestion of partiality on the part of the returning officer but it does show that he made a mess of carrying out his job.

The next instance is even worse. This was an absent vote. The elector's name had been erased from the roll and his vote, although marked as disallowed by the returning officer, was in fact counted. The judge, faced with that circumstance, said that this man had made an obvious mistake and that that vote must be disallowed. The elector's name was not on the roll and he was never entitled to exercise that vote; the returning officer quite correctly marked the vote to be disallowed but somehow or other he allowed it to be counted.

I desire the House to keep on observing the type of thing that had to be corrected, because all through this business I have been irritated beyond measure by the stupid nonsense of saying that this is a Liberal plot. How in the name of anything can any reasonable man believe that the Liberals could stoop to or have the opportunity to do that sort of thing? This again was a mistake by the Crown's own servant and because we quite rightly and quite justifiably complained of what happened and ran all the hazards of an Elections Tribunal and succeeded we are attacked and charged with casting reflection on public servants and with trying to smear the Government. Mr. Speaker, just get a grip of what did happen and see whether that sort of nonsensical statement can be justified.

I now take another instance and again quote from the words of the judgment—

“This exhibit contains four absent votes under Section 69. On three of these ballot papers the names of the three candidates appear to have been placed on the ballot papers by the same person, who was not one of the electors. In each case the elector appears to have indicated his choice by marking the figure 1 against the name of one of the candidates and the figures 2 and 3 opposite the name of the other candidates. These papers are in my opinion not allowable and must be rejected.”

It looks very much as if the returning officer, to help candidates, wrote down the names and the electors put figures against them. The judge held that because there were three papers in the same handwriting there was sufficient suspicion attaching to them, and for that reason he took them out. What I want the House to observe is this: the evidence concerning those particular ballot papers showed in every case—and, mark you, the judge disallowed them—that the returning officer counted them as Gardner votes despite the fact that the figure 1

was placed in the square opposite the name of Hamilton or Marriott and the figure 3 or no figure at all as against the name of Gardner. This is not my evidence, and I am sure that hon. members can see the seriousness of instances like that. I am reading from what I counsel every hon. member of this House to read and upon what I ask him to form an impartial judgment.

Let every hon. member read the findings of the Elections Tribunal to see whether he does not conclude that we have a just cause for complaint and that there were some inefficiency and gross partiality on the part of the returning officer. No man impartially doing his duty could possibly do what Mr. Costello did in those instances. I suggest that if there is to be any allegation of a plot in this regard we might ask ourselves who benefited by the plot and who had the opportunity to carry it out, because so far as these instances are concerned they were carried out by Government servants obviously straining themselves to help the Government they serve.

These irregularities reveal official incompetence and partiality sufficient to shake public confidence in the electoral system of this State. The further findings of fraud completely shatter confidence in Labour's ballot box. The judge found, I repeat, in relation to 11 ballot papers that gross and criminal fraud had been committed by the extraction of genuine votes from declaration envelopes and the substitution of faked ballot papers for them whilst in official custody.

A Government Member: Ask Porter about it.

Mr. HILEY: I shall deal with that, because apparently the hon. member wants to be treated seriously. He says, “Ask Mr. Porter about it.” Mr. Porter has been seen by Detective Bischof and let me tell the hon. member—and this appears from something that will develop—that Mr. Porter told the inspector where he could find something more. It is the inspector's duty to follow up leads in the course of his duty and his inquiries. We intend to furnish to this House numbers of further particulars in relation to this election and at the conclusion of the debate I will publicly invite Inspector Bischof to call on me and my colleagues, when we will hand him all the information that we use in the House this morning.

It is a fact that these frauds occurred whilst the votes were held in official custody. That provides the very key to this Want of Confidence motion because as yet there is no evidence that steps have been taken to prevent a repetition of what happened whilst votes were in official custody. If there is one thing we are entitled to ask, and if there is one thing that every citizen is entitled to ask who wants to exercise the privilege of the ballot and puts the envelope containing his ballot paper into the ballot box, is that until the count is properly concluded under scrutiny there should be no possibility of tampering with the security of the ballot paper. That is happening, and I propose to show the House that it has happened not

only in Bulimba, but elsewhere. That is the whole key to the lack of confidence that must be felt in a Government who propose to hold by-elections under the same laws and with the same officials as made the Bulimba fraud possible.

We are entitled to ask, "Who was responsible for the substitution of the ballot papers?" We are entitled to ask, "When were they substituted?" We are entitled to ask, "In whose custody were the papers when the substitution occurred?" And, above all, we are entitled to ask this question: "How and from where were the ballot papers obtained?" Those questions fairly shriek from any perusal of the Tribunal's findings, but as yet neither the people of this State nor the members of this Parliament collectively have been given satisfactory answers to them. The reply has been given that the Government are reacting satisfactorily to this challenge by ordering a police inquiry, but let me say something on that, something that I think is very important. In the first place, I believe that all members of this House and the people of this State generally have the most abundant confidence in the Police Force when it comes to general criminal proceedings and ordinary civil matters—I have yet to detect any general dissatisfaction with the members of the Police Force in matters such as those—but in his heart every person in Queensland believes that there is a very grave lack of confidence in the police when it comes to dealing with what I should call political problems. In the first place, it does not matter what the police find. It is not the policeman who determines whether his report will be published or what action will follow. That rests entirely in the hands of the Government.

Mr. Hanlon: The Government do not get the police report.

Mr. HILEY: The Premier should look to his Minister, because on this very point the Secretary for Health and Home Affairs, who administers the Police Force, has said that when the report is available it will go to the Commissioner of Police, who will send it on to the Premier.

Mr. MOORE: I rise to a point of order. I deny the statement made by the hon. member, and ask for a withdrawal.

Mr. HILEY: I accept the Minister's denial. I merely repeated what he is stated to have said.

Mr. Moore interjected.

Mr. HILEY: If the hon. gentleman can get any consolation from that nice little bit of twisting, I will leave him to wallow in his bit of pleasure.

Let us be quite clear about this. If a police report is presented that imputes one tittle of irregularity to anyone on this side of the House, we shall hear the whips cracking and hear the processes in instant action. However, there is no public confidence whatever that if anything is found against the Government or officials of the

Government, any action will be taken. I heard the assurance that the Premier gave the House this morning, but the general public do not believe it.

This brings the matter right into the Premier's own camp and here is a challenge he can answer if he wants to. First of all, let him tell us what publicity was given to the action following the report on who paid the Communist fines.

Mr. SPEAKER: Order! That is not a matter for this debate at all.

Mr. HILEY: It is a perfect analogy though, Mr. Speaker. The Government have ordered a police inquiry and I am merely illustrating what followed a previous police inquiry. Let me go further—and this touches the Premier vitally. It is common knowledge with every junior recruit in the Police Force that no S.P. operator is ever run in if he lives in the Ithaca electorate.

Mr. HANLON: I rise to a point of order. I ask that that statement be withdrawn. It is a reflection on me. It is on a par with the filthy and immoral display of the Opposition throughout this debate.

Mr. SPEAKER: The Premier regards the hon. member's remark as an insinuation and reflection on him, and I ask the hon. member to withdraw it.

Mr. HILEY: If the Premier thinks it is a reflection on him, then I will withdraw it to that extent. I repeat, and hon. members can shelter as much as they like, that the public do not believe that in political matters the police have the same freedom of approach as they can command in ordinary criminal or civil matters. In criminal and civil matters there is the utmost regard for the standing and work of the police, but do not shut your eyes to the fact or lead yourselves to believe that it is possible to make the people believe something they do not believe. The people do not trust the Government when it comes to ordering an inquiry concerning themselves by their own servants.

Mr. Hanlon: This is a criminal matter entirely, not a political matter. The judge said it was a criminal matter.

Mr. HILEY: I agree that it is a criminal matter, but it is essentially a political crime.

Mr. Hanlon: It constitutes a breach of the Criminal Code.

Mr. HILEY: Of course.

Mr. Hanlon: Then what is the use of saying it is a political crime?

Mr. Smith: It is like buying and selling shares.

Mr. HILEY: Let me answer that.

Mr. Smith: Buying and selling shares in a company like—

Mr. HILEY: Like what?

Mr. SPEAKER: I ask the hon. member to address the Chair.

Mr. HILEY: I will do so. I submit as a matter of justice, Mr. Speaker, that this matter cannot be answered by any police inquiry. It can only be answered by an open public inquiry. That is the only means of satisfying public concern, the deep public concern, the rightly-founded public concern over this terrible matter. Until this matter is cleared up I, in common with every other member in this House, am under a slur—until there is adequate correction of the matter. True, this was a fraudulent design to help the Government, it is clear that servants of the Government were directly involved, but I feel that each and every one of us here is involved until the matter is cleared up. It should be handled by an open public inquiry.

If I understood the Premier aright when he was discussing the motion that was before the House yesterday, he told us that the electoral system under which we are operating was substantially unchanged from that laid down, so far as procedure is concerned, of the Moore Government.

Mr. Hanlon: About Section 70 votes.

Mr. HILEY: I am glad I did hear the Premier aright, because the House will be delighted and interested to know how grievously wrong the Premier is. If you will turn to page 92 of the consolidated Elections Acts and Regulations you will find the new regulation that deals with Section 70 votes, Regulation 28B. The footnote states—

“Clause 10 repealed and new Clauses 10 and 10A inserted by Regulations of 10 May, 1945.”

So it is perfectly clear that the rules that govern Section 70 votes today are not the rules of the Moore Government; they are the rules of the present Administration.

Mr. Foley: They must be in conformity with the Act.

Mr. HILEY: That is so, but let us see the extent of the difference between the new and the old regulations. The regulation passed by the predecessors of this Government took out one of the essential safeguards in connection with Section 70 votes. Under the old regulation contained in the book now out of print it will be observed on page 111 of the regulation that a duty was cast “to forthwith forward by registered post a certified copy of such record to the Under Secretary, Department of Justice.” The purpose of that was to facilitate the check on the electoral registrar and returning officers of Section 70 votes. The only effect of the amendment introduced into the regulation by the predecessors of the present Government is to remove that safeguard. No longer does the regulation call for such a return to the Under Secretary, Department of Justice. The Premier is entitled when he is on his feet to acknowledge that he misled this Assembly yesterday when he told us, as he himself just admitted, that they were conducting Section 70 votes on exactly the same basis as the Moore Government.

Mr. Hanlon: The Act has not been amended.

Mr. HILEY: The Act has not, but by altering the regulations the Government have removed an essential safeguard. The Premier yesterday showed that his approach to this matter is much the same as his approach to matters on other occasions. The minute there is any suggestion of a proper inquiry the Premier construes it into an attack on the Public Service generally. That is a clever trick. We have seen it too often to attach any weight to that argument, and the average public servant assesses it at its true merit. It is perfectly true on the judge's findings that the returning officer, to put the matter at its very best, made some very bad mistakes and at the worst was guilty of gross partisanship. It is also clear that the frauds occurred while the ballot papers were in the custody of the election officials.

Now I say that it is the clear duty of Parliament and of every member to protect the integrity of the electoral system; and if in doing so it becomes necessary to say anything about the misfeasance, the errors of judgment or omissions of public servants, then let it be said.

A Government Member: You were one yourself.

Mr. HILEY: That is quite right. It is a very poor contribution to our regard for the Public Service to shut our eyes to these things and it is clearly shown in the judge's findings that things have been wrong in Bulimba, wrong in the returning officer, and wrong in the Chief Electoral Office.

The thing I want to say something about is the attitude of the Government Party to witnesses called in the course of this inquiry. Remember that there was an inquiry in which the pleadings alleged fraud. Numbers of people faced the witness box and faced examination and cross-examination in order that justice should be done, and the tactics of the Government Party, through Mr. Gardner and his counsel, were to do everything possible to discredit those witnesses. Because some Section 70 votes were claimed by people travelling down the Bay and who thought they were going interstate, a great attack was launched on those grounds. On that point I say that attack is best answered by the judge himself. I read from his judgment:—

“I consider there is incontestable evidence that all the persons who voted as absent voters for the electoral district had a right to do so.”

Those are the words of the judge.

Mr. Gair: That includes Mr. Linden?

Mr. HILEY: That is the finding of the judge. If it is the purpose of the Deputy Premier to quibble with the judgment of the judge let him do so.

Mr. Gair: I shall do it in my own time.

Mr. HILEY: Let him be quite clear about what he is doing.

I say this: there is nothing more degrading to the Government's bona fides than this venomous attack on the voters who offered as

witnesses. They showed no concern as to whether there was fraud or not; all they were concerned about was protecting Gardner. The Government cannot escape the public condemnation for joining in an attack on witnesses and for seeking to smother up the real question—whether there was fraud or not.

Mr. Riordan: Why would they want to cover up Gardner when he was exonerated by the judge?

Mr. HILEY: He was unseated by the judge. Let me say this—(Government interjections).

Mr. SPEAKER: Order!

Mr. HILEY: Mr. Speaker, we on this side are going to show that the fraud was not confined to the cases found by the judge. Let us be quite clear. Section 70 votes can be divided into two categories: the one category is where they have been collected at the Electoral Office and sent duly to the returning officer, and the other is the group of vital votes tampered with, the group that in defiance of the law the Electoral Office withheld and which while they were withheld were tampered with. That is the finding of the judge. Quite candidly, in approaching this matter we must concede that we were clearly shown that there was something wrong with the withheld group, because of the tallies thrown out.

Instead of running about 50-50 that particular batch of votes appeared to tally three to one against us and it was that fact that led us to suspect there was something wrong and caused us to investigate. Since then it is clear there were other cases, not in the withheld batches of votes but in the others and I know, and I believe the Premier knows, that Inspector Bischof has already found cases from the earlier lot of votes.

Mr. Hanlon: I have not spoken to Inspector Bischof at all.

A Government Member: How do you know?

Mr. HILEY: I know, because the person he interviewed in the course of discovery told us so.

Mr. Hanlon: I thought he was doing nothing, waiting for Parliament to commence.

Mr. HILEY: He has been waiting six weeks on the Government's convenience.

That clearly establishes that there was fraud in Bulimba other than the cases found by the Tribunal. There was more than that and I propose to deal with it directly. In respect of these votes, it is perfectly clear that the Chief Electoral Office held 53 Section 70 votes from seven to nine days, contrary to the express requirement of the Act that they be delivered daily to the returning officer. I want the House to observe that that was the batch of votes, the withheld batch of votes, in which the real trouble occurred and the batch of these Bulimba votes that I have

just referred to were the last Section 70 votes to be delivered to any returning officer in this city. During the period between the casting of these votes on 26, 27 and 28 April and their being counted on 4 May the substitution took place. But more than that: the judge found, on the evidence of the C.I.B. handwriting expert, that more than two of these votes were written by the same person. It was also found to be a fact that the faked votes were on genuine ballot papers. The House must remember these facts: they were from the withheld batch; they were delivered late; they were on genuine ballot papers; they were substituted. These are the essential keys of this fraud.

I do not propose to take up time that would be needed to fully cover the ground in detail, as some of my colleagues propose to show that exactly the same fraud by exactly the same method was carried out in another city electorate. The member who does that will indicate, on behalf of members of the Opposition, as I have already indicated, that on the conclusion of these proceedings we invite Inspector Bischof to come and take the information we shall have available to him and trace it to earth. I again remind this House that already Inspector Bischof has been told that information is available but as yet has not availed himself of it.

I would be the last person to suggest that it would be possible for any Parliament to devise elections or any other laws that were entirely proof against any fraudulent attempt. Because of what has been done in Bulimba and the implications of it—that the tampering took place while the votes were in official custody—and as by-elections are approaching under the same laws, no reasonable person can feel that that is an adequate approach to the present situation. The Government, even before they had the final reports available to guide them, should have considered the need for a wider protection of the means of "section" voting. They should, for instance, have considered the need for particular ballot papers for each election instead of general ballot papers for successive elections. They could have indicated to this House, which is the proper place to indicate it, greater safeguards for the custody of ballot papers between the casting of votes and the counting of votes and, above everything else, they must ensure that some of the other mistakes to which I have referred and that happened at Bulimba, do not recur at forthcoming elections. At Bulimba, the judge found, some votes had to be disfranchised because unsuitable ballot papers were used. The returning officer ran out of ballot papers and used transparent sheets of paper. Anything used that shows how a person voted interferes with the secrecy of the ballot and such a vote must be excluded. The judge said that they were disallowed by the returning officer on the ground that proper ballot papers were not used. He went on to say that the ballot papers used were apparently ordinary note-paper of such a texture and transparency that the writing thereon could be seen from the back of the paper. Quite properly the returning officer disallowed them.

and the Elections Tribunal upheld the disallowance. It is imperative to see, at any future election, that there is no possibility that an elector will be disfranchised through that sort of error.

These are some of the things that the Government could indicate at this stage, quite apart from what eventually will be dragged out of the murk of happenings in the Bulimba case that will be done to ensure that these happenings will not occur in the future. That sort of thing should not be allowed but there is no indication whatever that the impending by-elections will be held under anything but the same rules and the same umpires.

I am concerned, and I think most people who read the judgment will be concerned, with the aspect of personnel. I have dealt with the evidence concerning the returning officer at Bulimba, Mr. Costello, and I say that some of his mistakes and some of his judgments cannot leave any person with the feeling that he was either competent or entirely fair. I have dealt with him and I do not propose to deal with him further. I am bound to say, however, on my study of this judgment, that the findings set out by the judge tend to exclude Mr. Costello as having been the perpetrator of the fraud. The learned judge takes great care to trace the position of the ballot papers from day to day and from time to time and it is very clear that whilst he certifies that the tampering took place whilst the papers were in official custody the time factor, he indicates, narrows to the point of extinction the possibility that Mr. Costello was the instrument of the fraud or in any way a party to it. On his own evidence the possibility is excluded that anybody got at the votes whilst they were in his possession, because Mr. Costello said that from the minute they were handed to him until the count took place they never left his possession. That, added to the fact that they were only handed to him in the afternoon and were counted at 7 o'clock, excludes, I think, the possibility of Mr. Costello's having been involved in the fraudulent alteration of the votes.

That leaves two possibilities. It leaves the possibility that it was an outsider, either in person or through an accomplice, or somebody at the Chief Electoral Office. Let us look at the possibility that it was an outsider, in order to see what sort of task was in front of such a person who undertook to do such a foul thing. In the first place, it was perfectly clear that whoever did it had to be ready for it and had to have blank ballot papers available to him before he could consider carrying out the offence. Mark you, until the count was finished on the Saturday night, I suggest that the photo. finish that indicated the part that such a fraud could play was not anticipated by any political observer. In all the assessments of what was likely to happen in Bulimba, what actually happened was not expected by the Labour Party, or by us, or by Mr. Marriott. What happened in Bulimba on that Saturday night was a complete and utter surprise to every political observer. Whoever engineered this fraud—

Mr. Crowley: You know who he is.

Mr. HILEY: Mr. Speaker, is the hon. member in order in casting wrong aspersions on me? He is suggesting that I know who did it. Is that in order?

A Government Member: You can deny it.

Mr. HILEY: I do deny it. It is offensive to me and I ask that it be withdrawn.

Mr. SPEAKER: The hon. member for Cairns must accept the denial of the hon. member for Coorparoo.

Mr. HILEY: First of all I stress the point that whoever did it probably started to think about it only when Saturday night's figures were known. I think that is a fairly important point. He would then need to have ballot papers available to him. He would have had to break into the Chief Electoral Office either by force or with a key, because quite clearly on the findings of the judge, the votes were in the strongroom of the Chief Electoral Office, locked in a ballot box. If he was an outsider, therefore, he had to break into the Chief Electoral Office or enter it with a key, then enter the strongroom either by force or with the key, then locate the correct ballot box—I take it there was a pile of them—and either break it open by force or with a key, then open the sealed envelopes in which the ballot papers were enclosed, remove the genuine and substitute the false ballot papers and reseal the envelopes. He would have had to do all that without being detected and without leaving any trace, and the watchman's office in the Treasury Building is in a cubicle right alongside the Chief Electoral Office.

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

Mr. HILEY: I made it my business to find out.

I think it is fairly evident from what I have said that any suggestion that this fraud could have been carried out by an outsider is completely and utterly negated. It points with an unerring finger to someone within the Electoral Office.

Let us turn now to the judge's findings and see whether they point a finger at any individual. I suggest that they do. In the first place, it is perfectly clear that the delay in forwarding these Section 70 votes to the returning officer—as was the case in the other electorate that one of my colleagues will be dealing with later on—a delay that was in direct contravention of the law, was the key to the commission of the crime. Who authorised the withholding of these votes? Who was a party to their being withheld? Who connived at the withholding of the votes that were tampered with?

Mr. Aikens: And why were they withheld?

Mr. HILEY: Exactly.

The law was broken and the regulations were broken. Why? To provide the opportunity. That is the only possible answer, in the light of what happened. The facts tend to exclude

Mr. Costello from any suspicion of guilt, because whatever else may have happened Mr. Costello could not have influenced or been a party to the delay in having these votes forwarded to himself. That was quite beyond Mr. Costello's jurisdiction. It was, however, entirely within the jurisdiction of the Chief Electoral Office.

Now, take another fact. When the evidence in connection with the other electorate is being given, it will be found that again there was the same delay in forwarding these votes. There was some tampering of votes during the delayed period and that in turn eliminates any question of Mr. Costello, because whatever chance he may have had in relation to Bulimba he had no standing whatever in relation to other electorates, particulars of which will be supplied to the House and in turn to Inspector Bischof. Therefore you have to look to someone who was in a position to influence not one electorate but more than one electorate, and that can only point to someone in the Chief Electoral Office.

Let us go further. A police officer, Mr. Bardwell, was called to assist the Commission in connection with handwriting. Samples were taken from all the witnesses, and this remarkable fact emerges, that in the case of every witness other than one Mr. Bardwell found no material similarity between the samples of handwriting on the forged ballot papers, the subject of the fraud. Studying the evidence in the transcript of proceedings, you will find something that is a very disturbing factor indeed. You will find that the person who was in a position to authorise the withholding of the votes, the person who was in a position to have access to the votes in the Electoral Office strongroom and to the ballot papers, did submit some samples of handwriting to Mr. Bardwell, the handwriting expert of the C.I. Branch, and that Mr. Bardwell did find some points of similarity in his handwriting and that he found none in that of anyone else. And that man is the Chief Electoral Officer, Mr. Maguire. Mr. Bardwell in his evidence made it clear that in the case of other witnesses samples of writing were requested of the names of Hamilton, Gardner and Marriott, but in Mr. Maguire's case he did not have those words but had the words "Returning Officer, Bulimba." Mr. Bardwell said it would be very difficult to give a completely affirmative decision on samples that were not entirely similar. However, it is clear from the transcript, from Mr. Bardwell's evidence, that the only marks of similarity were those found in the handwriting of Mr. Maguire.

(Time, on motion of Mr. Allpass, extended.)

Mr. HILEY: I express my gratitude to the House for the indulgence shown to me. There is another fact in the transcript that must be regarded as a material fact in any thoughtful person's consideration. There were many witnesses called, but only one witness printed evidence of material contradiction in the evidence of other witnesses, and that witness was Mr. Maguire. For example, he said that an attempt had been made to deliver the fateful batch of Bulimba votes on the 3rd. He swore it had been done

by either Walker, Smith, or Pittard, three employees in the Electoral Office. He went on to say that the senior clerk, Radford, reported that they had not been delivered, whereupon he, Mr. Maguire, saying he was going to the Government Printing Office, would personally deliver them to Mr. Costello. Now, I want the House to observe what happened when the witnesses were called. Radford swore he never knew of any such thing and could not possibly have made such a report about their non-delivery. Walker swore he could not go out. He was a leading footballer who had damaged his ankle on the Monday and was scarcely able to hobble about on the Tuesday. He could not go anywhere, he could not leave the office. Smith said he did not take the parcel to Costello, nor was he given one. Pittard swore he had nothing to do with Section 70 votes after he sorted a general bungle in the electorates for Mr. Campbell. Of all the witnesses called before this Tribunal the only witness who finds himself contradicted not by one witness but by a number of witnesses—several being subordinate officers, and the only witness contradicted on the material point of this batch of Section 70 votes—was Mr. Maguire.

The contradiction was not confined to the oral evidence of Radford, Smith, Walker and Pittard. We all know the practice in Government departments of using a delivery book in the matter of parcels. We know that where a parcel is to be delivered it is the rule and practice in Government departments that an entry be made in the delivery book and when delivered its receipt is initialled by some responsible official. The delivery book produced contradicted Mr. Maguire, who swore an attempted delivering of the parcel on the Wednesday. It is a pretty fair rule in law that where you find a person giving a false explanation you can look behind it for something else. I say that the facts I have put before this House, which are taken from the judge's findings, demand an open public inquiry into the Chief Electoral Office.

Opposition Members: Hear, Hear!

Mr. HILEY: Another false explanation is given by Mr. Maguire. He said that finally when he did deliver the parcel of votes on Thursday, he personally took them to Mr. Costello. I want you to mark that the Chief Electoral Officer is not an office boy; he does not ordinarily do message work, but he explained that he took the unusual step of delivering these votes because he was going to the Government Printing Office and that was on his way. You all know Mr. Costello's office is in the Treasury Building, and he had to pass the Government Printing Office—go to the foot of Margaret Street to get to Mr. Costello's office. It was not on his way; he had to go out of his way to make the delivery.

When you add all these condemning facts together I say that whether Mr. Maguire is guilty or not is something which this House cannot decide, but there are sufficient facts in the Tribunal's report to say that there can be no possible justification for withholding a full public inquiry into Mr. Maguire's behaviour.

Why did he not deliver these papers until Wednesday? Those are questions that point signally at him. Add that to the evidence of the handwriting expert and the impossibility that anyone from outside could break into the office and into the strongroom without detection, and compare that with the ease of a person who has keys to the strongroom, and you will admit that the thing shrieks as an inside job on which only a full public inquiry can satisfy the public. Those facts abundantly justify a full public inquiry into this matter and only a full public inquiry will satisfy the public that full justice has been done to the matter.

I repeat: is it not a terrible thing that we must approach two by-elections within the next few weeks under the same laws and with the same set of officials? I repeat that until a full public inquiry is held we will have no confidence in Mr. Costello's efficiency or Mr. Maguire's fairness.

Mr. Foley: If the facts are as you have stated don't you think the judge would have made some remarks on them?

Mr. HILEY: The facts I have presented do not establish positively the guilt of anyone but they go a long way to raise strong suspicion and obviously call for further inquiries.

Mr. Foley: You are making those deductions.

Mr. HILEY: Those are not deductions; I am merely repeating something from the judge's findings.

Mr. Foley interjected.

Mr. HILEY: The hon. gentleman may be satisfied, but the Government, faced with such extraordinary facts, are doing nothing. What I repeat is that the public is not satisfied and I am not satisfied. You can do more, and in justice to Maguire you should do more in this matter. Unless this matter is publicly examined you leave Maguire in a position surrounded with suspicion and there is no opportunity to publicly examine it and resolve it. The matter cannot be left as it is.

Now, Mr. Speaker, there remains a great deal of thought as to whence those missing papers came. Again I say I am entitled to remind the House that we have had evidence within recent years that has led us to have doubt concerning the adequacy of security arrangements at the Government Printing Office. Not many years ago genuine ration books printed on genuine paper were found in circulation. I believe I am right in saying that certain men are still in gaol for their share in carrying out that crime. (Government interjections.)

Mr. Smith: There are bogus mining shares in circulation.

Mr. HILEY: Let me distinguish between the suggestion of notes in circulation and what happened with the ration books. It is perfectly clear the paper employed to make the ration books came from the Government Printing Office. That was clearly shown.

Mr. Power: Somebody was dealt with for it.

Mr. HILEY: Exactly. Not all of them, but some of them.

A Government Member: It was cleared up.

Mr. HILEY: It did not clear it up; all those who participated were not dealt with.

Mr. Power: How do you know? Didn't they catch you?

Mr. HILEY: Do not be silly.

Mr. SPEAKER: Order!

Mr. Riordan: Another inference that the police are not doing their duty?

Mr. HILEY: No, they could not catch them.

Here you find a case where the judge finds these were genuine ballot papers. It is not a question of a clever imitation; they were on the proper paper printed off proper blocks and indistinguishable from the proper ballot paper. When the House considers and remembers what happened with the ration books and what has happened with these, I do not think any person can feel that the security arrangements at the Government Printing Office do not justify a full public review.

Dr. Dittmer: You do not suggest that Maguire took the ration book material?

Mr. HILEY: I have not the time to deal with that simple sort of interjection. What would be possible in the case of the ration books could apply to this. If the hon. gentleman cannot see that for himself I am afraid I cannot help him further. Because we lodged this petition, because we have done the only thing within the power of the Opposition to direct public attention to what has happened, we have had to suffer a great amount of vilification.

Mr. Power: Not as much as Maguire has suffered and to which he cannot reply.

Mr. HILEY: I say that we are the sufferers in this matter, we are the injured in this matter. I ask the House to consider what would have happened if the position had been reversed. If the position had been reversed, already a few people would have been hanged higher than Haman. Not only have we had to endure all the nasty things that have been said about us for daring to raise this matter, but we find our man is out of pocket. We find our witnesses bullied in the witness box. In this matter the Government behaved as though they were the injured party and we were criminals.

Mr. Riordan: Was not one of your witnesses found to be a forger and a crook?

Mr. HILEY: It was not found in this matter. I have already read the finding of the judge who accepted the evidence of every one of these witnesses without question.

On the question of delay I would point out that ever since the Tribunal made its finding the public have been greatly dissatisfied. I

think that many members of the Government feel there was a grave error in meeting the urgency of the occasion by delaying the retirement of Mr. Gardner once there was a decision not to appeal against the Tribunal. I repeat that in fairness to us there should have been no continuance of the delay because for nearly two months, Gardner, after having been told that his election was improper, was able to continue to serve the constituency whose favour at the ballot box he will again seek. That is a grossly unfair advantage.

Mr. Power: That is what is worrying you.

Mr. HILEY: I thought such an interjection would come: that is what delighted the Minister—the delay in the resignation to gain every bit of advantage in the forthcoming by-election. Shocking as the fraud was, the dreadful fact that nothing adequate has yet been done about it, there has been nothing worse than the delay shown by the Government in facing up to this very grave position.

I believe the Australian temperament reflects the sport-loving tendency of the average Australian citizen. The Australian public like a man to win fairly and to win as though he were used to it, but to lose as though he liked it when beaten fairly. I believe the tremendous public reaction that has arisen over the whole of this election, has arisen because this thing has been so grossly unfair and the Government, by their continued delay, have connived at a situation that they had it in their power to end weeks ago.

These are days when we are being reminded that democracy is continually under peril. It is under peril from enemies without and within. The very foundation of all our democratic practices is in peril and once the foundations are injured, its integrity is gone and it becomes an ism. We may find Socialism, which the Government espouses, Communism, which they shelter, and Fascism. The plain fact of the matter is: destroy the integrity of the ballot box and you destroy democracy itself. The facts that have been put before the House, taken from the judgment of the Tribunal, do not admit of any person's being satisfied with the Government's approach to the matter. We must have a full public inquiry and only by a full public inquiry will the public be satisfied that justice has been done.

Hon. E. M. HANLON (Ithaca—Premier) (3 p.m.): I regret very much that the hon. member for Coorparoo has prejudged a public servant, has charged, convicted and sentenced a certain public officer on evidence which he quoted—not the judge's findings but evidence given at the Tribunal. The learned judge did not convict Mr. Maguire or anybody else on that evidence, and it must be remembered that the Elections Tribunal heard all the evidence. The judge did not hear only the evidence submitted here by the hon. member for Coorparoo but the whole of the evidence given at the inquiry, and I think it

was very indecent of the hon. member for Coorparoo to pick out certain extracts from the case and under the protection of parliamentary privilege give it publicity to the detriment of any individual. I am going to say that I do not know who is guilty but I certainly hope that it is not a public servant, for the honour of the Public Service. Whoever he is, he will have to be dealt with.

All the things said this afternoon by the hon. member for Coorparoo are known to hon. members of this House. We have all read them, but what we did not do was to give those things the freedom of publicity in the Press to the detriment of any individual's character. We on this side could quote other statements made about witnesses appearing for the applicant. Statements were made about their characters, but I do not think it is a decent thing to give publicity to those things in this House.

The judge who conducted the Tribunal heard all the evidence, and this is the report—

“Mr. Hanger: As far as any of the officers from the Electoral Office are concerned, their character and integrity is clear. There is no evidence at all on which to base any supposition that they were parties to any corrupt practices. They came here as men holding honourable positions. His Honour: There was no evidence that they were concerned in any irregularities.”

Mr. Power: That is the reply.

Mr. HANLON: But the hon. member for Coorparoo did not quote that. Why pick out all the filth and the dirt that could be levelled against a man's character and leave out statements by the judge that exonerate him from any blame. The hon. member got lower than ever. Mr. Maguire might be the guilty person. I do not know, but I sincerely hope he is not, because I hate to think that a man holding such a high position should be convicted of such a gross and utterly scandalous fraud. If he is guilty he will be found out. I am quite sure that whoever did this thing will be located and I think it is the most rotten thing for any hon. member of this Parliament to get up, knowing the police are investigating the matter, and that the question is in the hands of one of the most capable detectives in the Commonwealth, who is questioning people and interrogating everybody in connection with the matter and is pursuing his job in a relentless manner, to make the statements that he did. All the hon. member wanted was to get it into the Press. He knows very well that everyone in this House knew what he read out this afternoon and what he succeeded in doing was not to enlighten the hon. members of this House but to give the Press the right to publish it without any liability for defamation.

Mr. Gair: He jeopardised a fair trial.

Mr. HANLON: Of course. I do not know who is guilty or innocent, but I know the judge has found that fraud was perpetrated, and that it was so gross and serious that

every possible endeavour will be made to locate the criminal. The hon. member says that we must have a public inquiry, but let me remind him that a judge conducted this public inquiry. It was a public inquiry. Everybody was invited to give evidence. Everybody in the country was invited to give evidence if he had any to give. Mr. Justice Mansfield does not have to go round gathering evidence. His task is a judicial one. He invited the evidence and he heard the evidence that was given. After having heard all the evidence that the hon. member for Coorparoo quoted this afternoon, the judge still said that there was no evidence that these people were concerned in any irregularity. I think it is indicative of the mental outlook of hon. members opposite that they take advantage of the privilege of Parliament to make these statements.

The Leader of the Opposition went on along much the same lines this morning, except that he made a deliberate misstatement. The hon. member for Coorparoo was cunning enough not to quote the judge at all, but the Leader of the Opposition actually misquoted him. He said that the judge had found that there was irregularity within the Electoral Office. The Leader of the Opposition is therefore an unreliable witness who has made a false statement, and we can take no notice of him at all. He made a false statement in this House this morning and has also been convicted of having made a false statement in the Warrego electorate. As a matter of fact, he is always making false statements.

This motion of a Want of Confidence of the House in the Government is one of the widest and wildest that I have heard during my career in politics. I have never known such irrelevant and sweeping statements to be made. The hon. member said this morning that he would submit evidence to the House, but all he did was to keep on repeating "corruption" and "fraud."

Mr. Riordan: And "gerrymandering."

Mr. HANLON: That is so.

Let us take the reasons one by one. The first deals with "the failure of the Government to conduct an open public inquiry into the malpractices and gross fraud found by Mr. Justice Mansfield in the recent Bulimba Elections Tribunal Appeal." Mr. Justice Mansfield conducted an open inquiry and he found that a fraud was perpetrated. Is the hon. member quarrelling with Mr. Justice Mansfield? Is he saying that the judge made a false finding? The judge submitted the papers to the Attorney-General for appropriate action, and in such a case the Attorney-General is bound to submit the matter to the Commissioner of Police for investigation by the Criminal Investigation Branch. That investigation is now proceeding, and I honestly believe that the perpetrator of the outrage will be apprehended. I have been told that the police on the job have a very keen glitter in their eyes and are confident that they will be able to catch the offender. During the whole of the 12 years that I was in

charge of the police force, on no occasion did I receive a report from the police unless I was dissatisfied with something and asked for one. A police officer who is investigating an offence does not go to the Minister and tell him how he is getting on. In fact, it would be highly improper for the Minister to interfere with a police officer, although I must say that my predecessor in that office used to interfere with the police.

A Government Member: Who was he?

Mr. HANLON: Peterson, when the Tory Government were in power.

As I say, the findings of the judge are findings of fact. I am not disputing the facts. As the judge found that an offence had been committed under the Criminal Code, it is now the responsibility of the police, if possible, to ascertain who the offender was and to bring him before a court for trial—not to bring him before the hon. member for Coorparoo or the editor of the "Courier-Mail" for trial. That is the typical Fascist outlook—to try, convict, and punish people in anticipation. I think it is a shocking thing to find a responsible newspaper, the Leader of the Opposition, and the hon. member for Coorparoo, who leads the rump of the Opposition, the Liberal Party, but is actually in control of the Opposition, getting up and indulging in the bad practice, under the shelter of privilege of this House and trying to convict people whom they do not like.

Now let me come to paragraph 2 of the motion which says—

"The determination of the Government to proceed with further elections under the same electoral laws and with the same electoral officials as at the last State elections."

Again we are not prepared to convict anyone until a charge against him can be proved. We are proceeding with the Warrego by-election but there is no intention of proceeding with the Bulimba election until the matter is cleaned up. We could not reasonably be expected to have a by-election in Bulimba until we have ascertained where the trouble is. I do not believe that because Mr. Hiley does not like Mr. Costello we should try Mr. Costello. On the other hand, if Mr. Costello has done wrong we cannot allow him to face another election. I should not have any need to remind hon. members that elections are not conducted by electoral officers but by returning officers. Has the hon. member for Coorparoo any quarrel with his returning officer? Has any hon. member opposite found any returning officer dishonest or corrupt? They are all appointed by this Government but according to the case the hon. member for Coorparoo tried to make today this Government are appointing dishonest and corrupt returning officers. I have had three returning officers in my electorate and I have always found them to be strict, honest and honourable. That is all I require in them as returning officers. I want the returning officer to be strict and honest and when he gives a decision he must stick to it. Most of the disputed cases of whether a vote is informal or not are left to the decision

of the returning officer and unless his decision is disputed before an Elections Tribunal it stands. So long as a man is honest, if he makes a mistake we cannot help it. We are all human and all subject to mistakes. I am not prepared to deal in any way with Mr. Costello simply because he has incurred the enmity of the hon. member for Coorparoo—I do not know where or why, it might be in business or politics.

Mr. Hiley: I have never met the man. What did the judge say?

Mr. HANLON: The hon. member made an attack on Mr. Costello this afternoon and we are not going to interfere with Mr. Costello until there is any evidence against him. As soon as we can ascertain who is guilty we will correct the position and go on with the Bulimba by-election. It is quite easy for hon. members to get up and talk about safeguards being taken and once something happens to draw attention to a weakness in the Act. Incidentally, the hon. member for Coorparoo told us again today that we had weakened the Act by the 1945 regulations whereas the 1945 regulations merely imposed an additional safeguard.

Mr. Hiley: You took away the obligation.

Mr. HANLON: No. There was no obligation until the 1945 regulations. Before the 1945 regulations the only return to be made by the electoral registrar was to the Government Printer. I have checked this matter up with the Parliamentary Draftsman. The 1945 regulations required the electoral registrar to make and keep a record of all Section 70 ballot papers issued by him. If he had not kept that how would it now be possible for the police to know where the ballot papers had gone? The 1945 regulations provided that in the case of anything happening someone would be in a position to know where the papers had gone and today the police are able to say where the ballot papers were issued. Before the 1945 regulations there was no obligation to keep that record. So that the hon. member was misleading the House again, tendering false evidence, in saying that the regulations removed a safeguard, whereas in fact they imposed another safeguard. Incidentally, how often have hon. members opposite reared up and demanded the abolition of the numbering of ballot papers? Time and again members of the Opposition have suggested that there was some ulterior motive in the minds of the Government in continually numbering ballot papers. Had we listened to the Opposition in that respect it would have been impossible for the Elections Judge to establish this fraud. It is because the ballot papers are numbered and the Elections Judge could unseal the ballot papers and see the numbers on them and ascertain which vote was whose that he was able to ascertain the fraud. The exposure in Bulimba was due to the fact that the Government have continually resisted pressure from the Opposition to remove that safeguard. (Government cheers.) Year after year we

have had to resist pressure from the Opposition to abolish the real safeguard to prevent any such corruption. If there had been no numbering of the ballot papers who could have given evidence of any fraud? Gardner would then have been sitting here in Parliament today but someone would have got away with the swindle. The point is—and it is one I want to emphasise—that in order to prevent such a swindle we insisted on numbering ballot papers. It is the exposure of this swindle by our methods, which have been continually resisted by the Opposition, that we have through the Elections Judge been able to detect this fraud.

The third ground stated in the motion is—

“The cases of gross fraud proved in the recent Bulimba appeal were not confined to that electorate.”

That is a mere statement of opinion by an already discredited witness. The Leader of the Opposition has proved himself a tenderer of false evidence on innumerable occasions, so the House should not take any notice of his opinion.

The fourth ground mentioned in the motion is—

“The delay by the Government in seeking to have Parliament called together to deal with the judgment of the Elections Tribunal.”

The hon. gentleman was in a terrible hurry to get poor Mr. Gardner off the pay-list—a terrible hurry. This House was adjourned in December last and it was left in the hands of Mr. Speaker and myself as to the date when it would be called together again, and we consulted the convenience of hon. members. Some electorates are situated a long way from Brisbane. Their representatives knew that the March session was on; hon. members opposite knew the March session was on. That gave them an opportunity to make engagements from the period of the breaking up of the House at Christmas to the first week in March. We did not want to cause hon. members any inconvenience. There was no great rush to get the House together. What would we succeed in doing by getting Mr. Gardner out of Parliament a few weeks before it was actually intended to call Parliament together again? Such a ground is a trivial excuse for saying that the Government do not possess the confidence of this House.

The fifth ground is—

“The approval by the Government of Mr. Gardner’s action in withholding his resignation as a member of the House, which approval indicates a contemptuous attitude by the Government towards the fundamental principles of democracy on which the constitution of the State and the democratic rights of the people are founded.”

Mr. Gardner is a free subject. This is a free country. Mr. Gardner is entitled to his rights under the law. The law states that he is in Parliament until Parliament declares his seat vacant. Mr. Gardner exercised his rights under the law. Again I say I will not subscribe to the Fascist doctrine that any citizen shall be deprived of his rights

under the law because of statements made against him by the hon. member for Coorparoo, or attacks on him by the editor of the "Courier-Mail" and others like them. Mr. Gardner has his rights under the law, the same as anyone else, and probably he has more justification in claiming them than many citizens who have criticised him. He was entitled to retain his position as hon. member for Bulimba until Parliament accepted the certificate of the Elections Tribunal.

Mr. Sparkes interjected.

Mr. HANLON: What satisfaction would there be to members of Parliament or the editor of the "Courier-Mail" to take him off the payroll a couple of weeks earlier? Was Parliament expected to have a special session? There was no legislation ready.

Mr. Evans: He was representing people he had no right to represent.

Mr. HANLON: Bulimba is disfranchised now until an election is held. It has no representation, but one of our members will look after it. This was a dead set against Gardner because they did not like him. He was a Labour man, and therefore something to be hated.

Let us take the sixth ground:

"That at the State elections in 1947 and 1950, the electoral boundaries were so gerrymandered and contrary to democratic principles that the Labour Party was enabled to secure office although, on each occasion, it obtained a minority of votes." The State electoral boundaries were fixed under an Act of Parliament in 1950 with a Labour Government in command. They appointed a commission—

An Opposition Member: Who were the commission?

Mr. HANLON: I am coming to that. Do not be in a hurry; you will get your death-knock soon enough. A commission of three was appointed, two of whom were nominated by the Opposition. The Leader of the Opposition nominated a judge of the Supreme Court, Mr. Maguire the Principal Electoral Officer, and the Surveyor-General, Mr. Harvey. Mr. Harvey was busy on soldier settlement matters, so we appointed a judge of the Supreme Court, Mr. Maguire, and Mr. Fraser, a senior public servant. Two of the commission were nominated by members opposite.

That was the 1950 redistribution. Let us look at 1947. That redistribution was done under an Act passed by the Moore Government, without any alteration by the present Government. Up to the 1950 election the elections were conducted on a distribution under an Act passed in this House by the Moore Government. I was in opposition when that Act was passed. The whole thing blows out this talk of gerrymandering. This is amusing: in the redistribution, in both cases under the law the commissioners had to expose their proposed boundaries for inspection. I think a month was allowed for any objection. There was no serious objection by anybody; virtually every sitting member expressed satisfaction with the redistribution.

Quite a few minor alterations were suggested, but no serious alterations were suggested by any member; so the House can see how hollow their criticism is and what pure boloney it is. They are putting it over with a view to getting it publicised in the Press for the interests they serve in this Parliament. The Leader of the Opposition comes in here under the direction of the Leader of the Rump, the Liberal Party, with a direction from a certain section of the people.

The seventh ground reads as follows—

"That under Labour legislation, the electoral rolls for the two elections mentioned, and others, contained tens of thousands of excess and false enrolments and thus facilitated corrupt practices at the polls."

That is a mere statement of opinion from an aggrieved witness. A proved purveyor of falsehoods makes this statement. But all the evidence is against him. If the Leader of the Opposition or any other hon. member knows of any person who is wrongfully on the electoral roll he can have the name removed. The Electoral Office is there for him to use. There is only one member of the Opposition who has had a name removed from the roll under the law, and that is the hon. member for Cooroora. He has had three names removed from the electoral roll. Did any other member of the Opposition make an objection at the Electoral Office to a name that was on the roll? None can be traced, anyhow. There may have been one years ago. What is the use of the hon. gentleman's rising and saying the names of 10,000 people are illegally on the roll when he cannot produce the name of one?

The eighth paragraph of the motion states—

"That although the attention of the Government has been drawn to the defects in the Elections Acts which facilitate excess and false enrolments, it has neglected to amend such Acts so as to prevent or reduce such facilities and has thus connived at electoral corruption."

The Opposition had the opportunity in the past, when the Elections Act was before the House, to move amendments. Obviously it is clear that in respect to the incidents in Bulimba further safeguards are necessary. For instance, Section 70 ballot papers have always been the same. Nobody expected a fraud of this kind. However, a by-election in Warrego is about to take place and the instruction has been issued that for that election and for every election, whether it is a by-election or a general election, ballot papers of a different colour must be used so that there cannot be any swapping of one for the other. That action was taken immediately. From a study of the evidence and judgment of the Tribunal, we find that a number of better safeguards can be made for elections, and an Elections Acts Amendment Act will be introduced, and the Opposition will have full opportunity to move amendments or make suggestions for its improvement.

Now let me deal with the statements made by the hon. gentleman in support of his case.

He told one deliberate falsehood when he said the judge had found officers had neglected their duty. He said they are all under suspicion and should be suspended. Why should they be suspended? Because the hon. gentleman does not like officers we should suspend them and hold them up to public infamy—this at the will of the Leader of the Opposition.

Mr. Nicklin: What did you do with the Clerk of Parliament?

Mr. HANLON: He was suspended when he was convicted.

Mr. Nicklin: He was not convicted.

Mr. HANLON: He was convicted. Ballot boxes that should have been in his care were under some man's house at Hamilton or Coorparoo. The Clerk of the Parliament was convicted and suspended. Because things always go right, some people become careless, and in that instance the Clerk of Parliament presumed that all ballot papers had been sent in. He did not check them. Things had gone right for so long that people get the feeling that they are doing their jobs carefully. It is all right if nothing goes wrong, but in this instance something did go wrong. Some returning officer did not return the ballot papers which should have been returned to the Clerk of Parliament, and the Clerk never missed them. Some kiddies over at Hamilton or Coorparoo were found playing with ballot papers. Mr. Dickson, the Clerk of Parliament, had to be dealt with. He was suspended. But he was not suspended because somebody did not like him. We found him a very worthy Clerk of Parliament in all other respects. He was not punished because somebody in the House did not like him; he was punished because he was found neglecting his duty.

As I said before, if the hon. gentleman has any charge to make against an officer of the Electoral Office, let him write out that charge and send it to me; I will guarantee an immediate investigation, but I will not have a charge made against an officer and give that officer no redress. The officer will have the opportunity of seeking redress and charging slander if the charge proves to be slanderous. If any officer is proved guilty, well and good.

The Leader of the Opposition continually made statements that more electors were on the roll than there were electors in the State, and that there were more on the State roll than on the Federal roll. I have not got the time to go back over the 50 years of Federation to check the figures, but in 1948 there were 33,097 more on the Federal rolls than on the State rolls and in 1949 3,053 more on the Federal rolls than the State rolls.

Mr. Power: That blows him out.

Mr. HANLON: He knows what he is doing. He is counting the gross enrolments and not allowing for the erasures published in the supplementary rolls. He is cunning enough to leave them out to mislead Parliament and the people.

Mr. Nicklin: I am using the figures submitted to this Parliament in answers to questions, and if your Electoral Officer is wrong it is not my mistake.

Mr. HANLON: The adult population in 1915 was 380,180 and the number on the rolls 335,195. The figures for the following election days are—

Year.	Adult population.	Total enrolment.
1926 ..	491,149 ..	478,097
1932 ..	554,577 ..	525,944
1935 ..	585,884 ..	575,288
1938 ..	623,677 ..	606,559
1941 ..	656,107 ..	634,916
1944 ..	679,271 ..	655,984
1947 ..	701,485 ..	697,405
1950 ..	733,829 ..	718,685

The hon. gentleman went to the Warrego and, he was not arguing politics in the conduct of the campaign, but was putting up slander again. He said that the Warrego roll was stuffed and he goes through the roll and the supplementary roll and finds a name on the roll that is on the supplementary roll also. He has had 20 years in Parliament and has handled dozens of supplementary rolls, and he knows exactly what the procedure is regarding the supplementary rolls. He makes the statement that the one name was on the roll twice, knowing it to be untrue and having evidence in his hand of the falsity of his statement. Any lie from the lips of an Opposition politician gets headlines in the "Courier-Mail" and the Press. The main newspapers are shooting at the Labour Party, and any falsehood Opposition members like to tell is spread round the country under great headlines. I think that an hon. member holding the position of Leader of His Majesty's Opposition should be ashamed of himself for handling out false information day after day and year after year. He talks about a minority Government and says that the Government have a minority of the votes cast in the State. In a three-party contest it would be difficult for any one party to get a majority of the votes in the State. They could get a majority over any other party, but it is suggested that the two Opposition parties, whose interests are as far apart as the poles, should get together and form a composite Government, such as we have in the Federal House, where somebody is always sacrificing principle. Mr. Menzies says revalue the pound and Mr. Fadden says not to do that, and Mr. Menzies says up with inflation and Mr. Fadden says down with inflation, and Mr. Menzies says up and Mr. Fadden says down. That is the sort of Government they propose to have here. It is a physical impossibility—as Arthur Moore found when he was Premier—for a Country Party-Liberal Party coalition to govern without sacrificing some of the principles on which they were elected by the people. If any party is to sacrifice principles for office, it is a bad thing for this country if they are to be the Government.

With all this talk about minority votes, let us have a look at some of the electorates represented by both members of the Government and hon. members opposite on

minority votes. The hon. member for Burdekin is here on a minority vote, and so are the hon. members for Mulgrave, Mundingburra, Southport and Whitsunday. They have been elected by a minority vote, but the Leader of the Opposition does not demand that they should resign. They received more votes than any other candidate and that is the basis on which this Parliament is elected.

We have heard a lot of talk about the necessity for pure electoral rolls and what the Labour Party did in 1915. Before the days of Labour Governments, in order to get on the electoral roll a person had to be admitted by two justices of the peace, who were appointed by Tory Governments. If it was known that you were a Labourite, you had a very hard job to get on the roll. The Leader of the Opposition wants to return to the pre-1915 electoral system. At that time there was no return of ballot papers at all. Ballot papers could be written as well as printed, and no return was made. That is why it was possible in pre-Labour days in the Cook electorate for 381 votes to be counted although only 14 people voted.

Mr. Power: They were all for a Tory candidate.

Mr. HANLON: Of course.

The Opposition of the day objected to the introduction of safeguards by the Labour Party. Under the 1915 Act proper records were ordered to be kept and returns sent in. I mentioned before that Section 70 of the Act is just as it was when passed by the Moore Government with the exception of a small addition about religious objectors. The only alteration to the regulation was the one that tightened up the security.

The ideal electoral roll would be one on which there were 100 per cent. of the adult population, and the ideal method of enrolment would be one that would have everybody on the roll who should be there and would not wrongfully strike anybody off. However, it is not possible to get such a system, because of human failings. Quite frequently a person is removed from the roll in error. I have repeatedly come across cases where the wrong name has been removed from the roll; somebody has been removed who should be on the roll and somebody who should have been removed has been left on. Those things are the result of human error and cannot be prevented. I should like to find the newspaper that can be published without containing any misprints.

Mr. Low: If you issued quarterly rolls that would help.

Mr. HANLON: We ceased to do that only on the ground of economy, just as we reduced the size of letter paper during the war period. A quarterly roll does not mean that there is a revision or check of the roll every quarter. Hon. members opposite are always asking for the adoption of the Commonwealth roll, which is not even printed annually but is printed only every three years. Now it is suggested that we should print a quarterly roll whereas in the past they have asked for a roll that is printed every three years. Where is their consistency?

The Leader of the Opposition started off today by saying he was going to state facts and give proof. He did not state any facts, except that the Elections Tribunal had found that there was fraud, and we all knew that. He made use of the words "corruption," "scandal," "malpractice," "fraud," and that sort of thing over and over again. Not only did he not tender any proof; he did not tender anything. It shows how unreliable he is.

Finally, about Mr. Maguire. The Deputy Leader of the Opposition, Mr. Hiley, and the hon. member for Darlington extolled Mr. Maguire in the last session of Parliament. They pointed out what a good chap he was and said that there should not be any redistribution of electoral boundaries without him. Mr. Marriott, who was then in Parliament but out of the Labour Party, extolled him also. The whole of the Opposition voted for the motion that he be one of the members of the Commission to redistribute the seats.

So much for the Deputy Leader of the Opposition. The "Courier-Mail" has been busy in this election. Let me read a leading article from it—

"If any further evidence were required to prove that the Government is determined to prevent the person or persons guilty of the Bulimba ballot fraud from being brought to justice, it was to be found in Premier Hanlon's refusal to allow the police to examine all absent votes cast in the Bulimba election.

The "Courier-Mail" has consistently drawn attention to the delay in bringing the investigations to a close. Now it is apparent to everyone that the cause of the delay lies in the Government's fear of the consequences.

There was ground for the belief that the Government was aware of how and by whom the fraud was perpetrated. Now that belief is confirmed by the Government's refusal to allow the police access to information vital to the pursuit of their inquiries."

That was one they wrote last night and tore up. That was one they were ready to shoot and the Opposition were ready to make speeches on it. But they wrote another one this morning, not the one they were ready to shoot last night but the one we read in the paper today. It says—

"When Parliament met yesterday, eight weeks after the disclosure, Mr. Hanlon had to ask it to sanction an extraordinary and most questionable measure to assist the police investigation. This was to authorise a police check of ballot papers contrary to the provisions of the Elections Act.

The Elections Act allows a properly constituted Elections Tribunal conducting a public judicial inquiry to examine and identify ballot papers. It does not give the police this power. The investigating police officer asked more than a month ago for facilities to check certain absentee votes cast in the last State general election and at the Ipswich and Kurilpa 1949 by-elections.

Had this then been made known to Parliament it would have had a very strong reason for considering the advisability of appointing a royal commission to pursue the investigations."

Now listen to this—

"Unsealing of ballot papers could then have been carried out in the manner prescribed by the Elections Act. Now it will be done in secrecy instead of openly in public inquiry.

"Yesterday Parliament hastily passed a resolution which will enable the police to ascertain how absentee voters voted in the last general election." Never was a more barefaced lie published. I cannot believe that the ignorance of the "Courier-Mail" leader-writer or its political roundsman or its editor-in-chief is so vast that he believes what he wrote there is the truth. I believe he knows it is a deliberate lie. It is published with the idea of alarming the people by a belief that the police are going to see how they vote. Everyone knows that is not so. Yesterday's resolution did not authorise any member of the police force to unseal any ballot paper or see anyone's vote. What it did was to authorise a check of Section 70 votes with the number of votes stated as having been recorded. The "Courier-Mail" has carried on this campaign, which hon. members have carried on too, of deliberately spreading lies. Just listen to this lie—

"Our liberty depends on the freedom of the Press, and that cannot be limited without being lost."

Bless my heart and soul! Can anyone explain freedom to do things like that! The freedom they have in Queensland may be the motive for their lying. That lie goes through the State and excites the people, and excites their antipathy to the Labour Government. That is the deliberate purpose. Hon. members know it is a lie, and not one of its members mentioned it this morning.

The Leader of the Opposition this morning had to get up and apologise in reference to his statement about the fraud in the Ipswich by-election.

Mr. Nicklin: I did not say anything about it in the discussion.

Mr. HANLON: The words "by-election" and "fraud" are there. The Leader of the Opposition moved the amendment in which he referred to the corruption in the Ipswich by-election. Mr. Stephenson, although an anti-Labour candidate at several elections is a very fine upright chap, and I was very pleased to see his denial.

The speech of the hon. member for Coorparoo was along the lines of the general tactics of the Liberal Party when its members talk about enrolments and the cleanliness of the electoral rolls.

The hon. member for Mt. Coot-tha, who sets himself up as a purifier, is another false witness. He stated in a Press statement—

"300 Names in Kedron Roll Probe.

"More than 300 names which appeared on the Kedron electoral roll at the general election early last year are being investigated by a special Liberal Party panel.

"The party's campaign chairman for the Kedron by-election (Mr. Morris, M.L.A.) said today that at the last election Mr. Bruce Pie had sent out letters to every person on the roll.

"Some hundreds had been returned unclaimed, proving by the postman's endorsements that certain of these people had not lived in the electorate for a considerable time."

Did the hon. member say that?

Mr. Morris: You are quoting it; I will answer you.

Mr. HANLON: I am asking the hon. member.

Mr. Morris: I will speak afterwards and I will answer you.

Mr. HANLON: I should like an answer from the hon. member in order to protect his honour and integrity. I challenge the hon. member for Mt. Coot-tha to bring into this Chamber the post-markings on a letter that will show how long a person had left the district to say whether they left yesterday or last year. They cannot be truthful if they try. This article states that some of these people had left the district for a considerable time.

I will show how the Liberal Party plays on the strings of the people. In 1944 it sent out a letter to every elector in the Ithaca electorate. They got some hundreds back. We all get hundreds back. When we send out letters we send them out on the annual roll.

Mr. Decker: On Government paper, too.

Mr. HANLON: I say that is a lie. I never sent out a letter on paper that I did not pay for. I am not a Liberal Party man. I pay for every bit of paper I use in an election. The Printer gets my cheque for every bit of paper I use; my word, he does. I do not use Government stamps either; I pay for postage. That is not what happened when Mr. Moore was Premier. He did not pay for the Government paper he used.

You get hundreds of letters back because you use the annual roll and the supplementary roll comes out too late. There are hundreds of names on the supplementary rolls that are struck off the annual rolls. Obviously you must get hundreds of returned letters addressed to people who are temporarily away and they are marked "Left." In 1944, at Church Street, in Ithaca, they supplied each scrutineer they had with a list of names that had to be challenged because they had left the district.

Mr. Morris: You broke the law by disallowing the challenge. You instructed your returning officer not to pay any heed to the scrutineer.

Mr. HANLON: The hon. member is either deliberately telling a falsehood or he is too utterly stupid to be in this Parliament.

Mr. Morris: You know it is true.

Mr. HANLON: The hon. member is either telling a falsehood or he is too utterly stupid to be in Parliament. The returning

officer is appointed by the Executive Council. If he thinks he can tell the returning officer at Ithaca anything, he has a lot to find out.

The first person challenged under this system was a well-known resident of Paddington at the Foresters' Hall. Her husband was a dentist and she had been living in the house that her parents had occupied when she was a child; yet she was marked "Left" by the postman. They had a line-up of dozens of people challenged on this crazy information. If anybody asks for a vote to be challenged he should be able to say why. All they are able to say is, "We have a list from the organisation, and we have to challenge them." This was done at the Labour polling booth with a view to holding up the election. The returning officer at Kedron will know all those tricks and you will not be able to get away with any of that when the election comes on.

I do not want to hold the House any longer. I just want to say this: the hon. member for Coorparoo started off this morning on a very high plane, talking about the dignity of Parliament, and then he got as low, as close to the gutter as he could, insinuating that we kept the police off S.P. bettors in my electorate. That is in keeping with the way the hon. gentleman has been going on. Anyone would think he had pinfeathers on his shoulders to fly up to heaven at any moment. He did not tell us that his own bowling club, of which he was president, was caught sly-grogging and and he got them a let-off with a caution. Here is the fellow who poses as a lily-white pure merino who would not interfere with the police. A man with any form of perversion or criminality is always ready to accuse everybody else of the same thing. I do not mind the hon. member's getting his bowling club off if he can—they probably were not too bad; I do not know what the offence was; it might not have been too grave—but I do say that he should not insinuate, just to be nasty and dirty, that other people do these things. I have never interfered with a policeman in the execution of his duty in my life. Not a policeman can ever say that I told him what to do or what not to do. No officer of the police can ever say I told him what or what he was not to do, and I will not allow anybody else to tell them what or what not to do.

Hon. J. LARCOMBE (Rockhampton—Attorney-General) (3.55 p.m.): Before dealing with the motion of the Leader of the Opposition, I should like to make a brief reply to the speech made by the hon. member for Coorparoo, particularly in relation to the charge against and condemnation of the Chief Electoral Officer. The hon. member, in a very blatant superficial way, condemned the Principal Electoral Officer, usurping the functions of the judge and the police officer now making investigations. Apparently he was determined to make a scapegoat, and accordingly delivered judgment against the Principal Electoral Officer in the way I have mentioned. The hon. member quoted fragmentary evidence from the proceedings of

the Bulimba Elections Tribunal, but he did not quote the findings of the judge. Why did he not do that? Why did he deliberately quote excerpts from the evidence and not the judge's findings? That is contrary to the spirit of fairness, justice and common decency. But now I will quote the judge. Inter alia, he said—

"I am unable to make any finding whatever on the evidence as to the person responsible for the substitution of the ballot papers, as to the time when the ballot papers were substituted, or as to the person in whose custody they were when the substitution took place. From the evidence it appears that from the time the votes were cast until 4 May, 1950, the declaration envelopes and ballot papers were in the custody of the Metropolitan Electoral Registrar, Mr. Campbell."

That is different from what the hon. member for Coorparoo said. The judge continues—

"On 4 May, 1950, they were in the custody of the Chief Clerk, Mr. Radford, and of the Principal Electoral Officer, Mr. Maguire, for the purpose of being delivered to the Returning Officer, Mr. Costello. From the afternoon of 4 May, 1950, when they were delivered to him, they were in the custody of Mr. Costello until they were counted on the evening of 4 May.

"Another aspect as to which I am unable to make any finding is how and from where blank ballot papers were obtained so that such a fraud could be perpetrated. The returns of used and unused ballot papers made by the Electoral Registrar are in order, with the exception that they show one of such papers was missing from the Chief Electoral Office. As eleven faked ballot papers were used, this was apparently not their source."

That finding is entirely different from the fragmentary excerpts of evidence quoted by the hon. member for Coorparoo. I will not condemn any officer of the Chief Electoral Office or any other Government office before a decision has been given by the proper tribunal or authority. As the Premier pointed out, it is not a question of who the officer is or which office he is in if an officer is guilty of a crime he will be punished. Until that time arrives and he is proven guilty, it is a shameful and shocking thing for a responsible member of this Assembly to make a charge such as has been made by the member for Coorparoo under the cover of Parliament.

The hon. member spoke of the necessity for an open inquiry, but he comes into this closed chamber, in which he is under cover of privilege, and makes a shocking charge, but he is not prepared to lay it outside. He was ready to prejudge the case.

The hon. member quoted excerpts from the evidence, but he did not quote the judge's findings, and these are vital. Mr. Justice Mansfield is an honourable, experienced and capable judge. He is a scholarly man and is trained in the art of listening to witnesses, hearing evidence, weighing it, and forming his judgment accordingly. He makes no charge

against the Principal Electoral Officer of the State or any of the Government officers, but despite that fact the hon. member for Coorparoo, in a desperate attempt to discredit the Government, attempts to discredit the character and reputation of the Principal Electoral Officer. He is not concerned about Mr. Maguire; he is concerned about the Government and he seeks the opportunity to discredit the Government through Mr. Maguire. I am sure that the public will weigh and judge the outbursts made by the hon. member for Coorparoo and judge his hastiness and his desire to get a conviction before the evidence has been properly tendered to and heard by the proper tribunal. The matter is one as to who is guilty and it is one for the judge and the Commissioner of Police and his officers, but despite that the hon. member for Coorparoo endeavours to usurp the function of the judge and the functions of the Criminal Investigation Branch and he makes improper charges concerning the Principal Electoral Officer.

The Leader of the Opposition said in opening his speech that it was painful and a distasteful task for him to have to move a motion of this kind but in contrast with that the Deputy Leader of the Opposition, the hon. member for Coorparoo, said yesterday that he was "looking forward with relish to the discussion tomorrow." My name is not Piddington but I could read the mind of the hon. member for Coorparoo and I could see that he was saying, "I shall enjoy tomorrow."

I should like to point out further that the Leader of the Opposition in particular indulged in generalities but gave no evidence and he did not present a logical case in support of the extravagant language that he used. He made up for the absence of logic, reasoning and sound argument by the use of platitudes and extravagances. He went further and showed that he was guilty of absolute ignorance. He said, first of all, that a Labour Government had destroyed all the checks against enrolment of persons who were not entitled to be enrolled and that names appeared on the rolls that should not be there. He said that everything had to come to Brisbane and that the registrars in the country had no power to make erasures. I say that that is either an absolute falsehood or it shows his amazing ignorance. Electoral registrars in the country have the right to erase names. There is no centralisation or need for the erasures to be submitted to the Principal Electoral Officer. The suggestion was that the Principal Electoral Officer controlled all erasures and he just erased what he thought proper and fit. That is a sample of the alleged logic and argument put forward by the Leader of the Opposition. The hon. member is entirely wrong in saying that the Government and the department have broken down any of the checks necessary to preserve clean rolls.

I should like to refer briefly to the constant attention and work carried out to secure full and accurate rolls. The work is performed by 140 electoral registrars located at the C.P.S. offices throughout the State. Those officers are constantly engaged on that work,

not spasmodically and not occasionally, but constantly—cleansing the rolls in the way I have mentioned.

With regard to electors who leave the State, the Commonwealth Electoral Office is a source of information in the process of erasing names from the Queensland rolls. Further, in regard to the general election, the Registrar-General furnishes particulars of the registrations of deaths to the Electoral Office.

Further, there is the usual police canvass. Officers of the Police Force throughout the State periodically check the rolls by a house-to-house canvass, taking a note of the names of those who should be enrolled and of those who are absent and should be removed from the roll. Acting on that advice and information, the electoral registrar corrects the rolls accordingly.

In addition, there is the right of objection. Any elector has the right to object to the inclusion of any name in the roll for his electorate, and to have removed from the roll the name of any person who is improperly there.

Again, Queensland is the only State that publishes details of the names of electors who have been struck off the roll immediately prior to an election. The name and address of every person enrolled is printed and made available for every citizen to see in order to give the whole community supervision of the roll. It is open to any elector to object in the way that I have mentioned.

I should like to point out that in 1949, 98,000 erasures were made from Queensland rolls. In addition, between January and March, 1950, 38,000 additional names were removed from the roll, yet the Leader of the Opposition and his Deputy have the audacity and the temerity to assert that we are not keeping the rolls clean and are not erasing names that are improperly on the rolls, and that we are condoning and conniving at inflated rolls. Nothing could be further from the truth!

The hon. member for Coorparoo and the Leader of the Opposition spoke about the abolition of the courts of revision, which were never in one sense truly revising courts. They revised electors from the roll. Their task was to eliminate and to erase, and some very unfair things were done by them before 1910 in eliminating from the rolls the names of electors who had committed no greater crime than moving from one electorate to another in order to obtain employment. Before 1915 many thousands of workers in Queensland were unemployed. In 1914, for instance, 17.7 per cent. of the unionists of Queensland were unemployed. They had to move from electorate to electorate to obtain employment, and immediately they left one electorate they were struck off the roll. That was a shameful and an improper thing to do. Those electors were subject to the laws of the country and were subject to taxation—they helped to build up the State—yet they were disfranchised in the way that I have mentioned merely because they had to move from electorate to electorate to obtain employment.

The line of argument followed by hon. members opposite is weak and unsubstantial. The evidence shows that Labour has been responsible for a full and honest roll, and for a clean roll. The Leader of the Opposition wanted to know why there was a great increase in enrolment after 1915. One reason was that there was an increase in population, and another reason was that there was a much broader franchise. Thousands more people were eligible to enrol after the Act was amended in 1915 to provide for one month's qualification. Under anti-Labour rule prior to 1915, thousands of adult citizens were unable to obtain enrolment because of the restricted nature of the franchise and because they had to move from electorate to electorate in order to obtain employment.

Before 1915 people in charitable homes had no electoral rights, they had no votes. These people who had borne the heat and burden of the day, the cream of the producers who had built up Queensland, were disfranchised. They were political pariahs, industrial and political outcasts who were not entitled to a vote. When Labour came along they were enrolled and of course increased enrolments was the result. We see therefore that prior to 1915 there was a narrow and restricted franchise amounting to electoral injustice, which was reintroduced in 1929 and continued until 1932, when thousands of workers were disfranchised because of the imposition of the three months' residential qualification in place of the one month that obtained previously.

I should like to emphasise the need for electoral honesty, which is only in accordance with the ordinary canons of justice and fairness to be found amongst members of the Assembly. The circumstances of the Bulimba election are very regrettable but the Government are determined to discover the perpetrator of the crime and punish whoever is responsible. The Government are second to none in their desire and determination to keep the elections straight, honest and clean. From the viewpoint of common political honesty, as well as from ethics of decency, the Government are determined to do that, not only in Bulimba but in every other electorate in the State. After the crime was made known by the judgment of Mr. Justice Mansfield, Cabinet decided very quickly that the matter should be inquired into and I, as Attorney-General, sent out a special communication to the Commissioner of Police promising him all the relevant documents and every facility and every assistance that could be made in order that we might have an effective inquiry. What I think is revolting and abominable to a degree is that any hon. member opposite should say that the Government knew of the corrupt practice or were in any way associated with it. Insinuation and innuendo were indulged in by certain hon. members opposite, not all, and by the "Courier-Mail" but not the "Telegraph," which tended to degrade public life, to degrade journalism. All kinds of suggestions and innuendoes have been indulged in by hon. members opposite in regard to the Bulimba election but certain

vital factors emerged from it. The first is that in the judge's finding there was no criticism of the Government and there was no criticism of the hon. member for Bulimba, Mr. Gardner. As a matter of fact, the judge said that there was not a scintilla of evidence to associate Mr. Gardner or his agents with the crime. There was no criticism of any Government officer, notwithstanding what was said by the Leader of the Opposition today. He told us a deliberate falsehood when he said that the judge in his finding criticised the Chief Electoral Officer and the Principal Electoral Officer.

Mr. Sparkes: He made some very pertinent remarks.

Mr. LARCOMBE: He did, virtually exonerating the Principal Electoral Officer of any offence. That was quoted by the Premier. Notwithstanding those facts, we have slimy and sinister criticism engaged in by the Opposition.

Of course, if this campaign of the Opposition were to succeed they would reap great political advantage. For instance, the Federal elections will be coming on shortly, and this is a great side-tracking move to divert the attention of the people of Queensland in particular from the non-fulfilment of pledges and promises made by the Menzies-Fadden anti-Labour Government. As we know, they promised lower taxation, and have failed miserably to carry out that promise. They promised reduced expenditure, yet have increased expenditure by millions of pounds. They promised, too, to reduce the number of Crown employees, and have increased the number by many thousands. They promised to eliminate industrial unrest, and today there is more industrial unrest than there ever was in the history of Australia.

I say in rounding off, Mr. Speaker, that the Menzies-Fadden Government promised to put value back into the £, and have failed to do so. The failure to fulfil these promises is disturbing to hon. members opposite, and they accordingly have launched this side-tracking motion to enable them to gain some political advantage.

We all regret political corruption and electoral corruption. It is deplorable. Unfortunately, it exists in all States and countries at various times. It is not confined to Queensland or to particular control Governments. It has occurred in Queensland many times under anti-Labour administrations. For instance, there was the case of California Gully in the early political and electoral history of Queensland where 14 electors voted at an election yet 381 votes were counted. This is recorded in "Queensland Politics during Sixty Years" by C. H. Bernays, former clerk of this Parliament. He mentions the case of Fred Cooper, who was elected to the Eighth Parliament. In connection with this case he states—

"He is mentioned last for thereby hangs a tale. He was petitioned against in 1883. There were four candidates for Cook, Cooper, Campbell, Hamilton and Lumley Hill. Campbell and Lumley Hill were the petitioners. It was alleged that at California Gully, only 14 electors voted. Yet

the presiding officer certified that John Hamilton had secured 178 votes, F. A. Cooper 178 votes, Lumley Hill 23 votes and Thomas Campbell 2 votes."

Opposition Members: What year was that?

Mr. LARCOMBE: I thought that would stir them up, because the Leader of the Opposition said "Let us get back into political history." This is how Mr. Bernays's book ends the passage—

"No-one knows to this day who was responsible but Cooper was unseated and Campbell declared elected. In those days politicians and their agents conducted their business on a comprehensive scale."

Mr. Bernays went on in his book to point out that in another case, at Hamilton Creek, there were 25 electors, yet 114 votes were cast. Again Mr. Bernays says of another case—

"At the same election Patrick Perkins was charged with bribery and corruption in connection with his Aubigny seat. The election was declared void and Patrick was let down lightly. There were streams of Perkins' beer flowing at the election which would have filled the dry bed of the Flinders River out Hughenden way."

This is the record of a party that is really appalled at corruption in Queensland!

An Opposition Member: What year was that?

Mr. LARCOMBE: Never mind; it took place under an anti-Labour Government. Let any hon. member read Mr. Bernays's book and he will see for himself reports of electoral, railway, land, political and other scandals during the period an anti-Labour Government were in power. I am reluctant to drag out these rather unsavoury incidents, but if hon. members want to suggest that electoral corruption takes place under Labour Governments only then they "have another think coming" and should study history both in this and other States.

Mr. McIntyre: Two wrongs do not make a right.

Mr. LARCOMBE: I am not suggesting that. I am not suggesting that the Government of the day had anything to do with any corruption; but I say it was done and it is done in other States and other parts of the world under other forms of government. It is foolish for any party to assume all the qualities, all the honesty, and all the finer qualities of human nature. It reminds me of the words of Burns:—

"O ye wha are sae guid yoursel',
Sae pious and sae holy,
Ye've nought to do but mark and tell
Your neibours' fauts and folly!"

That is all the Opposition have to do—sit down and try to find the faults and follies of their political opponents. I am not blaming the anti-Governments of former days, but I am pointing out that it happened under anti-Labour Governments. In Victoria at the last election, under an anti-Labour Government, a Government candidate was declared elected and he came to Parliament House and took part in the selection of the leader of his

party. The Labour Party got a hunch and they appealed and the result showed that a big bundle of votes—47—that were placed in the Tory pile were Labour votes. The inquiry resulted in a recount and the Labour candidate was declared elected. I do not declare that the Government were responsible for that state of affairs, but it indicates that these things have happened. In Victoria the Labour candidate suffered in the first instance.

Further, hon. members opposite have been rather vicious in some of their charges, which must stimulate revolt and disgust in the minds of any fair-minded elector. One of the terms of their motion is that we are carrying on with the same electoral laws and officials. The Opposition have cast a reflection on every electoral officer in Queensland; not only on the police but the returning officers of various kinds, magistrates, C.P.Ss., schoolmasters, and others. All these men are capable and experienced, and they are just as honourable as any member here; yet they are branded in this motion as potential criminals.

Mr. Morris: That is not true, and you know it.

Mr. LARCOMBE: Read the indictment and you will see that I am not in any way exaggerating. If the hon. member reads the indictment framed by his party he will find that one ground is that we are continuing with the same officers and the same laws. It is coming to a sorry pass when the whole of the Electoral Office officials are to be branded as potential criminals by hon. members opposite in the way I have mentioned. Hon. members can read the indictment and they will see that what I have said is correct.

Further, in relation to the reflection cast upon the Principal Electoral Officer and officers generally, and the registrars, let me say there is no evidence in the statistics to support any suggestion that Labour candidates have been unduly favoured from Section 70 votes. The average votes for party candidates were: Labour Party, average per candidate, 37.5; Liberal Party 53.1; Country Party 21.6. We find the major anti-Labour Party has scored very heavily with Section 70 votes. There is only one instance I can recall in this State in which one candidate received all the votes under Section 70 and 70A. He received in all 25 votes and his opponents nil, at the last election.

Mr. Sparkes: Who?

Mr. LARCOMBE: You, the hon. member for Aubigny.

Mr. Sparkes: That shows what they think of me.

Mr. LARCOMBE: I am showing what can happen. If a Labour candidate scored 25 votes to nil that is evidence of bribery, corruption, and malpractice, but if the hon. member for Aubigny gets the 25 votes to nil that is evidence that he is a good candidate. I congratulate the hon. member for Aubigny. If a Labour candidate polls like that there is an immediate outcry for a royal commission. That indicates that hon. members opposite are inconsistent and contradictory.

For the benefit of those who read "Hansard" I will read the paragraph of the motion I am now discussing—

"The determination of the Government to proceed with further elections under the same electoral laws and with the same electoral officials as at the last State elections."

This is an unfair indictment. It is scandalous. It brands as potential criminals all the electoral officers in this State.

Mr. Evans: Only ten minutes ago the Premier said that there should be an amendment of the Elections Act.

Mr. LARCOMBE: Wherever experience has revealed weaknesses we will amend the Act but what I am complaining now is about the reflection put on officials, not on a specified number of officials but on all the electoral officers in Queensland.

Mr. Evans: He said he could not go on with the Bulimba election under the present system.

Mr. LARCOMBE: Whatever weaknesses are revealed—and weaknesses have been revealed—will be eliminated. We will bring down an amending Bill next session.

In regard to the declaration of voting raised by the Leader of the Opposition: while there was a technical error, there was no dishonesty or malpractice and there was no suggestion to the judge of any impropriety. His Honour had this to say—

"It appeared from the evidence that a number of declarations by voters casting votes at the Chief Electoral Office in Brisbane which had been signed by the metropolitan electoral registrar as a witness, had not been made before him personally. In fact the declarations had been made at the counter of the said office in the presence of clerks, the ballot papers had then been handed to the voters, and by them returned to these clerks after the ballot papers had been marked. The clerks then put the ballot papers in the declaration envelope, sealed the envelope and placed it in one of two or more ballot boxes. The electoral registrar was present in the electoral office at the time the declarations were made, and was seated at a table some 10 to 15 feet from the counter. At a later stage, usually at the end of each day, the electoral registrar signed the declarations as a witness."

There is no suggestion by the learned judge of any malpractice on the part of the electoral registrar or the Principal Electoral Officer. As to the other point raised by the hon. member for Coorparoo, I anticipated it would be raised and submitted the matter to the Principal Electoral Officer and asked for an explanation as to why there had been delay in the delivery of the ballot papers. I will now quote to the House his reply—

"In order that every elector desirous of voting should be given the opportunity of doing so, it was necessary that clerks should be employed to assist the Registrar with the details of voting and two

senior officers from the Brisbane Petty Sessions Office were seconded for this purpose (Messrs. Lewis and Moffitt).

"Under the circumstances it was not physically possible for the Registrar to personally witness the signing of each declaration, particularly in the week preceding the election, and his attestation was therefore added at a later stage on the same day. But he was present in the office when all such declarations were made and the Elections Tribunal Judge in his judgment drew a distinction between acts to be performed in his presence and those to be done in his sight (referred to in Regulation 28 (6) page 92 of the Act)."

The Principal Electoral Officer goes on to say on the question of dispatch—

"It was of the utmost importance that a person qualified to do so should attest each declaration, otherwise the vote would have been rejected and it was equally necessary that all persons seeking to vote should be accommodated. It was considered that these circumstances were such as would warrant a deviation in the normal procedure, particularly as Section 86 of the Act implies that formal defects in declarations may arise and there was good reason from them when they arose through sheer necessity.

"When the votes have been taken, it is an essential requirement that a record is made of the names and addresses of electors who have voted for each electoral district. (See Form 28A). It is necessary also that a similar record of the voters accompanies each batch of votes. The customary procedure is that typists prepare these lists from the envelopes previously sorted according to electoral districts and the Registrar or senior officers check the lists before placing the envelopes (and the copy of the list applicable to them) into outer envelopes for posting or delivery to the proper Returning Officer.

"In many cases delivery is made direct in the office to Returning Officers who may call or by messenger to Returning Officers whose offices are in the immediate vicinity. Otherwise, all packages are sent by registered post.

"Except when being handled for the preparation of lists or being prepared for dispatch, envelopes containing ballot papers are kept in locked ballot-boxes and unless these are in use at the counter they are at all times deposited in the strong-room which is locked outside the hours of duty."

He continues his remarks and gives this explanation in regard to the delay in dispatching votes—

"A statement attributed to Mr. K. J. Morris, M.L.A., has been published and there was a delay of 8 days in sending the votes recorded for the District of Bulimba to the Returning Officer. In reckoning this period Mr. Morris has included Saturday, 29 April; Sunday, 30 April, and Monday, 1 May (Eight Hours Day Holiday), on which days the normal duties of the office were not proceeding.

"The taking of a total of 1,281 votes on the three days preceding polling-day occupied the greater part of the time of 5 officers on these days and the balance of the staff was wholly occupied in attending to an average of 2,000 enquiries of every nature made by electors on these days and, apart from essential duties directly connected with the election, no other work could possibly have been undertaken and the preparation of lists and dispatching of votes had to be deferred.

"The first available opportunity of completing the necessary requirements was on Tuesday, 2 May, and the whole of the staff available was allotted to the work. All lists were completed and all envelopes containing votes were packaged by 5 p.m. on that day. Preference in dispatch was given to packages addressed to Returning Officers for country electorates and these were posted on Tuesday, 2 May. The following day packages for Returning Officers in Metropolitan electorates were posted or delivered. The Returning Officer for Bulimba intimated that he would call at the office for the package relating to his electorate but when he had not done so on the day when it was ready for him it was delivered to him on the following day. Thus any delay that did occur was absolutely unavoidable and was attributable to the unexpectedly heavy requirements of electors in the days preceding the election and particularly in the demand for absent votes which was more than double the number anticipated for these days."

In fairness to that officer I should like to have that explanation incorporated in "Hansard." He points out that the same thing occurred at the last municipal elections but no complaint was made then nor has it been made since by hon. members of the Opposition. Mr. Maguire said that there was a delay of seven days between voting and the dispatch and delivery of the votes. He remarked as follows:—

"A similar position arose in connection with the election of the Brisbane City Council on 30 April, 1949, when Section 70 votes cast at the City Hall in the closing stages were so heavy that envelopes containing votes were being sent to Assistant Returning Officers for almost a week after the polling day. But no-one has or would insinuate that these votes were held back for any sinister purpose."

So you see, Mr. Speaker, that at the last municipal council election the same delay took place but there was no protest by hon. members opposite. Why? They won. They said it was the soundest and the cleanest election ever held, but that was so because they won. My point is that the circumstances were the same. A sinister suggestion, however, is attached to the delay that occurred in the recent State election. When one year before an anti-Labour party won, there was no complaint and there was no sinister suggestion. Hon. members opposite were satisfied with the result.

The Premier has just pointed out to me with regard to the ballot paper with the

blot that was mentioned by the hon. member for Coorparoo, that Mr. Costello did not give this vote to Gardner, but declared it informal.

Now we come to the question of gerrymandering of the electorates, to use the euphemistic phrase of hon. members opposite. These political puritans talk about minority rule and the gerrymandering of electorates! However, prior to 1915 there was shocking disproportion of representation. In 1912, for instance, the anti-Labour Party polled less than 120,000 votes and obtained 46 seats, whilst the Labour Party polled 100,000 votes but obtained only 25 seats. The anti-Labour Party thus had a majority of 21 over Labour with only that small margin of votes. When the Labour Party complained about that, hon. members opposite simply grinned and sneered at their protests. These are the political puritans, the hot-gospellers, who, according to themselves, have always been responsible for honesty and fairness in electoral matters! It reminds me of another quotation from Robert Burns—

"O Pope had I thy Satire's darts
To gie the rascals their deserts,
I'd rip their rotten hollow hearts, and tell
aloud
Their jugglin' hocus-pocus acts, to cheat
the crowd."

Those burning words that were addressed by Robert Burns to the hypocrites and the insincere are worth quoting today. They come to one's mind when hon. members opposite, who were responsible for all this gerrymandering and political injustice before 1915, get up here and profess that they possess all the electoral virtues and honesty and accuse the Labour Party of being dishonest and corrupt.

Hon. members opposite are really adopting a sour-grapes attitude. With one exception, they have failed in every election since 1915. In 1915 we won after a Tory redistribution, and again in 1932, in spite of Tory gerrymandering that resulted in eight Labour members of this Assembly being murdered in cold blood, in a political sense Labour won again. Eight Labour members were wiped out by hon. members opposite by Act of Parliament. Yet hon. members opposite talk about gerrymandering and unfair practices! However, they turned the gun on themselves and brought about their own political extinction. Today they are disgruntled and disappointed because they cannot win an election on ordinary political grounds.

Like political Satans, hon. members opposite have decided never again to do good. In effect, they are going to destroy, to pull down. They do not care two straws for those great canons of democracy that they have been talking about such a lot. They are actuated only by sordid self-interest. They cannot get what they want, and they blame everyone but themselves.

That reminds one of a quotation from Shakespeare—

"The fault, dear Brutus, is not in our
stars,
But in ourselves, that we are underlings."

Let hon. members opposite read Shakespeare and let them imbibe the wisdom of Shakespeare, which is eternal. That would be a good quotation for hon. members opposite to study. Their attitude reminds one, too, of some defeated football teams. They blame the ground, the referee and the ball. The ball is too big, the ground too small, and the referee, well, he is incompetent, or to speak in the vernacular, up to putty. If only they had their own ground and their own referee and their own ball they could win. That is what hon. members opposite say. I know quite well what is in their minds. I know that they are saying to themselves, "Give us 12 months on the Treasury benches, and we will stay there for 12 years, or perhaps 1,200 years." They believe that with their own ground, their own ball, and their own referee they could win. But I do not know that they could win even then.

[The Leader of the Opposition talked about political jobbery in Labour plebiscites, but later on perhaps I may quote what the hon. member for Mirani said about a section of his own party, the Liberals. Let the members of the Liberal Party look for the mote in their own eye before trying to discover anything wrong with Labour's eyes. For instance, let them read what Mr. Massey, the hon. member for Toowong, had to say about the members of his own party—

"There is among us an organisation presuming to be representative of the people, prepared to jettison the basic principles of democracy and common decency, to suit its political expediency and gratify the power lust of certain individuals."

When hon. members opposite talk about plebiscites, let them look into their own political history and they will find that their own members have condemned them, in this connection, in the strongest possible terms. Mr. Massey retired from politics, disgusted with the members of his party. He would have nothing more to do with them. He said that they did not possess the essentials of common democracy or common decency.

Mr. Gair: What did Mr. Chandler say about them?

Mr. LARCOMBÉ: Mr. Chandler, the present Lord Mayor of Brisbane, said that he had been waiting for years for a sound, constructive policy from the Opposition. He went on to say that if they could point to one piece of constructive work that they had done, he would retire from the political field. He said that when he came here and attempted to lead the party himself, he became disgusted and threw in the job in despair. He left Parliament.

Now let me read what Senator Foll had to say about members comprising the same political party opposite—

"I regard this as the most unfair treatment ever accorded a public man. For 30 years I have given all my life in public service, ever since I returned from World War I. and was selected by a body of Diggers to run for the Senate. To make matters worse I, who was never mixed

up in any sectarian dispute, was informed that the Liberal Party was going to make a bold bid for the Catholic vote and also for the women's vote. I did not fulfil either of those requirements. Fifteen people decided this out of a voting population of 600,000."

This man had served his party for many years. That was a shockingly undemocratic and unfair way to be treated by a party that complains of Labour's tactics in regard to plebiscites and otherwise. I could give another opinion by Senator Foll of the Queensland Liberal Party during the course of a speech in the Senate, when he said—

"If I gave my real opinion of the Queensland branch of my former party I am afraid you would rebuke me for using unparliamentary language."

Again, he said—

"I thought there was sufficient decency left in the organisation for members to recognise an unbroken period of thirty years' service."

This is how the party that points the accusing finger at Labour treats its old, tried and trusted members who gave many years of service to its cause.

I want to say a word now about the electoral rolls. The Premier has already indicated that unless a name is on the State roll he cannot get onto the Federal roll. The Leader of the Opposition contended that the Commonwealth roll was a clean roll, and asked why Queensland did not get into line with the Commonwealth roll. Do the Opposition know that in 1949 there were fewer names on the State roll than on the Commonwealth roll? Yet according to their arguments we have not a clean or a pure or up-to-date roll.

The Leader of the Opposition has his own fancy conception of a roll. In reply to an article written by the Premier, he made a statement which was published in the Press in May 1950 to the effect that when the opponents of Labour were in power 88 per cent. of adult persons in this State were enrolled, and that was a clean roll. In other words, he stands for the disfranchisement of 12 per cent. of our adult citizens. By what canons of logic can he stand for such an outrageous standard of enrolment? Twelve per cent. of our adult population amounts to about 88,000 votes today. That number of electors would be struck off the roll if the Leader of the Opposition were to frame an Elections Act and carry out his scheme. I defy him to quote any roll in Australia on which only 88 per cent. of the adult citizens are enrolled. In all other States, including those controlled by a Tory regime, we find more than 90 per cent. of the adult population are on the State roll. Yet the Leader of the Opposition would have his roll based on a roll that was incomplete to the extent of about 88,000 adult citizens of this State. I want to emphasise that point and make it quite clear that although the party opposite says it stands for a clean roll, its idea is based on unfairness, for nothing is more unfair than

to deprive 12 per cent. of our adult population, or 88,000 electors, of the right to be placed on the electoral roll.

I want to emphasise that even before 1929-32 in 1915, there was an absence of proper enrolment of citizens. Citizens who had to travel to various parts of the State to seek employment.

In Queensland, the alleged inflation of the roll is based on a series of misstatements and absence of fact.

Finally, I want to quote the Leader of the Opposition on the question of a clean roll in the Warrego electorate. He complained about the Warrego roll in particular, 'but what a sorry mess he made of his case! It was referred to by the Premier. The Leader of the Opposition went out to the Warrego electorate and said certain names were improperly on the roll and gave a list of names. He quoted, among others, the name of Rathbone, which he said had been improperly and unfairly placed on the roll, and added that there were double enrolments. He quoted from page 2 of the roll but if he had read page 5 he would have found that duplication was non-existent, that while Rathbone was enrolled for the Charleville division he was eliminated at the same time from the Cunnamulla division. That is the kind of evidence, of alleged proof, that we are asked to accept that the rolls are inflated and that there is a duplication. The very roll in regard to which he alleged duplication showed the elimination of Rathbone's name.

Previously the Leader of the Opposition sent in a list of 68 names that he said were improperly on the Warrego roll, yet 49 of them were eliminated before his list reached the Electoral Office. That is the kind of evidence we have in support of the charge of alleged duplication and inflated rolls. Forty-nine names on the list that was handed in in January had been eliminated at the end of 1950. So we see that the case of hon. members opposite is based upon ignorance, upon falsehood, and misunderstanding. They are factors that should disqualify the party from again getting the support of the electors of this State. I submit that the motion should be and will be rejected, not only by this Parliament but also by the people of Queensland, in terms of indignation and protest.

Mr. MORRIS (Mt. Coot-tha) (4.52 p.m.):
Mr. Speaker!

Mr. AIKENS: I rise to a point of order, Mr. Speaker, are you calling the speakers in accordance with the list presented by the Whips or in accordance with priority of right? I have risen since the debate started but I have not yet got the call.

Mr. SPEAKER: Order! No list has been handed to me by the Whips. I call the speakers in the order in which they catch my eye as they rise in their places.

Mr. MORRIS: After listening to the reply of the Premier, I say that I do not think the House has ever heard such a

petty, futile and infantile reply. I am not at all surprised that the Attorney-General immediately got up in an endeavour to draw the speech of the Premier into line. Unfortunately his contribution was even less valuable than that of the Premier. The hon. gentleman went back to 1852 in order to find some reference to some electoral corruption in Queensland that had no association with the Labour Party. That is indeed a futile contribution to a serious debate in which particularly serious charges have been made by the Leader and Deputy Leader of the Opposition. Not one factual point mentioned in this debate by either the Leader of the Opposition or the Deputy Leader, particularly in regard to the Bulimba case, has been controverted or denied in any satisfactory way. We are still faced with the position of electoral fraud in Bulimba—an electoral fraud that resulted in one man's wrongly occupying a seat in this House for a considerable time.

The charges that have been made by the Leader and Deputy Leader of the Opposition are grave enough in all conscience. If they went no further than what has already been revealed in Bulimba they would be grave enough. The people of Queensland undoubtedly have lost every bit of confidence they once had in this socialistic Labour Government of today. They had very little confidence 12 months ago because only 40 per cent. of the people supported that party. I venture to say that the confidence the people of Queensland have now is infinitely less than it was at that time.

The hon. member for Coorparoo, using the evidence and findings of the Elections Tribunal in the Bulimba appeal demonstrated very clearly that falsification and alteration of ballot papers had in fact taken place while the papers were under the control of the Electoral Office. That is supported by the uncontradicted evidence of witnesses at that Tribunal.

I propose to tell the House today that not only in Bulimba but in Windsor was this sordid and revolting picture presented at the last election. The picture there is almost identical with the picture presented to the Elections Tribunal at Bulimba.

Mr. Devries: Is that the place where you missed the bus?

Mr. MORRIS: I hope the Minister will be present in this Chamber when I finish my speech because I will show him how the bus has not been missed at all but how it can be caught by honest people. The Secretary for Public Instruction is an hon. gentleman to whom I am speaking today because he is one of the members on the Government benches who I believe will pay due regard to evidence and will weigh the evidence when presented.

I should like to traverse the count at the Windsor election in some detail and necessarily will require to refer to my notes for actual figures. First of all, I would point out that on Saturday, 29 April, when the poll

was concluded at night, the Liberal candidate, Mr. Devene, was leading by a majority of 18 votes. On Sunday, 30 April, 111 Section 70 votes were examined. Here I should like to make it very clear that those votes were in the hands of the returning officer before the count at the end of the day was known. Of these 111 Section 70 votes, the Liberal candidate got 48 and Rasey, the Labour candidate, 62; one vote was informal. When these votes were counted the position was that the Liberal candidate was leading by four votes. On Monday, 1 May, a number of Section 71 votes were counted and of these votes the Liberal candidate got 144 and the Labour candidate 142; 26 votes were informal. As a result—and I will tell the whole story if hon. members opposite would only listen—at the conclusion of that count Mr. Devene was leading by six votes. All these votes were either in the hands of the returning officer at the close of counting or came in either during that night or were at least counted by Monday, 1 May. A great change in the number of votes being received took place. On Wednesday, 3 May, four days after the conclusion of the poll, 42 Section 70 votes were received by the returning officer at Windsor. Those were votes, unlike any others that had come in up to that stage, from the Chief Electoral Office itself and from the hands of the officer mentioned earlier in the debate, from the hands of Mr. Maguire. Here in my hand I have a list of these Section 70 votes to which I refer. The 42 section 70 votes that came from the Electoral Office in the city came from the office of Mr. Maguire. The date of issue of those ballot papers is very significant. Remember, Mr. Speaker, that the election took place on 29 April. The first sheet I have is of names of votes issued on 26 April and they are Section 70 votes. On the second sheet nearly as many votes were issued on 27 April, two days before the election. On the third sheet there is another batch of votes and the names appearing were issued on 28 April, still one day before the election took place. I refer again to the list because it is one of great importance. I should like the House, at this stage, to cast its mind back to the debate that took place this morning and, having read the transcript of evidence in the Bulimba case, to again remember what took place.

A great change came over the complexion of that election by the receipt of the first batch of votes that came from the Chief Electoral Office, from the hands of Mr. Maguire. Exactly the same picture is presented in Windsor as in Bulimba, because up to this stage of the votes coming from Mr. Maguire, the Liberal candidate was leading and there had been a very close contest in every other section of votes received. These votes came from the Chief Electoral Office and were counted—votes that should have been delivered many days before they were but were illegally held by the Electoral Office itself. I repeat, illegally held, because the Act says they must be forthwith forwarded to the returning officer. This was not done. When these votes finally reached the returning officer at Windsor and were opened they revealed almost unbelievable figures. Eleven

were in favour of Devene and 30 in favour of the Labour candidate, a proportion of almost three to one, and a proportion that was not reflected in any other votes received up to that stage in any other case. I quote the words of the hon. member for Kelvin Grove when speaking on electoral matters in this House three years ago. He said, "These are things that just don't happen in elections." I agree with him in the use of those words. When these votes were counted, the result was that for the first time the Labour candidate went to a lead of 13, even though the number of votes counted was only 42, of which 1 was informal, thus leaving only 41 effective votes.

Subsequently, on different days 974 Section 69 votes were counted. These did not come from Mr. Maguire or the Chief Electoral Office, but from various polling booths throughout the length and breadth of Queensland. They resulted in 487 for Devene, the Liberal man, and 487 for Rasey, the Labour man. That counting was almost identical with the way in which the poll had gone up to that stage, but, as I say, those votes did not come from the Chief Electoral Office.

The position then was that the Labour candidate had still a lead of 13. At that stage there was a reallocation of doubtful votes that had been put aside for further consideration, and from those doubtful votes Devene obtained 6 and Rasey 2, which gave Rasey at that stage a majority of 9. I think you will agree, Mr. Speaker, that the voting at that stage was indeed very close, even though this batch of 41 effective votes from the Electoral Office was included.

Mr. Burrows: What about the package from which Devine got 6 and Rasey got only 2?

Mr. MORRIS: Mr. Speaker, the constant interruption of the hon. member when I am quoting figures is rather disturbing. I should like you to keep him quiet on this occasion.

Mr. SPEAKER: I ask the hon. member for Mount Coot-tha to bear those remarks in mind when members of the Government are speaking. He set a very bad example this afternoon, so he cannot complain. I ask the hon. member to continue his speech, and ask other hon. members to let him make his speech without interruption.

Mr. MORRIS: As I have said, at that stage Rasey was leading by 9 votes, even though those suspected votes that came from Maguire had been counted. Those 42 votes were Section 70 votes that were held in the office of Mr. Maguire. They were held there illegally, because the Act lays it down that those votes shall go to the returning officer forthwith. They were cast on 28, 27 and 26 April, but they did not go to the returning officer for Windsor till 4 May, so I repeat that they were illegally held. At this stage, when Rasey was leading by 9 votes, another batch of votes came under the hands of Mr. Maguire. He delivered them personally to the returning officer. They were 91 votes cast under Section 35A, and on a count the

same almost unbelievable result was disclosed as was found in the package of 42 votes, which I mentioned earlier, and which were illegally withheld in the Chief Electoral Office. These 91 votes that came under the hands of Mr. Maguire himself to the returning officer resulted in 11 going to Mr. Devine, the Liberal candidate, and 36 to Mr. Rasey. Forty-four of them were disallowed by Mr. Maguire, but the reason for the disallowance I do not know. I should like to know, and I could prove why they were disallowed if I could get a copy of a list of those votes with the names of the people who cast the votes. However, I shall come back to that a little later on.

The result of these almost unbelievable figures gave Rasey a majority of 34. After that there was a recount of the primary votes, as a result of which his majority came down slightly, to 29, which was the final figure for the election as recorded by the returning officer.

I have given those figures in all the detail that I possibly could, because I believe that they are very important. Only two batches of votes varied in a marked degree from the general run of voting in the Windsor electorate, and those two batches passed through the hands of Mr. Maguire and the Chief Electoral Office. Those two batches contained only 88 votes, and if those two batches had been discounted, that is, forgotten, the result of the election after the recount would have been that Mr. Devine would have had 15 more votes than his opponent. But when the two suspect batches come in, Rasey gets a majority of 29.

At this post-election stage, that is, the week of the election, we had no suspicions about the Chief Electoral Office, or any person in the Chief Electoral Office, and particularly no suspicion about any high-ranking Government official, and we might never have believed that these votes were suspect until the picture of Bulimba was revealed to the public. When we saw that those votes were falsified, that they were forged while under the control of the Chief Electoral Office, naturally we became suspicious of these two particular batches that I have mentioned. Our officer then applied to the returning officer for Windsor for a list of these 42 votes that were cast, votes in the suspicious package, and the returning officer presented us with a list in his own handwriting. I have it here. I quoted from it before, and he has identified this list. It is a list of the whole of the 42 votes. He has identified the list. On receipt of this list we decided that we should like to know whether there was any similarity between the results in Bulimba and the results in Windsor, so our officers interviewed every person on that list. When any person interviewed was quite ready and willing to inform our organisers or our officers freely and of his own free will how he voted we asked him whether he would give us a statutory declaration to that effect. Every statutory declaration used by our people in the Bulimba tribunal was proved to be correct 100 per cent. Every statutory declaration was accepted by the Tribunal judge, and

in addition a few more also were revealed. Because these statutory declarations in Bulimba were 100 per cent. perfect I say that the same applies here, and they all gave declarations voluntarily, freely and willingly.

Mr. Riordan: Is that an official list you quoted from?

Mr. MORRIS: Of these 42 votes—

Mr. Riordan: I move, Mr. Speaker, that the document which the hon. member stated he quoted from, be tabled.

Mr. SPEAKER: I suppose the hon. member has no objection to tabling it?

Mr. MORRIS: I have no objection in the world.

Opposition Members: Hear, Hear!

Mr. SPEAKER: Order! As the hon. member has no objection I will refrain from putting the motion; I accept his assurance that he will do so on completing his speech.

Mr. MORRIS. Mr. Speaker, I should like your guidance. I am quoting from a document and from my own notes. Which particular document do you desire me to table? If you wish I will table both.

Mr. SPEAKER: Will the hon. member table the document containing the names he mentioned when he has finished his speech?

Mr. MORRIS: I will do so.

I was saying that we arranged for our officers to interview the people in that batch of 42 names on the list I am going to table and we have statutory declarations, which are not attached to this list but which I will give to Inspector Bischof at the conclusion of this debate, as my leader said earlier in the debate. We have statutory declarations and statements by 22 people of the 42 on this list, yet we only got 11 votes of that batch, notwithstanding that 22 people have stated they voted for our candidate. There is the exact picture that occurred in Bulimba—identical in every way except for numbers. I say quite definitely that in that batch, if it is examined, there will be found at least 11 forgeries. I believe they will be forgeries in the same handwriting as the forgeries found in the Bulimba case.

Mr. Riordan: And yet the judge could not say who they were.

Mr. MORRIS: Evidently the hon. member who has interjected has not read the evidence very clearly, because the judge has indicated to whom suspicion points. Read Bardwell's evidence and you cannot escape the conclusion as to the person to whom he is referring.

The next question that appeared to us was this: in view of the fact that we have these statutory declarations, we appealed to the Elections Tribunal, and it is widely known that an appeal to the Elections Tribunal can succeed only if you can show sufficient votes in dispute to change the result of an election. Rasey's figures were 29 in excess

of Devene's and we could only at that stage—I make that clear—we could only at this stage show 22 votes; so there was still a discrepancy of 7 votes before we could successfully appeal to an Elections Tribunal. We desired to interview the balance of those people so that we could apply for an Elections Tribunal and not miss the bus, as the Minister interjected a while ago. Our candidate went along to see Mr. Maguire, the Principal Electoral Officer and he asked Mr. Maguire for a list of those 91 people who had exercised Section 35A votes so that they could be interviewed. Our candidate came back and wrote this memo, which is signed, on 31 May, 1950:—

“Today (31st May), I interviewed Mr. McGuire, the Chief Electoral Officer and made the following request: There was a parcel of votes under Section 35A delivered to the Returning Officer, Mr. Kaye numbering 91 votes, of which 44 were disallowed for various reasons and 47 counted. I asked Mr. McGuire if I could have a copy of the list containing the names of those voters in this parcel for checking. Mr. McGuire stated that he regretted that this could not be done as all the votes, papers, etc., connected with the Windsor election had been sealed up. This was all the information that I could obtain. The above statement is a correct record of what took place between Mr. McGuire and myself.

(Signed) A. J. Devene.”

Let us just refer to the Electoral Act, because that is very pertinent. Section 63 says—

“It shall be the duty of every elector enrolled on the roll for an electoral district to vote at each and every election held for that electoral district.

“When and so often as an election is held for a district the returning officer shall—

(c) Within one month, or such longer period as the Principal Electoral Officer may allow, after polling-day forward such marked roll to the Principal Electoral Officer.”

With any roll, the Electoral Office sends out letters to people who have not voted, asking them why they did not vote; yet the Principal Electoral Officer told our candidate he did not have a record of it because it had been sent away. I say that is not true because the Principal Electoral Officer must have had a record of those 35A votes cast in the parcel of 91, but he would not give it to our candidate. Why wouldn't he? The reasons why our candidate could not get it were two, the first being that we then should have been able to check the 44 votes disallowed and have grounds for an appeal, and the second being that we could then carry out the check we had already made at Bulimba and Windsor and of which I have no doubt the Principal Electoral Officer knew. Quite illegally we were deprived of the opportunity of investigating these Section 35A votes, which made all the difference between winning and losing the election.

This is the factual story of Windsor: we have signed statutory declarations proving that there has been falsification of votes in Windsor in exactly the same way as has taken place in Bulimba. I say most emphatically that there has been as much corruption in the final results of the figures for Windsor as there was in the figures for Bulimba, but I go further and say that the trail of corruption, fraud and falsification of votes leads with startling clarity in the same direction and to the same point as it did in the case of Bulimba. The two cases are as identical as they possibly can be.

Mr. Sparkes: In other words, whoever did Bulimba did Windsor?

Mr. MORRIS: I believe that to be true. In the case of Bulimba we went to the Tribunal but in Windsor we are not able to take action because, as I said before, the number of votes was insufficient to alter the result of the election, because we could not get that additional list of votes from Mr. Maguire, whom we approached. This is not a case of seeing some other officer in the Electoral Office but approaching Mr. Maguire himself. I am quite certain that what happened in Windsor is as corrupt and rotten as what happened in Bulimba. I, therefore, challenge the Government to take certain action. I ask that the Principal Electoral Officer, Mr. Maguire, be ordered to hand to the Commissioner of Police a list of the people who are included in the 91 Section 35 (A) Votes, the list that he would not give us.

Mr. Riordan: You opposed that.

Mr. MORRIS: That has nothing to do with it. That is a list which, as I said before, had to be in the hands of the Principal Electoral Officer to enable him to send out his requests to electors to explain why they did not vote. The first demand I make is that the Principal Electoral Officer hand over that list to the Commissioner of Police. Secondly, I demand that this Government instruct the Commissioner of Police to allocate a high-ranking police officer to investigate every one of these names (a) to ascertain whether the persons concerned were in fact entitled to vote at the election, although they had been disallowed; (b) to invite them, if they so desired, to submit a statutory declaration in the same form as those used at Bulimba.

That challenge will test the sincerity of the Government. I also challenge the Government in terms of Section 101 of the Elections Acts dealing with the Elections Tribunal to invoke the services of the Elections Judge to investigate this case. That Section 101 reads as follows—

“(1) There shall be an Elections Tribunal, which shall be constituted by a Judge of the Supreme Court. The Elections Tribunal shall be a Court of Record.”

“(2) Such Tribunal shall have power to inquire into and determine—

(a) Election petitions; and

That was what happened at Bulimba.

(b) All questions which may be referred to it by the Assembly respecting the validity of any election or return of any member to serve in the Assembly . . .”

Under subsection (2) of that section I demand that the Government take action to see this scandal (interruption) . . . Hon. members may laugh. I know that the rotten scandal is a joke to some but it is not a joke to a lot of people. It is an example of their Commo tactics. That is a remark I heard one hon. member use. It is exactly what the Communists have done in other countries, and it is what the Communists and their Socialist fraternity are endeavouring to do in Queensland.

I have submitted to you, Mr. Speaker, a case showing results in Windsor identical with those of Bulimba, and those cases reveal more than ever that this is not the case of what happened in one electorate. It is not a case of one Labour candidate being wrongly elected. We have seen it proved that Mr. Gardner was wrongly elected to this Chamber, and I submit on the case I have presented that the present occupant of the seat for Windsor also has been wrongly elected, and for the reasons I gave I demand the action I have indicated. This picture is not that of one electorate or to one section. The same picture has been seen in more than one case and how far it extends I do not know. In my own opinion, we have unearthed two cases of electoral fraud, corruption, and dishonesty on a scale unprecedented and unknown in Queensland. I believe this corruption is practised by the junta of the Labour Party, which uses its candidates merely as puppets. That has been happening right throughout Queensland wherever an election has been close and by these corrupt methods candidates have been elected. This is not a case of some over-enthusiastic Labour helper making a bit of a mistake. It is infinitely more than that. There is the picture of the Government's action and their methods when the will of the people is against them. They flout the will of the people.

Mr. Devries: Why do you say that a Labour man has done it?

Mr. MORRIS: Because it is done by the secret junta of the hon. gentleman's own party. Labour is being put into power and nobody else.

Mr. F. E. Roberts interjected.

Mr. MORRIS: The hon. member for Nundah talks about power without glory. What an apt phrase! Hon. members on that side of the House have power but they have not glory, and I appeal to those hon. members opposite—and I know that there are some who do take pride in their reputations and who value honour and decency even above party—to realise the filth that is going on in the election of their own candidates under these conditions.

(Time expired.)

Hon. W. M. MOORE (Merthyr—Secretary for Health and Home Affairs) (5.35 p.m.): Since the sitting of the Tribunal in 1951—3p.

connection with the Bulimba election a great deal of campaigning has been done, particularly by members of the Opposition, aided and abetted by the “*Courier-Mail*” newspaper. I propose in brief and simple language to place before the House the position in connection with this matter as I see it.

A general election was held in Queensland on 29 April, 1950, and Mr. Gardner won the Bulimba seat. Mr. Hamilton, one of the candidates, subsequently petitioned the Elections Tribunal against the election of Mr. Gardner. The Tribunal found that Mr. Gardner was not duly elected, and the election was declared void. In the course of a rather long judgment Mr. Justice Mansfield said—

“It is clear then that there has been committed in relation to the eleven ballot papers, a flagrant breach of the Acts and a criminal offence under the Criminal Code.”

Further on he said—

“I consider it proper in justice to the Respondent Gardner, that I should make it clear that there is not a scintilla of evidence that he or any of his agents was in any way connected with this gross fraud.

“I strongly urge that consideration be given to having the most intensive investigations made to discover the perpetrator.”

Immediately the Government received His Honour's judgment, it was considered, and on the very same day certain action was taken by the Government.

In spite of all the misconceptions, misrepresentation, and the clouding of issues that have been engaged in by the “*Courier-Mail*,” two very important facts emerged from His Honour's findings. The first was that there was to be held in Bulimba a new election, and the second was that an intense police investigation was to be held in an endeavour to discover the perpetrator of this fraud.

On the morning of 3 January, the day after the judgment was delivered, Cabinet met and agreed unanimously that the matter be placed in the hands of the Commissioner of Police for a complete and urgent investigation. That was done immediately, and the investigation began under the direction of Inspector Bischof and senior officers of the Criminal Investigation Branch of this State.

Of those two matters that were set out very vividly in the judgment delivered by Mr. Justice Mansfield, I believe that the police investigation is the more urgent. The electoral machinery of this State is under suspicion, and for that reason I say that the police investigation is the more urgent matter. Could anything be more important than a thorough investigation of these matters? Could anything be more important than the discovery of the person who committed the fraud? To show Cabinet's appreciation of the seriousness of the matter and our determination to have a thorough investigation, let me say that we have not interfered nor do we intend to interfere with the natural course of the investigation. I repeat

that the Commissioner of Police was instructed that the investigation must be carried out thoroughly and without delay and the Commissioner has assured me that these instructions are being strictly observed. As a matter of interest I will say that he told me that Inspector Bischof and his staff had been engaged exclusively on this work ever since the instructions were given for the investigation.

On the other hand, what has been the attitude of the Opposition and the "Courier-Mail"? By daily statements and a campaign of innuendo their attitude has tended towards jeopardising the success of the investigation and has led people to ask whether this section of the community want the investigation carried out thoroughly. In order to substantiate my statement that there has been a campaign of interference by statements and innuendoes, let me quote my own case. A representative of the "Courier-Mail" came to my office, probably acting on the instructions from the management of the "Courier-Mail," and submitted a questionnaire to me wanting details of the investigation. For instance, he wanted to know who had been investigated, what was the course of the investigation, how long the investigation was going to take, and what were the results of it up to date, and so on. It is grossly unfair that a public organ like the "Courier-Mail" or any such newspaper, whose object should be to act fairly in all these matters in supplying the news of the day to the people, should want to know the progress of a matter in the hands of the Criminal Investigation Branch. I do not know of any other case in which a newspaper has adopted such an attitude in connection with an investigation into a crime. I cannot remember any case, whether robbery, murder, or anything else, that was in the hands of the Criminal Investigation Branch, in which a newspaper has attempted to interfere with the course and progress of the investigation. It is very plain that the reason for this unwarranted interference was a desire to get some information to be given to the public in a garbled manner which would be detrimental to the Police Force and create a false impression about the Government in the handling of the matter. My reply to the representative of the paper was that the matter was in the hands of the Commissioner of Police.

The tactics of this newspaper show its prejudice and the depth to which it will descend in order to obtain a political advantage on a question that, I suppose, is unprecedented in the history of Queensland politics. It misquoted my statement. It started off with a headline purposely designed to mislead—a journalistic trick of the lowest type, as most people read it and register what they read.

"Government washes hands of Bulimba."

What was the inference? That we were not interested. At the very time the statement was published the Opposition had their whisperers in the homes of the Bulimba electors doing some campaigning. They told the

people that the Government were not interested in Bulimba and that the Health Minister said so.

"Probe is a job for the police."

Then the "Courier-Mail" went on to say—it is hard to follow its declared desire to act honestly and fairly when it attempts to do something to make the people believe that the Government were not interested.

Who else could be brought in to probe a criminal matter but the Police Force? Everyone in this Chamber knows that, yet the Opposition and "The Courier-Mail," would lead the people to believe otherwise. The Opposition launched a motion of no confidence in order to attempt to gull the people of this State, particularly the people of the Bulimba electorate into believing that the investigations of this criminal matter, as mentioned by Mr. Justice Mansfield, should be a job for some other commission or authority. The contention is absolutely ridiculous. The Opposition have not one precedent in Queensland to back up their foolish attempt to convince the people of Queensland through this Chamber that the job is one for some other body.

Mr. Sparkes: Why did you let the people of Queensland wait for six weeks before taking action?

Mr. MOORE: The Premier and members of his Cabinet have repeatedly said they will not interfere with the C. I. Branch in this matter. No matter how much the "Courier-Mail" yells or how much the Opposition yell the Criminal Investigation Branch will do its job as its officers have taken their oath of office to do. Many institutions are under my ministerial control. The Brisbane and South Coast Hospital is one. Have I the right, should I be mad enough to go out to the General Hospital and interfere with an operation conducted by Dr. Pye or Dr. Julius? What would the "Courier-Mail" or Opposition say if I did so? They are men employed by the Government to do that specialised job. In the same way the C. I. B., as a Public Service department whose job it is to investigate crime, is carrying out this investigation in a very, very thorough manner under Inspector Bischof and the men associated with him. I want to say here and now that since Inspector Bischof began his investigations in this matter I have neither seen nor spoken to him. If I was seen in his company, or in the company of his men carrying out the investigation the "Courier-Mail" or the Opposition would be low enough to say that I was endeavouring to interfere. This Government has nothing to hide. (Government cheers.)

Anybody with a knowledge of the nature of an inquiry in a case such as this, must know that it is a matter of assembling fragments of evidence, entailing exhaustive inquiries and the inspection of many things. One can imagine the number of people to be interviewed and the number of documents to be scrutinised, yet the Opposition want the investigation hurried. The ramifications of inquiries such as this are amazing. Many years ago, when the Opposition to the Labour Government attempted to bribe the

late Frank Brennan, certain investigations had to be carried out, but had these investigations been carried out to their full extent a certain squatter, a backer of the Opposition in those days, would have had to be interviewed. He bolted and he got out into the back country on the border of South Australia, on an outpost property, and he stayed there for 18 months. If he had had to be interviewed, how long would those investigations have taken? If it took 12 months to carry it out thoroughly the gravity of the crime would have justified the time taken.

The reason why I entered into this debate was mainly that the Opposition, as is customary with them, have hanged, drawn and quartered public servants. They have done this in every debate and they have used the privilege of this Parliament to slander, and malign public servants. I repeat that these investigations will go on to the end and the members of the C. I. Branch will not be influenced by the howling of the Opposition. I want to commend members of the C. I. Branch who are handling this job and I wish to say that I have been assured by the Commissioner that they are doing their work in a very thorough way.

The second part of what I might term the important finding by Mr. Justice Mansfield was that there would be a new election in Bulimba. That machinery has been put into operation since the resumption of this session. They are the two answers of this Government to the indictment by the Opposition, which they tried to support by this motion of Want of Confidence. The Government have been honest and they have been consistent and their conduct has been in keeping with the high office of government in this country.

The Deputy Leader of the Opposition, in great detail, talked about many matters in connection with the Bulimba electorate. He referred to ballot papers that had markings on them. The Tribunal found that certain wrongs had been committed and declared the election void. The seat has been declared vacant and in due course a new election will be held. There is the answer to the findings that certain wrongs were done there. There is no need to elaborate. The Opposition have got what they want; they have got a new election. All their other talk is merely moonshine. The Government have carried out the second very important recommendation of the judge, and the investigation by the Police Department to endeavour to discover the perpetrator of this fraud is now under way. The Government's responsibility on the findings in the Bulimba Elections Tribunal have been carried out to the full.

In conclusion I would say that there lies the answer to the motion of Want of Confidence in the Government moved by the Leader of the Opposition. Neither the members of this Parliament nor the people of Queensland will believe that the members of the Government have not in every way upheld the dignity and prestige of the important position to which they have been elected.

Mr. AIKENS (Mundingburra) (5.56 p.m.): I listened to the speech made by the Leader of the Opposition in formally moving this motion and then to the elegant Chesterfieldian cloquence of the hon. member for Coorparoo. To do the hon. member justice, he made a particularly sound case against the Government. I compliment him here and now on the way in which he prepared his speech and particularly on the manner in which he made it.

Following the hon. member for Coorparoo I listened to the most anaemic exhibition of oratory that we have heard in this House. Usually the Premier, on the defensive, is a raging torrent of verbosity. Usually he waves his hands in grandiloquent gestures, puffs out his chest—demands to be listened to in sylvan silence—and then tears the Opposition to shreds. What did we witness today? A man humble and apologetic, hoping that the matter would die as quickly and as easily as was convenient for him. In the seven years I have been in this House I have never heard a worse exposition either in offence or defence given by the Premier.

Then, of course, we had the Attorney-General, long past his prime as an orator, but still very pleasant to listen to. He had no case but he did the best possible with it—which was very little.

During the speech of the Secretary for Health and Home Affairs we had the assurance reiterated—an assurance given to us time and again by the Premier—that there will be no interference by the Government with the police in the execution of their duties, that they have been geared up to concert pitch—bloodhounds, magnifying glasses and everything else and sent out on the trail of the culprit. The Secretary for Health and Home Affairs and the Premier have given us all the assurances in the world that the culprit will be tracked down and that no mercy will be shown to him and that he will be brought to justice and that nothing will stand between him and the punishment he so richly deserves. If we did not know the Premier, we should be inclined to give credence to his assurances, but in the seven years that I have been here I have heard the Premier stand up and give solemn assurances about almost every subject under the sun. He has given the assurance that this would be done and that that would be done, and he has given the assurance that certain culprits would be tracked down. I heard the Premier give an assurance that the man who crept up behind Fred Paterson on St. Patrick's Day, 1948, and murderously struck him down with a baton would be brought to justice. We have learned from bitter experience that whilst the Premier's personal word may be worth something his political assurances are not worth a roasted peanut. I think we can brush aside with the contempt they richly deserve all the assurances that the Premier has given to this House and to the people of Queensland that the criminal in this case will be brought to justice.

I want to mention the most peculiar attitude of the Labour Party and the ex-member for Bulimba himself with regard to the way

in which he hung on to his seat. His party allowed him to hang onto the seat like a limpet on a rock. He had to be prised off and this Parliament had to be called together and a resolution carried before the ex-member for Bulimba could be dragged from his seat screaming like a child dragged from a tart shop. The Premier and those who have spoken on the Government side—and I have no doubt those who will speak from that side—have excused this extraordinary attitude on the part of Mr. Gardner by saying that Mr. Justice Mansfield could find no evidence to implicate Mr. Gardner. That learned judge, as the Elections Tribunal, found that the seat had been obtained by fraud. The Premier and his cohorts say that as Mr. Gardner did not actually perpetrate the fraud he was therefore entitled to hang onto his seat. In other words, if by fraud a man obtains from the Premier his gold watch—if he has one—and gives that gold watch to me and I later learn as a result of a judicial inquiry that the watch was obtained from the Premier by fraud, I should be justified, according to the peculiar reasoning of the Premier and members of his party, in saying that I had not obtained it by fraud from the Premier, and therefore I was entitled to hang onto it.

Mr. Hanlon: You would hang onto it, anyway.

Mr. AIKENS: I probably would if it belonged to the Premier, but if it was as good as the assurances he has given to this House it would not be worth two bob in a pawnshop. It would be like the gold watch I bought off a confidence man in Sydney at one time.

Mr. SPEAKER: Order!

Mr. AIKENS: I was landed for £2 and in two days it turned green and stopped. However that was the unusual attitude that the Premier has adopted, and the attitude that Mr. Gardner has adopted, and the attitude that every member of the Premier's party has adopted—that because Mr. Gardner has not been proved to be the actual thief he is entitled to hang onto the proceeds of a theft. What a remarkable state of affairs, and what a remarkable attitude for the Government to adopt! It is quite obvious to anybody with common sense that Mr. Gardner was allowed to hang onto the Bulimba seat for nearly two months for one reason, and one reason only. That was to prevent the calling together of Parliament, in order to give the Government time to cook up a defence. They have cooked up a defence; they are laying the whole blame for this criminal act on the backs of the Liberal Party and the Communist Party. They have issued a pamphlet to that effect, and I will deal with that pamphlet later on. After saying to Gardner, "Hang onto your seat. Cling onto it like an old crow on to half a bottle of gin," all that they have been able to cook up in two months is that this is all a Liberal-Communist conspiracy.

Now let us look calmly and clearly as intelligent men at Mr. Justice Mansfield's findings. We have heard it repeated here

ad nauseam by the Premier and by the Secretary for Health and Home Affairs—and I know that we shall get a barrel of it, if we can understand it, from the Secretary for Mines and Immigration—that Mr. Justice Mansfield found that there was no evidence—and I want to lay particular stress on the word "evidence"—to implicate either the Principal Electoral Officer or Mr. Gardner or any of his agents. Mr. Justice Mansfield did not say—and I am prepared to wager that he never will say—that he believed that the Principal Electoral Officer or Mr. Gardner or his agents had nothing to do with the fraud; he merely used the old, rigid, stereotyped legal phrase that there was no evidence to connect the Principal Electoral Officer or Mr. Gardner or his agents with the fraud.

How often have we seen a man tried, perhaps on a serious charge, and have known that he is guilty, the judge has known that he is guilty, and the jury have known that he is guilty, but because of the lack of actual evidence the man has been discharged and set free? Anyone who has a smattering of knowledge of legal proceedings, anyone who has only the faintest knowledge of the law of evidence, will know just how worthless, so far as clearing a man of guilt is concerned, is the statement that there was no evidence on which he could be convicted. Let me bring before members of this House two famous instances of that.

I commend hon. members who may feel disposed to give a lot of weight to the fact that Mr. Justice Mansfield said he could find no evidence to implicate the Principal Electoral Officer or Mr. Gardner or his agents to go into the Parliamentary Library and get a book called "Cases in Court," which is an autobiography of Sir Patrick Hastings, K.C., who is one of England's leading barristers and who held the position of Attorney-General in the House of Commons. Referred to in that book is the case of a man who was tried on a charge of murder by shooting a policeman. He was defended by Sir Patrick Hastings, was found guilty and sentenced to be hanged, and was eventually hanged. Sir Patrick Hastings took the case before the Court of Criminal Appeal and bitterly assailed the Court of Criminal Appeal and the trial judge for allowing certain evidence to be tendered. When we hear talk about the eminence of Inspector Bischof as a detective, I do not think that there has ever been a more eminent legal man in the British Empire than Sir Patrick Hastings, and in this book he said, "I believe that the man was guilty; I believe that he shot the policeman. But there was not enough evidence to convict him and he should not have been found guilty, and should not have been hanged. He should have been discharged." There is an example of an eminent legal man's admitting that although he knew that a man was guilty he should never have been found guilty and hanged, because there was not sufficient evidence to hang him.

Let me now draw a more startling example to the attention of this House. The names that I am now about to mention are purely fictitious; I am using them only because they

are common names. For instance, Bill Jones may take action against his wife for divorce on the ground of her adultery with Jim Brown. How often have we seen a judge find the ground proved and the divorce granted because Mrs. Jones committed adultery with Jim Brown, but say that there was no evidence to show that Jim Brown committed adultery with Mrs. Jones? How often have we seen that? Every legal man knows of it and every layman who cares to read the papers knows it too. There are two examples, and there are many others if you care to read the reports, where men have been found not guilty, not because they were not guilty but because there was insufficient evidence to find that they were guilty.

In case there may be some readers of "Hansard" who may think I am stressing this point myself, I want to read the relevant portions of Mr. Justice Mansfield's judgment submitted to the House yesterday and contained in the official document that was given to us today. Paragraph 5 says—

"That the petitioner had shown that the majority of the respondent Robert James Gardner was connected with the breaches of the law in the eleven cases referred to in paragraph 1 hereof."

It says further down—

"No corrupt practices within the meaning of Section 4 of the said Acts had been committed but a gross fraud in relation to the eleven ballot papers referred to in paragraph 1 was committed. There is no evidence before me to involve any candidate or any other person connected with the election in such fraud."

So you see how careful this jurist was in giving his decision. He does not express his own opinion, he is not giving his opinion but is simply pointing out in strict legal phraseology and in the strictest stereotyped legal terms that there was not sufficient evidence before him to connect anybody with the fraud. I doubt if Mr. Justice Mansfield would have been entitled to establish guilt, seeing that he was sitting there merely as judge of the Elections Tribunal. He was not sitting in criminal jurisdiction. He was not trying anyone for a breach of the Criminal Code or a breach of any criminal law. He was simply sitting there deciding whether or not the petitioner, Mr. Hamilton, had made out a case for declaring the election to be void and there I say his jurisdiction ends. I do not want anyone to go away from here—and I am certain no-one will go away from any public meeting I address in North Queensland—with the idea that Mr. Justice Mansfield found the Principal Electoral Officer or Mr. Gardner or his agents guiltless, because he did not. He did not find them guiltless of this fraud or any criminal action. He simply said that there was insufficient evidence to find them guilty and that is all he said.

Now let us, if we possibly can, examine the substance of the motion moved by the Leader of the Opposition. In effect, we are asked to decide tonight, if a vote is taken tonight, or whenever the decision is made, whether or not—not exactly in these words, but in effect

—whether the Government have been fraudulent and corrupt and whether fraud and corruption have been practised in the conduct of elections. I think I shall be quite justified in addressing myself to this phase of the motion. Inspector Bischof and any other worldly man will tell you that no criminal becomes a big criminal overnight and no crook becomes a big crook overnight, but usually starts off as a tea and sugar thief. Then he starts to rat the pockets of his mates from the clothes hanging up in the dressing room, then he barbers hotels and rolls drunks, then he becomes more cynical and callous, and constant immunity from danger makes him careless.

Mr. SPEAKER: Order! I hope the hon. member will address his remarks to the motion before the Chair.

Mr. AIKENS: I will. Then he blossoms forth as a big crook. In view of the terms of the motion we have a right to ask ourselves whether the Government have graduated from the days of ballot-box faking and fraudulent practices in their own elections to the time when they thought they could introduce their ballot-faking and fraudulent practices into State elections. I know that the present Government are owned body and soul by the A.W.U. but because it is not actively connected with Government members it might be out of order to go into the ever-burning question that obtains in connection with the A.W.U. ballot-box scandals. Anticipating your adverse ruling, Mr. Speaker, I will draw a merciful veil over the A.W.U. ballots, which shriek and stink to the high heavens and which have been the subject of considerable controversy for many years. We should be quite in order if we determined whether or not the Government in their own internal affairs adopted fraudulent practices and ballot-box rigging in order to return their own particular men. Every man who has any knowledge of the A.L.P. and the Government and their practices will agree that nearly every plebiscite conducted by the Government Party to select a candidate for Parliament is conducted under worse ballot rigging and fraudulent practices and tactics than was the Bulimba ballot, and that is saying something. This only can be said for the Bulimba ballot—that crooked and bad as it was, and fraudulent as it was, it has not gone down to the depth of the A.W.U. ballots and some A.L.P. plebiscites I can mention.

Mr. SPEAKER: Order!

Mr. AIKENS: A Government who are used to fraudulent practices and ballot-rigging practices in order to select their own candidates—

Mr. SPEAKER: Order! I have allowed the hon. member a lot of latitude. His language is most extravagant and he is imputing improper motives to the Government. If he continues in that strain I will deal with him. I ask him now to deal with the matter before the House.

Mr. AIKENS: Very well, Mr. Speaker. I ask your direction on this matter: will it be in order for me to tell this House of the manner in which the nefarious basher Burns rigged the ballot at the Labour-in-Politics Convention at Toowoomba to allow Dr. Dittmer to beat Bill Thieme.

Mr. SPEAKER: Order!

Mr. AIKENS: Ninety-eight men at the Convention and the vote was 50 to 49.

Mr. SPEAKER: Order!

Mr. AIKENS: The Premier the other day issued a challenge. He is very good at issuing challenges. As a matter of fact, challenges from him come almost as glibly as his assurances and have as little weight, but the Premier has never accepted a challenge from me yet. For instance, the Premier has not accepted my challenge to lay on the table of the House the police report on my meeting in Townsville. If they had, the Clerk of Parliament would have been compelled to wear asbestos gloves to handle it. The Ministers who read it were going about with their lips hanging down like the breeching on the old gray mare. Had he accepted my challenge to lay the report on the table of the House, we should have seen the table smoulder.

Mr. SPEAKER: Order!

Mr. AIKENS: I am made of better and sterner stuff than the Premier. I admit that when it comes to guile and deception the Premier can give me 50 in 100 and beat me but when it comes to playing at simple transparent honesty I am 100 up before the Premier has got his cue out of the rack. I am going to accept the challenge issued by the Premier yesterday. I always accept his challenges, make no mistake about that, but he never accepts mine because I am made of better and sterner stuff.

The Premier said that if I had any knowledge in connection with the Bulimba fraud I should give it to Inspector Bischof. I am going to give it here, so that Inspector Bischof, if he cares, can call on me tomorrow.

Mr. Hanlon: It is under privilege.

Mr. AIKENS: I wish you would talk and not mumble.

Mr. Hanlon: It is privileged here, the same as the hon. member for Coorparoo.

Mr. AIKENS: I will tell Bischof himself outside. The Premier tried to bluff me at the meeting at the Regent Theatre, when he sent a car-load of police shorthand-writers.

Mr. SPEAKER: Order!

Mr. AIKENS: He cannot bluff me. I am unbluffable, and incorruptible. (Laughter.)

Mr. SPEAKER: Order! I ask the hon. member not to practise that sort of tactics here. If I ordered him to resume his seat, he would tell the people that he was stopped from making his speech. I ask him to connect his remarks with the matter before the House.

Mr. AIKENS: I am going to draw Inspector Bischof's attention to a statement of the Premier. I think it is right to assume that the Premier gave this statement, because I do not think the man who writes the column conjured it up out of thin air. I suggest to Inspector Bischof that the first man to investigate in connection with the fraud is the Premier himself. We know that most criminals usually bring themselves—

Mr. SPEAKER: Order! I ask the hon. member to withdraw that remark. He is imputing improper motives to the Premier. I am not going to allow him to get away with it. I ask him to withdraw that remark.

Mr. AIKENS: Mr. Speaker—

Mr. SPEAKER: I ask the hon. member to withdraw that remark.

Mr. AIKENS: I withdraw it. I was making no reference to the Premier; you did not allow me to finish.

Most wrongdoers—seeing that we have to wrap everything up in cotton wool and cellophane—most wrongdoers give themselves away, usually through their vanity; it is their vanity that brings them down. The Premier, if I may say so, is a very vain man. It has been stated quite correctly by the hon. member for Coorparoo that these ballot papers fraudulently substituted while in the possession of the Principal Electoral Officer were kept by him for five days, from the Saturday till the following Thursday; and then for reason not adequately disclosed, the Principal Electoral Officer personally delivered those fraudulent ballot papers to the returning officer of Bulimba on the Thursday, five days after the election. I want you to realise and recognise the significance of what I am going to read. This appeared in the Town Talk column in the "Sunday Mail" of 14 May, 1950—

"Round the Government offices they are now calling him Teacup Ned Hanlon. The day before the elections he prophesied that Labour would go back with a count of 42 to 33. It has.

"Three days after the voting, when at least five seats were in doubt, he sent letters to the 42 members to attend a Parliamentary Party meeting this week. All were elected and all turned up."

I do not think there can be any objection to the first paragraph, because we were all doing a lot of prophesying at that time; we all gave our opinions, which were coloured by our political faith as to how many seats this party, that party, or the other party would win. But three days after the election, while those fraudulent ballot papers were in the possession of the Principal Electoral Officer and before they had been delivered to the returning officer at Bulimba, the Premier was so certain or sanguine that all the doubtful seats were to be won by Labour that he invited all those doubtful seat-holders to the Parliamentary Labour Party meeting to be held later.

Why was the Premier so sanguine? Why was he so certain, knowing that there were five doubtful seats? On the law of averages

one would naturally expect that of five doubtful seats the Opposition would get at least one or two and Labour three. Why was the Premier so certain that all five doubtful seats were going to go to Labour, if he had not been previously assured that all doubts had been removed? I suggest that the Premier had the assurance from someone that everything was hunky-dory before he wrote these letters to the men holding the doubtful seats. Hon. members can see how the Premier lets himself in. Three days after the election, while all the ballot papers that have been the subject of this debate and the ballot papers that were the subject of the Bulimba Elections Tribunal were still in the possession of the Principal Electoral Officer, the Premier said, "Everything is right. We are going to win the whole of the five seats and I am writing now to the Labour candidates in these doubtful seats inviting them to the next meeting of the Parliamentary Labour Party." I think that Inspector Bischof might do very well to try and tie the Premier up with this Bulimba fraud, because the Premier in his vanity gave himself away.

Mr. SPEAKER: Order!

Mr. AIKENS: Let me make it quite clear again that I do not say in this House anything that I wish to ascribe to anyone else. Any opinions I express in this House are my own. I am responsible for them and will stand up to them. I have already told this House what I think of the Principal Electoral Officer. There is no innuendo about this. He is either gutless or dishonest. That is frank. At the last elections—and the motion contains reference to the last elections—the Principal Electoral Officer issued a list of all the seats and all the candidates for the guidance of returning and presiding officers in all electorates in the State. Although he knew our party was the North Queensland Labour Party, he wrote in the "Thomas Aikens Party," thinking perhaps he might rob some votes from the members of our party. I wrote to the Principal Electoral Officer immediately my attention was drawn to this dirty, cheap, snide little trick and asked him on whose authority he had that printed on these forms he had sent to the returning and presiding officers. He had neither the courage nor the honesty to reply: he did not have the guts or decency to reply.

I am not very much concerned with legal technicalities or quibbles. I am looking at this from the point of view of the ordinary, intelligent man in the street. These ballot papers were in possession of the Principal Electoral Officer from the Saturday night to the following Thursday, and in that time ballot papers that were marked for Hamilton were withdrawn from the ballot box and ballot papers marked for Gardner were substituted. I am asked to believe that the Principal Electoral Officer had nothing to do with it; that he is a lily-white innocent, or a pearl of pristine purity. If a man gave me 20 Commonwealth notes, five of them £1 notes, and the other 15 £10 notes, and five days later after these notes had been in my possession for that time I gave him back 15 £1

notes and five £10 notes I should expect him to believe I was a thief. I should expect him to believe that I should have no quarrel if he believed that I had substituted £1 notes for the £10 notes. I think we are right in assuming that either the Principal Electoral Officer himself or some person with whom he worked in closest collusion took out these ballot papers marked for Hamilton and substituted ballot papers marked for Gardner.

Let us examine it from the negative angle. If the Principal Electoral Officer did not do it or connive at it, who had the opportunity? The hon. member for Coorparoo so wisely pointed out that the ballot boxes were locked and put in a strongroom that was locked and anybody who wanted to do it from the outside would have to break into the office and break into the strongroom, break into the ballot boxes, and carefully perpetrate the fraud and then lock up the ballot boxes, lock up the strongrooms and lock up the office and not leave any mark of his entry. I do not know what the lawyers think of it but I do know what the ordinary citizens think. They say, as I have said before, that the electoral practices in this State have reached an all-time low.

Dealing with that part of the motion in relation to the gerrymandering of electorates and the stuffing of rolls in order to suit the Government's own convenience—and in this respect the Labour Party is no different from the Liberal Party when it was in power—there was a redistribution of electorates and they foisted 13 extra members on the long-suffering backs of the electors of Queensland and the electorates were cut up to favour the Labour Party. I repeat that it was merely following the procedure set down by their anti-Labour predecessors. When the electorates were cut up—it was a matter of only a few months before the elections; they were cut up right at the last minute to wipe out plebiscites—and when it became a question of adjusting the rolls the Government brought all the rolls down to the same Chief Electoral Office. If anyone cares to look in "Hansard" he will find that I asked the then Attorney-General, the present Secretary for Public Instruction, if it would not have been the sensible thing to allow the local police and the local electoral registrars to readjust the rolls. They were on the job and they knew the locality, they knew the streets, and in many instances they knew individually every inhabitant in every area, just as the local police knew every inhabitant. Who was more fitted and more equipped to do a correct job than the local electoral registrars and the police? The Attorney-General, probably guided by his officers, and having his leg pulled at the same time, answered the question by saying that the job could be more efficiently done here in the office in Brisbane.

What a shocking mess those rolls were! I can only speak from the viewpoint of the Mundingburra roll. I have no doubt that every other roll in the State was in the same shocking confusion and mess when turned out from Mr. Maguire's office as was the Mundingburra roll. It has to be borne in mind that we only got the new rolls a few days

before the writs were issued and the rolls were closed. Such was the shocking confusion in the Mundingburra roll that the police in the Mundingburra area had to go round night and day and, although there are only 8,000-odd people on the roll, in the course of a few days they put on over 1,000 names that had been wrongly left off by the Chief Electoral Office. They were not able to wipe off all the people who were not entitled to be on the roll. If I had a copy of the roll with me I could show some shocking instances of error, either deliberate or plain error, committed by the Chief Electoral Office. There were men and women living in North Ward on the Mundingburra roll. North Ward was never in the Mundingburra electorate, old or new. It is as far from the boundary of the Mundingburra electorate as the Valley is from Parliament House. Yet, I suppose because they thought some of these people might vote for Labour, the names were put on the Mundingburra roll, of all rolls.

I mentioned that in a few days these police, working night and day, put on 1,000 names on the Mundingburra roll that had been left off by the Chief Electoral Office. It is a tribute to the police and the work that they did. They were not able to clean up all the mess left by the Principal Electoral Officer and his staff, but in Mundingburra and the neighbouring electorate they did a mighty job, and I have no doubt that they did a mighty job in many other electorates also. That is the mess that this man turned out just prior to the last election.

When we talk of electorates and how they were cut up, if hon. members go to the Mundingburra electorate they will see that all the people living in Mundingburra, with the exception of about 300, are in the city of Townsville, and that it has a geographical tail running up as far as Haughton Valley, and that in that tail there are about 300 electors. Many people have asked me why this country area, with only 300 electors, was tacked onto 8,000-odd electors who live in the city of Townsville and I have said, "You may not know, but I do." I have no objection to having that country part placed in the Mundingburra electorate, because it embraces an area containing quite a lot of small farmers who are very good men and women. The explanation is that if Mundingburra had consisted entirely of Townsville electors it would have become a city electorate, and in the event of a plebiscite for a Labour candidate every plebiscite voter would have had to go to the poll. With these 300 people out in the country, however, it is classed as a country electorate. It will be possible in future elections to use facsimile ballot-papers and stolen ballot-slips. Any tactics are good enough as long as they will serve Labour's ends.

Now I want to deal with perhaps the most remarkable pamphlet that has ever been issued. I think I have read somewhere or other that these things got the name of "pamphlets" because a Lord Pamphlet issued one at some time or other. I do not know whether that is correct, but if it is and if Lord Pamphlet can see this from the

hereafter, if there is a hereafter, he will appear in person or in spirit in violent protest against it. This pamphlet that I have in my hand was issued by the Government after the decision of Mr. Justice Mansfield. It is headed, "Who Stabbed Gardner?" Then it says, "Not Gardner himself, not his Labour workers in Bulimba, because they were completely exonerated by the Elections Tribunal." I repeat that they were not exonerated. All that the Elections Tribunal said was that there was no evidence to inculpate them. Then this pamphlet says, "Who? Who? Who?" and quite a lot of other silly nonsense. "Gardner's innocence publicly acknowledged." Gardner was never declared innocent. All that was declared was that he was not guilty.

The pamphlet says somewhere or other that this is a Liberal-Communist conspiracy. There it is, what a beauty! A smear campaign! I am going to lay it on the table of the House. I will make an official document of it. It is a real beauty! The Government are asking the people of Queensland to believe that the Liberal Party, in collusion with the Communists, was responsible for this. Hon. members will remember that on a previous occasion, the Communists were accused of getting into the Attorney-General's office and leaving £300 in a tray, or something like that. The Liberal Party is being accused of collusion with the Communists in faking the Bulimba ballot in order to elect Gardner, their opponent. (Opposition laughter.) That is what the Labour Government have taken all this time to cook up. That is their only alibi, that this is a foul Liberal-Communist Party plot deliberately designed to elect an opponent of the Liberal and Communist Parties, Mr. Gardner, to Parliament.

An Opposition Member: It would take a long time to work that one out.

Mr. AIKENS: It demonstrates the monumental minds of the leaders of the Labour Party.

Let us assume for a moment that the Liberal and Communist Parties did gang up together and break into the Electoral Office, and break into the strong room, and break open this ballot box, without leaving any fingerprints or any other trace. They were to substitute ballot papers to get Gardner elected. What on earth for? The Labour Party will probably tell you that they did that so that they could then go to the Elections Tribunal to prove that fraud had been practised, but how did they know that the Elections Tribunal was going to find that fraud had been practised? Is it suggested that the Liberal-Country Party and Communist Party or Liberal Party and Communist Party were in prior contact with Mr. Justice Mansfield to arrange for him to find fraud? I have not seen such a stupid and ridiculous insult to the intelligence of the people as the suggestion put forward by the Labour Party that this is a Liberal-Communist Party smear campaign and a Liberal-Communist Party plot.

It is very moving to hear the Labour Party sometimes attack the Liberal Party. Anyone could believe they were great political enemies and anyone would believe, to hear members of the Labour Party today—and I suppose on the public platform during the by-election for Bulimba—attacking the Liberal Party, that the Liberal Party was anathema to them, repugnant to them and that they would rather be seen with a diseased Afghan than with a member of the Liberal Party. What is the truth of the whole case? The Labour Party has always supported the Liberal Party in opposition to any other candidate. In the recent Bulimba election, in which the Liberal Party-Communist Party allegedly conspired to make an attempt at fraud, the Labour speakers said, "We ask you to vote for Gardner. If you cannot vote for Gardner, then vote for Hamilton, but in no circumstances vote for Marriott." They said the same in Mundingburra during the last election campaign. They said, "We ask you to vote for Mahoney, the endorsed Labour candidate, but if you cannot vote for Mahoney then vote for Braeken, and under no consideration vote for Aikens." Let me tell the hon. member for Mt. Coot-tha something that he knows but which he does not think I know, and that is that in 1944, when the hon. member for Mt. Coot-tha first contested the Enoggera electorate and won it from George Taylor who ran as an Independent Labour candidate, the official Labour Party supplied men to work at the booths in Enoggera and distribute cards telling people how to vote for Morris.

Mr. MORRIS: I rise to a point of order. The statement is not correct and I ask that it be withdrawn.

Mr. SPEAKER: I hope the hon. member for Mundingburra will accept the denial of the hon. member for Mt. Coot-tha.

Mr. AIKENS: I accept his denial but I ask the House to look at the broad grin that transfigured the face of the hon. member for Mt. Coot-tha when I made my statement. He knows it is true.

Mr. SPEAKER: Order! The hon. member has denied the assertion and I ask the hon. member for Mundingburra to accept the denial.

Mr. AIKENS: I have done so. Of course, the Liberal Party is no cleaner than the Labour Party in the conduct of its internal affairs. We know that they are all tarred with the one brush but the Liberal Party is the cruder party of the two in this respect. It has adopted the tactics that were discarded by the Labour Party as obsolete 25 years ago. The Liberal Party has not yet got past the stacking-of-meetings stage. We know that the hon. member for Lockyer had a meeting of the Liberal Party stacked to stop the hon. member for Mt. Coot-tha from becoming a senator and that the hon. member for Mt. Coot-tha retaliated and stacked a meeting at Toowoomba to stop the hon.

member for Lockyer from getting into the Federal House. The stack-meeting tactics are old-fashioned.

Mr. SPEAKER: Order!

Mr. AIKENS: We heard considerable criticism today of the tactics employed by the Labour Party round about election booths. We know, too, that the Liberal Party adopts the same practices, and worse, on election day. We all see what goes on round the election booths and it is a tribute to the police and some electoral officers that the members of those parties are not allowed to get away with it. At the last Mundingburra election the head-master at one of the large schools in the electorate had to come down and threaten to get the police to throw the Liberal Party canvassers out of the school grounds if they refused to go when the head-master told them.

Mr. SPEAKER: Order! The hon. member is getting a long way from the motion.

Mr. AIKENS: If we are discussing fraudulent practices in connection with elections, surely I am entitled to say that in most respects it is a case of Satan reproving sin and the pot calling the kettle black? I have told this House of the old crone whom the Liberal Party got in Townsville to smear me and my family.

Mr. SPEAKER: Order!

Mr. AIKENS: I do not want to run counter with your ruling, Mr. Speaker. I know you try to be as fair as you can, but we heard the Attorney-General quote from the Book of Genesis—it was that far back. He got an open slather, and I thought I might too.

I want to finish on this note: I believe that every clear-thinking and every clear-eyed citizen will believe that this fraud was perpetrated in the Chief Electoral Office, that it was there perpetrated either by the Principal Electoral Officer or by someone else working with the connivance of the Principal Electoral Officer. I honestly believe that the Premier and prominent members of the Government knew about it.

Mr. SPEAKER: I ask the hon. member to withdraw that remark about the Premier and other members of the Government.

Mr. AIKENS: Very well, I will withdraw it.

I want to say this so far as roll-stuffing is concerned: the only bastion the ordinary man has who considers running for Parliament is the efficiency of the local police, who only a few days before the election run round and cleanse the roll. We do get a bit of a go from them.

I am asked to determine not whether I believe the Liberal-Country Party, which moved this motion, is any better in any respect than the Labour Party. I am not asked to decide the relative merits of the Liberal-Country Party on the one hand and the Labour Party on the other. I am not

asked to decide whether the Liberal-Country Party has engaged in fraudulent, ballot-faking tactics. If I were asked to decide between the Liberal-Country Party and the Labour Party with regard to these things, I know of no better words to use than what Shakespeare made Hamlet say, "A plague on both your houses," because one is no better than the other except that the Labour Party is more advanced in certain respects. I am asked to decide whether or not, in view of the happenings at Bulimba, and in view of subsequent happenings, and in view of things that happened in connection with the electoral machinery at the last election, I have any confidence in the Government, and on that point, and on that point alone, I have no hesitation in making up my mind. I have no confidence in the Government, which is a pale shadow of what was once a great and glorious party.

Hon. W. POWER (Baroona—Secretary for Mines) (8.4 p.m.): I desire to say a few words on this motion of Want of Confidence moved by the Leader of the Opposition but before I develop my speech I want to take this opportunity of replying to the hon. member who has just resumed his seat. In his opening remarks, he made reference to the case that was put before this Assembly by the Attorney-General, and to the assurance given by the Premier and the Minister in charge of the Police Department that no effort would be spared in an endeavour to find out who was guilty of this very grave offence. It was a very grave offence. I have listened to the ramblings and prattlings of the hon. member for Mundingburra over a period of seven years and I know from the people who count that they take very little or no notice of him. We remember statements he made some time ago about the Golden Casket, and we know that he was ignominiously removed from the witness box as a result of the tripe and rubbish that he tried to put before the royal commission that dealt with that matter. The hon. member is not regarded by the decent people of this State as a man of any standing whatever. On the other hand, the Premier has held the respect of the people of this State for many years—and not only the people of this State but the people of Australia—as well as the party.

It was suggested that there was some difference of opinion between the Cabinet and the Premier on this matter. There was no difference of opinion, and the Premier and members rightly decided that every effort would be made to endeavour to establish the identity of the perpetrator of this offence.

The hon. member for Mundingburra said the election was voided on the grounds of fraud. The election was not voided on the grounds of fraud. I am not complaining of the decision of Mr. Justice Mansfield. I believe that if any offence has been committed it should be exposed. I am not unhappy as a result of the decision because any person who attempts to interfere with the election of a member of Parliament should be dealt with with the utmost rigor of the law. You can

only deal with him if you have evidence. The election was voided, not on the grounds of fraud. I point out to the hon. member, who talks about the vanity of everybody else, what the true position is. The hon. member said that a judge could not find fraud, which shows the lamentable ignorance of the hon. member, who is the most irresponsible man in Queensland, and one who will make statements knowing them to be entirely untrue. There is a clause in the Elections Act that says that if fraud has been found, if any candidate is found to be connected with fraud, or his agents with his knowledge, that candidate cannot stand for re-election because he would be disqualified. For the benefit of the hon. member, who knows that what I say is correct, I propose to quote Section 124 of the Elections Act, 1915 to 1948. It reads—

"If upon the trial of a petition the Judge reports that any corrupt practice other than treating or undue influence has been proved to have been committed in reference to such election, by or with the knowledge and consent of any candidate at such election, or that the offence of treating or undue influence has been proved to have been committed in reference to such election by any candidate at such election, that candidate shall not be capable of being elected to or sitting in the Assembly for the period of three years, and if he has been elected his election shall be void."

Therefore it will be seen that the statement made by the hon. member that it would not be competent for a judge of the tribunal to find fraud is utterly wrong and indicates the utter disregard that the hon. member has for the truth, and indicates that he is prepared to come at any low, mean and despicable tactics to try to gull the people of this State. If he has any decency he should in the future try to mend his ways.

He went further and said that Gardner was responsible for the fraud, but he was not convicted because there was no evidence. He was not found guilty of any fraud. Let me quote from the judgment for the benefit of the House and the people of this State. I hope, seeing that the "Courier-Mail" had so much to say about the matter, that it will publish the facts. I will quote what was said. Mr. Hanger, addressing His Honour at 11.57 a.m., said—

"At the beginning I draw your attention to this: as far as the respondent to the petition is concerned, there is no evidence whatever to suggest that he or any person for whom he is responsible was in any way concerned in anything.

His Honour: You cannot possibly attribute it to the candidate."

Mr. Justice Mansfield made that statement.

Mr. Gair: He went on to say it could be perpetrated by an enemy.

Mr. POWER: He proceeded to say that, as the Treasurer points out. I had intended to quote this at a later stage but I will do so now—

"That is quite so. That is clear. I do not think it will be contended, whatever

the finding in relation to those ballot papers, that there is any evidence he had anything to do with them. To put a suppositious case: it might easily happen that an opponent would do that, if he knew he was going to be beaten very badly.'

Members of the Opposition would not suggest for one moment that Mr. Justice Mansfield is a dishonourable man. Mr. Justice Mansfield is not going to lean towards the Government or towards any one candidate. I have some knowledge of the honourable gentleman. I have met him on several occasions and have had many conversations with him.

Mr. Gair: And know his background, too.

Mr. POWER: Yes. I cannot say that the judge has ever been a member of the Labour Party. That is his own business, in a democratic country. The Government did not select him because of his political views but because they knew he was honest and capable and would at all times give judgments on any matters referred to him in accordance with the oath he had taken. The statement quoted in itself refutes the unwarranted suggestion of the hon. member for Mundingburra that Gardner has been responsible for any fraud. The only complaint the hon. member has, like complaints of other hon. members of the Opposition, is that Gardner has not been convicted by the tribunal. He has not been convicted by the tribunal because there is no evidence to show that he or his agents were in any way responsible for the fraud that took place in the Bulimba electorate. Does the hon. member for Mundingburra or members of the Opposition want a person convicted without evidence? Would they adopt the attitude the Communist Party adopts in other countries in the world of convicting persons without evidence and without an opportunity to prove they are not guilty of the offence? But that is the attitude of the hon. member for Mundingburra.

That hon. member also knows Mr. Justice Mansfield. He was the judge who ordered him from the Royal Commission on the Golden Casket, in which Santa Claus was mentioned on several occasions. Mr. Justice Mansfield could find no evidence and being an honourable man he gave a judgment in accordance with the evidence placed before him. If the hon. member has any evidence to place before Inspector Bischof, which eventually must come before a judge, let the hon. member do the right thing and place that evidence before the inspector. He does not do that but wants a candidate convicted on no evidence at all.

The hon. member also said the Government had engaged in fraudulent practices but it is quite easy to make wild and extravagant statements without a scintilla of evidence. No member in this House can submit any evidence showing that the Government have been responsible for anything in connection with this election. We have not been responsible for it and the Opposition know we have not been responsible for it. Immediately the judgment was given by Mr. Justice Mansfield the Acting Premier called a special meeting

of Cabinet and the Acting Premier said, "Gentlemen, this is the judgment. I must hand the matter over to the Commissioner of Police for immediate investigation." Every member of the Cabinet agreed that that was the right thing to do; the Premier on his return to Queensland also said that it was the right and proper thing to do. The Opposition were hoping that we would not take the action we took.

The hon. member for Mundingburra made another most extraordinary statement when he said that Mr. Maguire delivered the ballot papers to Bulimba. Mr. Maguire never went near Bulimba with the ballot papers. The presiding officer, Mr. Costello, is an officer of my department and is connected with the Miners' Pensions Tribunal. Mr. Maguire was going to the Government Printing Office and he took them to Mr. Costello in Mary Street, Brisbane, and not to Bulimba, as the hon. member for Mundingburra would like people to think. This was another example of his despicable tactics.

Mr. Aikens: A distinction without a difference.

Mr. POWER: If the hon. member does not know the difference between Mary Street and Bulimba, there is something wrong with him.

Mr. Aikens: My impression was that I said that Mr. Maguire delivered them to the returning officer for Bulimba. If I left out the term "returning officer," it was a slip of the tongue.

Mr. POWER: Squaring off. Having nailed the hon. member down he attempts to square off and had I not challenged his statements it would have appeared in "Hansard" that Mr. Maguire took the papers from the electoral office to Bulimba, a distance of some miles, when he took the papers down to Mary Street, a very short distance indeed. That is an illustration showing the snide tactics of the hon. member for Mundingburra. One has to have an analytical mind to watch the tricks put over by that gentleman. He made some innuendoes concerning the Premier and Mr. Speaker rightly pulled him up and made him withdraw his statement. By implication he said that the Premier advised all candidates of doubtful seats to attend a meeting in a few days' time. As I am reminded, he said that it was three days. In this regard he is again wrong, because it was 10 days afterwards that the meeting was held. It was in accordance with the procedure that always has obtained during my 16 years of parliamentary life. All Labour candidates are invited to the special meeting held within a certain time. If candidates in close contests are not successful they do not attend the party meeting, nor do they get into caucus. He implied that the Premier knew something about what was being done.

Mr. Aikens: I stated it.

Mr. POWER: The hon. member also said that Mr. Maguire is either gutless or dishonest. I have known that gentleman in his official capacity for many years and I

deprecate the attacks made on him not only by the hon. member for Mundingburra but hon. members of the Opposition without a scintilla of evidence that Mr. Maguire has been guilty of an offence. He has been hung, drawn and slaughtered by hon. members opposite and by the hon. member for Mundingburra in an attempt to besmirch the good name of an honourable man, one who cannot defend himself. He is known as a loyal member of the Government service and is always ready and willing to do his job. During the time our men were overseas during the last war and when ballot papers had to be sent to them Mr. Maguire worked into the early hours of the morning to see that every available person got a vote. No member of this Chamber should get up and make an attack on Mr. Maguire without any evidence whatever to support such an attack, particularly in view of the fact that Mr. Justice Mansfield has exonerated Mr. Maguire of any guilt in connection with these 11 ballot papers. Not only does Mr. Maguire suffer as a result of these attacks; we must remember that his wife and family also suffer. If anyone had any evidence to prove that Mr. Maguire was connected with this fraud, I should be the first to say, "Let him be dealt with!" However, no evidence implicating Mr. Maguire has been produced and it is a rotten state of affairs when we have men making these attacks on him and on officers of his department. I know that many members of the Opposition do not like Mr. Maguire. He was appointed a member of the commission that dealt with the redistribution of boundaries. They recommended his appointment to that commission but today they are trying to make a scapegoat of him.

I say that the hon. member for Mundingburra is gutless and dishonest—

Mr. SPEAKER: Order! The hon. gentleman is not in order in making that statement. He will have to withdraw it.

Mr. POWER: In deference to you, Mr. Speaker, I will withdraw it, but the hon. member has shown himself to be very gutless in not making outside this Chamber the statements concerning Mr. Maguire that he has made inside it.

The hon. member for Mundingburra made another untrue statement when he said that the Government were responsible for the issuing of the pamphlet that he proposes to table. The Government have issued no pamphlet at all in connection with the Bulimba election.

Mr. Aikens: I said it was issued by the Government Party.

Mr. POWER: The hon. member said it was issued by the Government. He is quibbling again.

Mr. Aikens: What is the difference?

Mr. POWER: There is a lot of difference. It is offensive to me that the hon. member should insinuate that the Government are spending money on pamphlets for any person in Bulimba, and I ask that the statement be withdrawn.

Mr. SPEAKER: The hon. member for Mundingburra has concluded his speech. The hon. gentleman should have asked for a withdrawal of the statement when it was made.

Mr. POWER: I bow to your ruling.

The Government have provided no money for a pamphlet for Mr. Gardner or for anybody else, and the hon. member for Mundingburra knows it. That is another example of how carelessly he handles the truth. Can hon. members wonder why the Labour Party expelled a man of the calibre of the hon. member for Mundingburra, who makes statements of that sort without having any evidence whatever to support them? The hon. member is simply putting up a case for Marriott. I do not desire to engage in personalities, but I suggest that the Liberal Party candidate in the Bulimba by-election might be interested to check up on the statements being made about him by Marriott.

The hon. member said also that we advocated support for other than Labour candidates, and that we advocated support for someone other than the Labour candidate in Bulimba. Elections are carried out on a first-past-the-post principle and we regard anybody who is not carrying the Labour banner as an opponent of Labour and treat him accordingly. We support no candidates other than our own.

And now let me come to the motion of no confidence that has been moved by the Leader of the Opposition. In relation to the first reason, certain facts are well known to every member of the public and to every member of this House. I am not finding fault with the judgment of Mr. Justice Mansfield, and I never will find fault where a judge expresses an opinion based on evidence submitted to him. I am prepared to accept the judgment that he gave, because I have never found him to be anything but honest. He found, first of all, that there had been a criminal offence in relation to 11 ballot papers. He also found that there had been official mistakes in regard to about 35 ballot papers, and that having regard to the majority of 25 votes held by one of the candidates, these were stated to have affected the result of the election. Note particularly that the tribunal did not find that these mistakes had affected the election. The judge said that they could have affected the election, and for that reason he declared the election null and void.

This is not the first occasion on which mistakes have been made in regard to ballot papers. I remember that in 1921, when I was campaign director for Mr. George Lawson, who contested a Federal election against Colonel Cameron, that I called for a recount of the votes. I had in mind the increase in the number of Labour voters in the electorate. I found that where I lived at Milton we were down about 200. I asked for a recount, which resulted in having 100 votes wrongly credited to Colonel Cameron then credited to

Mr. Lawson. I do not for one moment suggest that the returning officer was dishonest in that mistake—it is something that could quite easily happen.

Mr. Sparkes: You are not suggesting that what occurred in Bulimba was not dishonest?

Mr. POWER: I agree that it was dishonest, but I am dealing with mistakes as well. There is undoubted evidence that fraud did occur in the Bulimba election, but I am also now dealing with mistakes. Mistakes can occur in business concerns; they occur in Government departments. Why do we employ auditors?

Mr. Sparkes: There is a difference between a mistake and a crime.

Mr. POWER: I am admitting that in the case of the fraud that took place a criminal offence was committed, but I am also dealing with mistakes. I am pointing out that mistakes can take place. I am pointing out that mistakes can take place in many places. I remember a mistake taking place in the Kelvin Grove electorate at the election before last, when 61 votes had to be taken from one political candidate and credited to Mr. Turner.

The Leader of the Opposition talked about malpractices and said that he was going to give a lot of evidence concerning them. What evidence has he given the House concerning any malpractices? He dealt with the matter in a general way, but has given no evidence whatever of malpractices except evidence of something that is admitted by all. The Principal Electoral Officer has been exonerated by Mr. Justice Mansfield, Mr. Gardner has been exonerated by Mr. Justice Mansfield, and Mr. Gardner's agents have been exonerated by Mr. Justice Mansfield. Now the Leader of the Opposition is trying to blame the Government for something for which they are not responsible. Then he talked about corruption over a number of years, but if you want to know a little bit about corruption, I am quite ready to go back and give you a little bit about it. I am prepared to tell you about the corruption that took place long before there was a Labour Party. My colleague the Attorney-General has already given you certain information in regard to happenings at a place called California Gully.

Let us look at the electoral position in 1915 before Labour became the Government. Before the Elections Act of 1915 there was no provision requiring presiding officers to render any return of unused ballot papers. Therefore, 1,000 ballot papers could be handed out to any presiding officer and no returns had to be made showing they had been used legally, as is done at the present time. What a great time these people had! Anybody with 1,000 ballot papers could hand out 14 or 15 to legitimate voters and then use the rest as they so desired. That is what happened in the Cook election.

Another point that is worth exposing when the Opposition talk about corrupt practices, as well as an Opposition member who should

be sitting with them, is that before 1918 no details of the voting at each election booth were furnished. You could not find out the number of votes at each individual polling booth. What a wonderful racket could go on there! I am exposing what took place prior to Labour's being elected to the Treasury benches. At the California Gully booth in the Cook electorate 14 electors actually voted and 380 votes were counted. In another instance at Halpin's Creek 25 electors voted and 114 votes were counted. Despite all those malpractices the Labour Party were able to defeat the Liberal Government in 1915.

The Opposition talk about the manipulation of the rolls. I will give figures showing manipulation of the rolls before the advent of Labour. We hear a lot of glib talk from the Opposition about democracy. Democracy is the right of the people to elect a representative of their own choice, and the only way in which the people can elect representatives of their own choice is by seeing that the people entitled to vote are on the roll. Let us have a look at what took place in 1902, when an anti-Labour Government were in power, to show how crooked anti-Labour Governments were long before the advent of a Labour Government, and to show how corruption was practised and fostered. In 1905, 50,495 people entitled to vote were not on the rolls. It is interesting that I should give further figures of the date of elections, the adults not enrolled and the proportion enrolled—

Date of Election.	Adults not Enrolled.	Proportion Enrolled.
		%
27th August, 1904 ..	59,626	63.55
18th May, 1907 ..	66,959	76.68
5th February, 1908 ..	86,223	70.48
2nd October, 1909 ..	65,710	78.70
27th April, 1912 ..	31,511	90.76
22nd May, 1915 ..	44,985	88.17

I recollect 1912, which was about the time the Labour Party came into its own. That is the year when the Government of the day brought scabs from the country to baton the workers. We had one of those men in this House in the Lord Mayor of Brisbane. He was a special constable and played an important part in that strike. If I took the trouble I should probably find that some members of the Opposition also were special constables.

In 1912 31,511 were not enrolled, the proportion enrolled being 90.76 per cent. and in 1915 44,985 people were not enrolled, as a result of the policy of the people who were governing this State. Then members opposite talk about the democratic rights of the people and their right to elect a Government of their own choice. As a result of the rotten tactics of these people 48,000 electors were disfranchised. It makes me boil when I think of it.

The Premier dealt with how these people were removed from the roll. There was an old registration board and a couple of Justices of the Peace could say whether Bill Power was to be on the roll and they struck

him off and Jim Sparkes and Dewar would be put on. It was left to Labour to establish a proper electoral law for the enrolment of the people and to give them the right to elect their Government.

Let us deal with the matter as it should be dealt with. Let us analyse the position today under Labour administration. Let us look at the municipal rolls. I do not propose to go over the matters already dealt with by the Premier, who showed how the Leader of the Opposition made many miscalculations. During the few days I was acting Attorney-General while my colleague was away I had occasion to take the Leader of the Opposition to task for giving false information to the people. Let us look at the position today. Virtually every citizen, irrespective of his political leanings, gets the opportunity of recording a vote. There is no restriction on the franchise. We had a property franchise for a number of years. When I first entered public life in municipal government only property-owners were allowed to vote. That legislation was brought in by the people of the same political colour as those who represent the Opposition today; yet members opposite talk about the free and unrestricted right to elect their representatives.

Investigations were made as a result of remarks made by the Leader of the Opposition. A list of 437 names were taken from rolls 12 months old and others two years old. That is a good political trick, to take a roll two years old. That was not the existing roll but it was quoted for the purpose of deceiving the people. Let us see what the position was. The elimination from this list of 318 names that did not appear on the roll reduced the list to 119. Inquiries were made and investigations showed that 60 were entitled to be on and 59 were liable for removal. Before objections could be taken 28 were removed to other electorates. Assuming the discrepancy was 59 on a roll containing 16,000-odd names, that leaves an enrolment of 99.64 per cent., as against a figure as low as 63 per cent. when the Opposition were governing this country. It was easier to get off the roll under the regime of anti-Labour than to get on. Today you can be removed from any roll by the lodging of an objection. The Leader of the Opposition has lodged no objection and has not asked for the removal from the roll of any of these names in the correct way. He knows he has not done so and he knows he has been exposed in regard to the statement he made about roll-stuffing in this State.

Having no policy to propound in the Warrego by-election the Leader of the Opposition dragged forth the roll bogey. On this occasion his list contained 68 names of which 47 that were not then enrolled were easily disposed of. Inquiries showed that 15 electors enrolled had the right to remain on the roll. Proceedings for the removal of three others were in progress and the roll was 99.8 per cent. accurate. The Leader of the Opposition went about the Warrego electorate telling the people there were too many people on the roll but here I might mention that at one meeting he held the only man in attendance

was the man who welcomed him at the door of the hall and that man's wife. On another occasion there were only seven people at the meeting. It can thus be seen that the people in the Warrego electorate were not prepared to take notice of the statements made by that hon. gentleman.

I now come to the question of election abuses. I am sorry that I have not more time at my disposal as there are many things I should like to bring before the House. He spoke of abuses and on one occasion said that a number of people were going from polling-booth to polling-booth and recording votes in the names of other people. If the Leader of the Opposition had any evidence this was going on, why did he not make some complaint to the police? The Leader of the Opposition would have the people of this State believe that he and his party are fit to govern Queensland although he knows that his scrutineers and candidates go to sleep at polling-booths. If they are stupid enough to do that, they are certainly not fit to be the Government of this State. No evidence was submitted and again the statement is a wild and extravagant one.

In the judgment of Mr. Justice Mansfield we find a refutation of the charge of plural voting. His Honour said this—

“This charge concerns allegations of personation or alternatively plural voting by 24 persons. Evidence was placed before me in relation to these charges and I am satisfied that the allegations cannot be supported.”

Mr. Justice Mansfield also said that he was satisfied that certain errors in the marking of the rolls did occur but it could easily occur in the bustle of elections where there are a number of electors with the same surname grouped together but in marking off 10,978 electors at polling-booths 32 officers made only 17 mistakes.

Legislation to permit the operation of a joint Commonwealth-State roll was enacted by a Labour Government in 1915 and negotiations between high-ranking officers, representatives of both the Commonwealth and State, have taken place on a number of occasions since. They were unsuccessful because an agreement to meet the State's requirements could not be reached and the State officers were not prepared to commit the State to a bargain in which there would be no economy and where the form of the roll would prevent the operation of the State's electoral system. For many years I was associated with Mr. George Lawson, the present Federal Labour representative for Brisbane, and I know the Federal rolls were in a deplorable condition. Just after the last war new rolls were not even printed and had not been printed for many years. We had to deal with the rolls because of the way they had been handled by the Federal authorities. Is it going to be suggested that we should hand over our perfect electoral machinery to such an organisation as the Federal authorities?

Mr. Nicholson interjected.

Mr. POWER: It is perfect for anybody who wants to enrol and let me say that if the hon. member has any evidence that any person's name has been wrongly enrolled there is a provision in the Act to have that name removed. The hon. member has been here only a short time.

I want to say a few words about the remarks of the Leader of the Opposition on gerrymandering of boundaries of electorates. I think the least said about boundaries the better, particularly so far as the Opposition is concerned, because it is a remarkable coincidence that in 1931, when the last redistribution took place after Labour was defeated, of the ten seats cut out eight belonged to Labour. It is a result of that redistribution that I am now a member of this Parliament. The Paddington seat was cut out and the late Mr. Alf Jones did not want to contest the new Baroona and I came in as the new member. It has been attributed to the hon. member for Yeronga that he said, "When we get on the Government benches we will see that the electorates are fixed in such a way that Labour will not get back again."

Dr. Noble: At no time did I say that. The remark is offensive to me.

Mr. POWER: I never said that the hon. member told me but that statement was given to me by a member of the Liberal Party. I accept the hon. member's denial; he might deny a few more things after I have finished. Whilst we are accused of having a redistribution in our favour, it is significant that on that occasion eight Labour electorates were cut out. One of the others belonged to a man called Peterson who had fallen out with the Opposition after he had ratted on the Labour Party. When speaking about bribery and corruption, I should like to know how much they paid Jimmy Peterson to scab and rat on the Labour Party. He got into Parliament on the Labour ticket but Jimmy Peterson did not rat without getting well paid for it. And then there was the attempt in the Brennan bribery case. There was an attempt to bribe the late Mr. Justice Brennan to defeat the Labour Government. All this stuff is coming out and I am giving it to the public and I am letting the public know what attempts these people opposite have made in this Chamber to defame the names of honest-to-goodness people who have not the right of reply. The present Opposition are of the same political calibre as the Opposition of those times.

The Leader of the Opposition was going to make some revelations when he said that there was electoral corruption but he has not produced even one scintilla of evidence of corruption.

Mr. Evans: The judge said there was.

Mr. POWER: No, he did not. The judge exonerated Mr. Maguire and he exonerated Mr. Gardner and all Mr. Gardner's supporters and no matter how the hon. member might mislead some people the evidence is here and it will be published and the people of Queensland will get the facts. And if the "Courier-Mail" does not want to do

the decent thing and present the true facts to the people we shall find ways and means through the Labour station of giving the people the facts, because so far as I am concerned the gloves are off. I intend to expose all acts of corruption by anti-Labour forces during the time they were the Government of the State. They bought out Jimmy Peterson and got him to rat on the Labour Party and they attempted to bribe the late Mr. Justice Brennan to rat on the party. Any student of politics could have watched the diversion from Labour to anti-Labour of men who have been welcomed by the Opposition and I want to say that we have been glad to get rid of them.

In his judgment Mr. Justice Mansfield said that a grave fraud had taken place and that every effort should be made to clear it up. The Government took immediate action and cannot be blamed for anything that may have been done in that regard by any individual.

Then we find—and the Premier has already dealt with this matter—an attempt by the "Courier-Mail" to stampee the Police Force. The Premier controlled the Police Force for many years, and he knows full well the workings of the Police Department. The officers of that department are not interfered with in any way by any member of the Government. No royal commission could take action on this matter; it is something that must be investigated by the police. In the absence of the Premier, the Acting Premier asked the Commissioner of Police to put the best brains of the Police Force onto this job, and every available man was put onto it. I am not in a position to talk about the qualifications of the members of the Police Force, but I have the greatest respect for the Commissioner of Police in this State. He is a man whose honour cannot be impugned, and is known far and wide in Australia as Honest John Smith. Nobody could persuade him to do anything dishonest. He selected Inspector Bischof for this job, and Inspector Bischof has a number of plain-clothes detectives helping him in this investigation. All the cartoons of the "Courier-Mail" and all the whingeing and crying of the Opposition will not stampee the Government into interfering with the Police Force in the execution of their duties. When this matter is finalised and the culprit is brought to earth, suitable action will be taken by the police under the laws of this State and not as the result of any direction by the Government.

Then we heard a lot of talk about the failure of the Government to call Parliament together earlier. If the only reason for calling the House together was to listen to what the Opposition has to say, it is a good job that we did not call it together before. Not one concrete case has been put forward by any member of the Opposition today. Nobody can be accused of not doing his duty in connection with this matter. The Leader of the Opposition said, "I am going to produce the evidence." If he had any evidence, he should have produced it a long while ago so that action could have been taken on it earlier.

It has been suggested by the Opposition that Mr. Maguire, the Principal Electoral Officer, should be suspended because of the fraud that took place. I should like to remind hon. members opposite that officers of the Public Service have certain rights, and cannot be suspended unless they are charged. We have no evidence upon which we could lay a charge against Mr. Maguire or any other employee of the Electoral Office. The police are at present investigating the matter, and how could the Government charge a man with some offence without having any evidence to support such a charge? If the Leader of the Opposition has any evidence, let him produce it so that charges can be made.

I should like now to deal with some matters referred to by the hon. member for Mount Coot-tha, who made some very remarkable and startling statements without any evidence to support them. He showed a colossal ignorance of the electoral laws of this State. I want to prove to the Assembly that he did not know what he was talking about and that many of the statements he made were entirely untrue. For instance, he said that Mr. Maguire took the Section 70 votes to the returning officer. That statement is not true. There is no evidence of the fact, but the hon. member made the bald statement, in his ignorance, that Mr. Maguire delivered the Section 70 votes to the returning officer for Windsor. They were sent to the returning officer by registered post, and if the hon. member doubts what I say evidence can be produced showing the receipt for the registered letter. We have wild and extravagant statements by hon. members opposite, who appear to be going round the building limping, one leg longer than the other, the result of pulling their own legs. That is No. 1 canard exposed.

Then we had the very interesting, most remarkable and most stupid statement that the Section 35A votes also were delivered to the returning officer. That also is false. The returning officer took delivery of them from the office. They were not delivered at all. As a matter of fact, in the first place, they were brought to the Electoral Office by the returning officer. The Principal Electoral Officer did not have anything to do with the Section 35A votes. The checking to see if they were entitled to a vote was done by the senior clerk. Let us examine these Section 35A votes. They are cast by people who claim that their names have been wrongly erased from the roll. These votes are not cast in the Electoral Office, as the hon. member for Mt. Coot-tha in his ignorance would like the people to believe.

Mr. Morris: I did not say that they were.

Mr. POWER: The hon. member implied it. I know what he said. He tried to make out that these votes were cast in the Electoral Office. They were cast at the various polling booths in the different electorates. Let me further explain these 35A votes. It is a serious matter—the honour and integrity of Mr. Maguire is at stake. His honesty is

impugned by the hon. member for Mt. Coot-tha. Let me show the House and the people how inaccurate his statements were. The Section 35A votes are not cast in the Electoral Office.

Mr. Morris: I did not say they were.

Mr. POWER: The hon. member said it all right. Under Section 35A any person who believes that he is entitled to a vote may go to any polling booth in any part of the State and claim a vote on the grounds that he should be enrolled for a certain electorate. He is given a vote, and a declaration is made. All the votes are put in an envelope, the declaration is made and these votes are taken by the returning officer to the Chief Electoral Office, where they are checked against the key roll. On some occasions it is found that the names have been wrongly removed from the roll and the votes are allowed. That is what happened on this occasion. I want to refer to the fact that an extra large percentage of votes, I believe out of 16 that came from Caloundra 14 went to Mr. Marriott—a most remarkable coincidence. I think only 2 went to Mr. Gardner. Another remarkable coincidence is that in the case of California Gully the Tory candidate's name was Hamilton.

It is remarkable that 14 of the 16 votes that came from Caloundra were in favour of Mr. Marriott—an extraordinary proportion. No reference was made to that by the hon. member. The Principal Electoral Officer had nothing whatever to do with Section 35A votes. They were under the direction of the senior clerk. Again the inference of the hon. member for Mt. Coot-tha was that Mr. Maguire was dishonest in his work at the Electoral Office.

Then we come to the statement that Mr. Devene wanted some information from the Principal Electoral Officer. It is true he approached him for a list of votes cast under Section 70. Again I want to show the ignorance of the hon. member for Mt. Coot-tha of the electoral laws. Mr. Devene asked Mr. Maguire for a list of Section 35A votes, but the Principal Electoral Officer gets no list of Section 35A votes at all. He was informed at the time of his request for a list of Section 70 votes that they were under seal. Mr. Devene made his request when those votes were actually under seal. They were not in the possession of the Principal Electoral Officer; they were in the possession of the returning officer, the person who conducted the election. Again there was an attempt to besmirch Mr. Maguire by charging him with doing something he was not capable of doing.

Mr. Morris: Read the Act.

Mr. POWER: I am quite capable of reading it and I am stating my case in a true and correct manner. I have nothing to hide but I want to defend a man who cannot defend himself. I repeat that I do not care who did the job and if he is discovered he should be dealt with. In the particular case I mentioned the Principal Electoral Officer refused Mr. Devene certain information

because he could not supply it. The hon. member for Mt. Coot-tha said that the information was necessary to lodge an appeal in the Windsor election but I am quite sure that if the Opposition had the evidence to substantiate an appeal they would have lodged one. I know of one man who furnished an affidavit to the Opposition who would not be able to substantiate the statements he made. I could have quite a lot to say about it.

When Mr. Devene was unable to obtain a list of the Section 35A votes he said "We could get the 35A votes if we got the marked electoral roll." What a most remarkable statement—"we could find out who the Section 35A voters were if we got the marked electoral roll"! There names were not on the roll; they could not be on the roll, and that is why they voted under Section 35A. The case submitted by the Opposition is one based purely and simply on abuse and slander of honest, decent citizens. There is not a scintilla of evidence of any dishonesty on the part of Mr. Maguire or any employee in the Electoral Office.

(Time, on motion of Mr. Ingram, extended.)

Mr. POWER: I will not take up much time; I was just about to wind up. I do want to say this: no evidence has been submitted by the Opposition of any offence by Mr. Maguire or any employee of the Electoral Office. Mr. Justice Mansfield has exonerated Mr. Maguire and said there was no evidence of dishonesty by Maguire. What has been said has been said by hon. members of the Opposition without producing any evidence. The Elections Judge has said that both Mr. Gardner and his agents were not responsible for the fraud—that they were not guilty of any fraud in connection with the election. All those people have been exonerated.

I again say that it is mean, low, cowardly, and despicable for hon. members of the Opposition and the hon. member for Mundingburra to get up and defame Maguire, who has not the opportunity to defend himself. This must be causing Maguire considerable worry, and the members of his family. I am satisfied that it is a deliberate attempt to make political propaganda by the Opposition in the hope that they might be able to defeat the Government. The record of the Government is clean. We have not been guilty of attempting to bribe anybody at any time or to defeat any Government by underhand tactics. Our political name is the same; we have not changed it. We are proud of our name and we are not like the Opposition who have changed their political name a number of times in order to hide their political misdeeds. I am satisfied that the people will accept the word of the Government rather than the word of any hon. member of the Opposition.

Dr. DITTMER (Mt. Gravatt) (9.7 p.m.): Hon. members of the Opposition, including the hon. member for Mundingburra, have on occasions alleged that they have not been given enough time to debate the serious

affairs of this State, yet today if they had made knowledge their guide and truth their star we should not have had to listen to the irresponsible mouthings that we have heard.

Let us refer briefly to the hon. member for Mundingburra, who merits only brief reference. He has been on occasions likened to the phenomenon which people when in a state of unpreparedness fear, but tonight he is only a gaseous outburst. He referred to what happened at Toowoomba. Does he know what happened at Toowoomba at the Labour Convention? It has been said aptly and truly that the man who believes he knows everything knows nothing. That might be very truly said of the hon. member for Mundingburra. I think that is all that his outburst merits. He made no statement of fact; he gave no evidence to prove anything he said.

The hon. member for Coorparoo apparently was determined because of his party, to discredit two worthy people: the Principal Electoral Officer and the returning officer for Bulimba. The hon. member for Coorparoo is regarded by many as a competent accountant, and he is regarded by the majority of electors in his electorate as an estimable parliamentarian and politician; and we understand he is a good father and an excellent husband; but we have yet to learn that he is entitled to elevate himself to the judiciary. And that is what he has done today.

Let me analyse what the hon. member said. We will give him the benefit of the doubt and say it was done in sincere error and not through pre-determined premeditated lying. The hon. member first states that one vote was cast with the mark "1" opposite the name of Hamilton and that in the folding of the ballot paper there was a not-dissimilar mark opposite the name of Gardner.

An Opposition Member: Outside the square.

Dr. DITTMER: It does not really matter where it was. I will deal with the matter in my own way. It was said that Mr. Costello, the returning officer, gave this vote to Gardner. Mr. Costello did not give that vote to Gardner. He declared it informal and the judge gave it to Hamilton. The hon. member did not mention this, not because of any mal-intent but because it would have assisted the case of Costello. He did not mention the votes Costello had given to Hamilton and which the judge as an Elections Tribunal disallowed. That would not suggest partisanship on the part of Costello, would it? The hon. member for Coorparoo, in attempting to build up his case—and apparently he has fairly carefully dissected the judgment and the evidence put before the Elections Tribunal—did not mention that five votes were counted twice. He did not mention 14 votes in which the error was on the part of the elector and not on the part of the electoral officers and that, consequently, they would be informal in accordance with the law of Queensland. After all, before one takes away the characters

of two men much respected in the community one must at least be fair and put forward the good points as well as the bad. That is only fair and reasonable, consistent with British justice and Australian fair play. I think that is sufficient comment in relation to the dissection of the hon. member for Coorparoo. He was not particularly careful in dealing with the judgment.

I should like to deal seriatim with the paragraphs in this motion. It was submitted that a number of irregularities were associated with the 1950 elections from which it could be inferred that the responsibility for any malpractice was to be laid at the door of Government members. What happened in the elections of 1947? Two electorates were under discussion—Kelvin Grove and Kurilpa. These were irregularities. Sixty-one votes that were cast for the hon. member for Kelvin Grove were in the heap allotted to the candidate named Fielding. These were discovered in the recount and when the Liberal scrutineers or the scrutineers of the Queensland People's Party, as they were then, discovered that—and the scrutineers included a Mr. Wanstall—they walked out stating they did not want to see any more. It was assumed that it was an honest error but are they any more entitled to debit us with malpractice than we are entitled to debit them with malpractice in that incident?

In the Kurilpa electorate a similar happening occurred. Is that to be regarded as an honest mistake? It concerned an hon. member not on the Government benches but I do not say he knew what was going on or sponsored it but, Mr. Speaker, do you know that one of his supporters would come into the counting room with a lead pencil under his nail and if there was a vote for his opponent he used to make it informal? That would not be a malpractice, would it?

Do you know, too, Mr. Speaker, that in the 1949 local-authority election in Brisbane more votes were cast under Section 70 than in the whole of the State election in Queensland? When you analyse them you will find that they worked out at twice the proportion of the ordinary voting. The votes were not returned for a week after the election and not one Labour alderman got a majority under that section. I am not suggesting malpractices because I have not got a filthy and low mind.

Mr. Sparkes: Are you suggesting that there was no malpractice at Bulimba?

Dr. DITTMER: I am talking about the Brisbane City Council elections, where the phenomena were similar but where there were differences of interpretation. What happened at the beginning of the State elections in 1950? What happened on the day the Electoral Office was opened? The wife of a person employed at station 4BH—not a Labour station—went and complained to the "Courier-Mail" that there was an irregularity, that her vote was not placed in an envelope, and that there was no envelope provided for her vote. Detectives were placed on an investigation of the complaint, with what result? When she was shown the

envelope she had signed she admitted it was hers and retracted the statement she made. Had we not arranged to have detectives investigate that alleged irregularity we might have had the electorate of Mt. Gravatt associated with malpractices. The fact that we had the investigation precluded any possible suggestion of malpractice. The actual truth or untruth would not have mattered.

I will deal with the facts of the Bulimba case in a little more detail. We have already dealt with the unfair way adopted in relation to Messrs. Costello and Maguire. It was rather interesting in relation to those 11 votes in which the verdict was fraud that there was no evidence that the envelopes were tampered with and that the judge found that any fraud was practised not within the Electoral Office but between the time of casting the votes and the counting thereof. There is no suggestion that the envelopes were not closed; both barristers were satisfied that they were closed, and both of them were satisfied that there was no interference. Is that not particularly important? Members of the Opposition are prepared to accept that the crime was committed within the Electoral Office. It was rather interesting, and rather more than coincidental and accidental that the chief Liberal organiser should arrive at the Bulimba counting-house when these votes were opened. There is no justification for the Opposition to presuppose that the votes were not substituted after the envelopes were opened, but there is sufficient evidence to justify the conclusion that they could not be placed in immediately after the voting and before the opening of the envelopes.

The Opposition do not want to disclose all these things to the public. They are simply using certain portions of evidence as smoke-screens. One of the reasons for the motion before the House is the alleged failure of the Government to conduct an open inquiry into malpractices and gross fraud found by Mr. Justice Mansfield in the recent Bulimba Elections Tribunal Appeal. Gross fraud in relation to 11 votes is admitted, because it was a judicial finding, but there is no suggestion that the inquiry was not an open one.

Any member of the Opposition could have gone before the tribunal and given evidence if he had known anything, but none of them did so. Only recently we had an example of how they did not wish to be involved in investigations. A ridiculous position was reached. It was decided that a man who was respected in the community and who was regarded as being sufficiently efficient to be sent overseas for further training should investigate this matter. I refer to Inspector Bischof, whose being sent overseas was not opposed by the Opposition. What happened? Hon. members opposite said that they would not agree to his having anything to do with ballot papers, even though he had been sworn to an oath of secrecy. They wanted a royal commission. What would have happened if, for example, Inspector Bischof had been appointed as the royal commission? Would he then have observed any more fully an oath of secrecy than he would have as Inspector Bischof of the Police Department?

The second reason put forward by the Leader of the Opposition deals with the determination of the Government to proceed with further elections under the same electoral laws and with the same electoral officials as at the last State elections. I might join with that the approval by the Government, as they suggest, of Mr. Gardner's action in retaining his seat as a member of this House. I think that the Premier has answered the Opposition ably on that matter, and I will deal no further with it.

Then we come to some interesting information that under Labour legislation the electoral rolls for the elections in 1947 and 1950 contained tens of thousands of excess and false enrolments, which have facilitated corrupt practices at the polls. This allegation comes from members of the Opposition, descendants of people who were the opponents of the working people of this State, whose practices in electoral matters we are all very well acquainted with. The Attorney-General has told us how on one occasion 14 electors voted at an election yet 381 ballot papers were counted. The Secretary for Mines and Immigration has told us how in another case 25 electors appeared at the polling booth and 114 votes were counted. It is rather interesting that a further scandal should be associated with a liquor name, Perkins. Perkins used conveyances filled with men and liquor to persuade voters. The Opposition have thought and dreamt Bulimba to such an extent that they have come to regard Parliament as a tied house.

Mr. Chalk: Weak!

Dr. DITTMER: It is not as weak as the hon. member's case, anyhow.

Mr. Chalk: And not as weak as your head.

Dr. DITTMER: I consider that statement offensive to me, Mr. Speaker, and I ask that it be withdrawn.

Mr. SPEAKER: Order!

Dr. DITTMER: I consider the statement that I have a weak head offensive to me and I ask that it be withdrawn.

Mr. SPEAKER: I do not know what statement the hon. member is referring to.

Dr. DITTMER: The hon. member for Chermside implied that I had a weak head.

Mr. Dewar: I did not open my mouth.

Dr. DITTMER: It was the hon. member for Lockyer then.

Mr. SPEAKER: I ask the hon. member for Lockyer to withdraw that statement. I did not hear it.

Mr. Chalk: If it is offensive to the hon. member, I will withdraw it.

Dr. DITTMER: I suppose it was only a ventriloquist's trick, anyhow.

Mr. SPEAKER: Order!

Dr. DITTMER: In another election where there were 800 on the roll 200 voters were impersonated. Then we have the statements from the Opposition about the Bulimba frauds and election malpractices, but if they want to know anything about electoral corruption and malpractices let them read of the activities of their political forefathers. It will be interesting reading in relation to these matters.

Over the past few years the officers of the department have objected to 50,000 names on the rolls but there have been only four objections from outside, three from the hon. member for Cooroora, including one candidate opposed to him in the selection. The fourth objection came from another person made on personal grounds. Not one other hon. member of the Opposition has objected to the inclusion of names on the allegedly stuffed rolls. They could move to have the names removed by paying a fee of 2s. 6d., but even that is refunded to them if their action is justified. Do they want to return to the old system of the revision courts constituted by two justices? In those days it was the practice of the two justices to sit in court and for instance call "John Brown. Any objection?" Someone would say, "Yes," because he had been seen reading Fabian literature and that was something dreadful in those days and then the justices would say, "Where is John Brown?" But John Brown did not even know that his name would be up for discussion because he was away earning his living, and off went the name of John Brown. That was the practice in those days and up to 30 per cent. of the people were disfranchised.

Then hon. members opposite speak of electoral rectitude. They say now that they have drawn the Government's attention to irregularities. But what are the irregularities? They complain of the absence of an open hearing. There has been an open hearing and the police are now on the job. This is a criminal matter. Cabinet does not investigate a case of murder or any other criminal case. It is investigated by the police and, after all, this is an offence under the Criminal Code.

The Government have not gerrymandered the electorates, as hon. members say. For years hon. members opposite have cried out for greater representation for the country people and the Government have simply given effect to their desires and expressed wishes. If they are sincere in their statements about the malshaping of the electorates in the interests of Labour, why are they not frank and honest enough to say that the three men who constituted the redistribution commission did not do their jobs fairly and squarely in the interests of the people? They have not challenged one of them and when the

commission was established last year they did not challenge one of them. They nominated them.

Mr. Hanlon: They nominated two of them.

Dr. DITTMER: Is that not sufficient? Would they have nominated their political enemies? The men appointed were people of the greatest probity and yet hon. members come here now and say that the electorates were gerrymandered.

Mr. Evans: We opposed the zoning and that is the crux of the whole position.

Dr. DITTMER: Gerrymandering means the mis-shaping of electorates for a particular purpose and with the idea of certain political results. Hon. members opposite have asked for years for greater representation for the country and what has zoning done but give effect to their desires? I have read and heard it said that of all nature only man is vile and so if we are to have hon. members -opposite reeking of suspicion wrapped up in political selfishness and muddling in cess-pits we can only expect them to act in the way that they have in this connection, and the decent people of the community must believe that the saying applies to the members of the Opposition and their associates.

Mr. JESSON (Hinchinbrook) (9.30 p.m.): I want to throw a different light on the debate we have heard today because I can speak from personal experience. I want to let the members of the Country Party, who have aligned themselves with the Liberal Party in this smear campaign against the Government, know what happened in 1947 when the Liberal Party made very nasty insinuations against a team of public servants and demanded a recount in my electorate, when I had won by a comfortable majority of 252 votes. The Liberal Party was not satisfied with that part of the campaign. It imported two known criminals, one from Rockhampton and another from Cairns, to attend at the recount. I will give their names in a minute and read their records. The sole object of the recount was to poke in some faked or crook ballot papers and then appeal to the Elections Tribunal, the same as was done in the Bulimba case. If Hamilton had won the crook votes would never have gone into the count. They were in somebody's pocket who was waiting to see which way the cat jumped, and when they went along these votes were poked in along with the others because we have it from the judge's findings they were not interfered with. They tried to do it on me but they missed the bus. I have the evidence here. These men went to the recount with the express purpose of putting in some crook votes because if an appeal had been made to the Elections Tribunal the presiding judge would have seen a certain number of crook votes and he would have said there was evidence of fraudulent practices. If only five crook votes had been detected in my case the country would have been put to the expense of another election. I trebled my

majority at the last election when dirty tactics were not practised and when fewer voters were enrolled.

Some discussion has centred around Section 70 votes. I got beaten by the Liberal Party candidate in Section 70 and the absentee votes. That party worked them as hard as it possibly could and tried to cover up its sins, like the bad lawyer or a bad carpenter, by engaging in a dirty smear campaign against the returning officer. One of my opponent's scrutineers was named Smithers, who came from Rockhampton. The other would not sign an affidavit. I want to say here that my opponent, Mr. Johnson, who opposed me in the 1947 election as a Liberal Party candidate, was not endorsed by his party, on instructions from Brisbane, because he knew of all this and refused to be a party to it. He announced that he would stand as an Independent but Cummins & Campbell Ltd., by whom he was employed, pulled him out of the election and subsequently sacked him. He is now in Melbourne. Mr. Blackshaw, who in 1947 had the decency and honesty to sign the scrutineer's form, was also dismissed from his employment.

This is the record of Thomas Bourke, the second scrutineer imported from Cairns. He used to be in the C.P.S. office in 1935 and he resigned and was appointed secretary of the Cairns show committee. After three years he was dismissed, as the incoming committee, consisting of Sparkes, Bennett and Crowley, had no confidence in him. Hooper was appointed secretary and on a certain afternoon at 4 p.m. Byrne had to appear at the show society's rooms to hand over the books to the new secretary. Mr. Byrne was missing and could not be found, but after some delay some of the books were found, and it is believed that there were some irregularities and malpractices being conducted by the late secretary. On 12 October 1937, Messrs. Thomas Byrne and Frederick Charles Thompson were fined £4 and 4s. 6d. costs of court in the Cairns Court by the stipendiary magistrate for representing themselves as registered taxation agents, which they were not.

That is one of the individuals. Here is a copy of the sworn declaration of the scrutineers—

“We the undersigned scrutineers, present at the recount of votes in the electoral district of Kennedy, dissociate ourselves from the allegations of illegal practices made in Parliament against the returning officer for Kennedy and are in complete accord with his reply thereto.

(Signed) A. BLACKSHAW,
S. CHURCH,
Q.P.P. Scrutineers.

JOHN MORRIS J.P.,
Labour Scrutineer.

I will now refer to the reply of the returning officer, which they endorsed. Mr. Wanstall, the ex-member for Toowong, was the ringleader of this smear campaign. He went to the royal commission and preferred

to take his brief rather than act as a man and get up and say what he said in this House under privilege. I hope the police do find the person. I believe, with the member for Mt. Gravatt, that there is something in the hip pocket that did not come from the electoral office. It is remarkable how the Opposition talk about the secrecy of the ballot, yet a certain number of individuals are willing to go along and besmirch the Government at the behest of the Liberal Party. They are supposed to be working men and if they are they are a disgrace to the class they represented.

This letter is dated 4 September 1947 and reads as follows—

“In reply to your letter of the 27th ultimo, I submit herewith my comments on certain allegations recently made in Parliament by Mr. Wanstall.

As a preliminary observation, I have to state that the motive and purpose of the application for the recount of votes are now apparent. The application was opposed by the local Q.P.P. Committee and its opposition was supported by members of the Country Party, but contrary to the advice and better judgment of his local friends and supporters, Mr. Johnston obstinately persisted, such persistence being undoubtedly supported and prompted from Brisbane.

This strong local party opposition was the reason for the importation of a scrutineer from Rockhampton. Mr. Wanstall shows open resentment at the charge of ‘frivolity’ as applied to the recount, and facts have been grossly exaggerated and misrepresented in a vain and abortive attempt to prove it otherwise,

His quotation from ‘Mark Twain’ becomes humorous when applied to himself, because facts have not only been distorted, but under his forceful compression have suffered complete strangulation.

If Mr. Wanstall’s encomium ‘that their candidate’s word is as good as anyone else’s’ is deserved, then I am exonerated, for Mr. Johnston remarked as he shook hands with me after the recount, and I quote—

‘I want to congratulate you on the fairness and accuracy of the count and when I go back to Ingham I will be able to tell my party that everything was fair and above board.’”

They did not get the opportunity because scrutineers acting on my behalf would not allow any of these people to put their hands on a ballot paper or touch the table. The returning officer and his tally clerks did the work. Probably the returning officer for Bulimba, Mr. Costello, was so trusting that he did not wake up to the low things the Liberal Party would get down to, and probably he allowed them to handle the ballot papers and assist him in the course of his counting. That is when the crook ballot papers were whipped in.

“Mr. Smithers also remarked as we shook hands and, again I quote—

‘I was told before leaving Rockhampton that there would be no need to doubt the integrity of Chandler and I am very happy about it.’”

What a lying statement!

Mr. SPEAKER: Order! I hope the hon. member will connect his remarks with the matter before the House. The motion is that the Government do not possess the confidence of the House.

Mr. JESSON: I am endeavouring to show that the Opposition are prepared to destroy the confidence of the Government by their tactics, but I think I have said enough to point out to the public generally that the people have the confidence of this Government. I dissociate myself with any attack on the Country Party. I believe they have been told these things by the sharpshooters of the Liberal Party and there is no doubt of the sharp-shooting tactics of that party. They have tried to absorb the Country Party, and it was the worst day’s work the Country Party did when it allied itself with a mob of Queen Street sharpshooters.

Mr. SPEAKER: Order!

Mr. JESSON: Mr. Hudson in North Queensland said that the country men grow the potatoes and the Liberal Party swallow them up. That is the whole thing in a nutshell. That is the forecast of a man who belongs to the country. I am sorry that the Country Party should be so mixed up with these confidence men. Hearing a thing so often they now believe it is true.

I have no desire to continue further, other than to repeat that this letter was received from the returning officer—

“I again express resentment at the unfairness of these allegations and claim to have shown them as already expressed, to be ulterior in motive, malicious in purpose, and false in fact. In conclusion, I repeat that my greatest vindication is in the fact that a document was signed by the scrutineers certifying to the truth and accuracy of the counting of these votes.”

In conclusion, I deliberately charge the Liberal Party with that fraud. Knowing their tactics, they interfered with the ballot at Bulimba and placed these fraudulent votes in that way, for the simple reason that it would enable them to launch an appeal. See what will happen in the Nash elections appeal. In that election they will have perhaps one or two votes that may be termed fraudulent and they will use them to achieve that objective.

Mr. SPEAKER: Order! The hon. member is not in order in discussing the Nash election appeal.

Mr. JESSON: I make the charge in all sincerity that the Liberal Party are the guilty persons. They did the same thing as they did in 1947. The returning officer said that ulterior motives were behind the whole thing. I look forward to the result of the police

investigations into the nasty and dirty deed in the hope that the culprits will be discovered.

Mr. DEWAR (Chermside) (9.45 p.m.): Each morning as you enter this chamber, Mr. Speaker, hon. members stand in respect whilst you offer up a prayer to Almighty God, and amongst other things you seek guidance specially for this State. Having heard many speeches, as we call them, from the Government side of this House today, I agree that a prayer to Almighty God is needed for this State. I have heard some malicious propaganda, and dirty insinuations in my time, but I have yet to find anything the equal to what happened here today. For half an hour we had the spectacle of the Secretary for Mines and Immigration giving expositions of everything that happened from 1900 onwards. Having been born in 1912, I do not care what happened in 1900. What I am concerned about, and what the people of this State are concerned about, is what happened on 29 April and thereabouts last year. I do not care whether Queen Anne had a wooden leg; I do not care what happened 50 or 100 years ago, or what happened in 1929-32. I just do not care. I am concerned, however, about what happened one year ago and the implications that come therefrom.

The Secretary for Mines spent about 10 minutes of what we call a speech quibbling about the fact that the hon. member for Mt. Coot-tha had stated that certain votes were delivered by the Principal Electoral Officer to the returning officer. That hon. gentleman says that they were not delivered by the Principal Electoral Officer but posted. I do not care whether they went by pony express. That is nothing else but quibble, because the fact of the matter is that they went on 3 May in contravention of the Elections Act.

Let us look at some of the findings of the tribunal. We find that 53 of the votes were cast at the office of the Principal Electoral Officer on 26, 27 and 28 April, and that batch of 53 was not received by the Bulimba returning officer until 4 May. I wish to quote from Section 70 of the Act, particularly paragraph (4) and so as not to weary the House I shall only refer to what is said in the last two or three lines in these words—

“ . . . he shall forthwith forward the same to such returning officer.”

I took the trouble of looking up the Concise Oxford Dictionary for a definition of “forthwith,” and I found that it means, immediately and without delay. I submit to the Secretary for Mines or to any member of the Cabinet who seeks something to suggest malpractices that he need not go any further than this point: someone has blundered, as in the charge of the Light Brigade, and votes cast on 26, 27 and 28 April were not delivered until 4 May, although the Act lays it down precisely—there is no margin for discretion—that the votes shall be handed to the returning officer immediately, without delay. Those votes were not sent until 4 May, and, as suggested by the hon. member for Mt. Coot-tha, in the case of Windsor until 3 May. There is the basis for an inquiry

into the conduct of a member of the Public Service who deliberately or accidentally contravened Section 70 of the Act. Is that not a ground for some investigation? We have been asked continually, “Where are the grounds for starting something?” There are the grounds. Whether it is malpractice or corruption, I care not. It is a contravention of this Act and it is a basis on which some investigation could be made.

And now let us read further from the findings of the Tribunal. We find that the ballot papers that purported to be those of 11 of the witnesses were not in fact theirs, and were, at some time between the casting of the votes and the counting thereof, substituted in the declaration envelopes for the true ballot papers of the witnesses. From the evidence it appears that from the time the votes were cast till 4 May the declaration envelopes and the ballot papers were in the custody of the metropolitan electoral registrar, and on 4 May they were in the custody of the chief clerk and of the Principal Electoral Officer for the purpose of being delivered to the returning officer.

I now go a step further and deal with suggestions that have been made by the hon. member for Mount Gravatt, ably supported by the hon. member for Hinchinbrook. The hon. member for Mount Gravatt said that there was a distinct possibility that a Liberal organiser could have been there with the returning officer on 4 May and substituted these votes when the envelopes were open. Have you ever heard anything so ridiculous in all your life? This Liberal organiser would have had to take the votes that were cast in a certain way. He would not have known in which way the votes were cast till the envelopes were opened. He would have to use his X-ray vision and pick out certain votes so that when the envelopes were opened he would know how they were cast. Then he would have to unstick the envelopes in order to ascertain the numbers on the votes for which he was going to substitute other votes.

A Government Member: There are no numbers on them.

Mr. DEWAR: I doubt that.

This Liberal organiser would then have to substitute votes. He would have to do all this under the watchful eye of the returning officer, who has been described by members of the Government as a trusted servant. Yet the hon. members for Mount Gravatt and Hinchinbrook have the sublime audacity and childish innocence to suggest that such a thing should be done.

Mr. Aikens: He would have to do it in the presence of the returning officers, the scrutineers and everybody else.

Mr. DEWAR: Exactly.

The Tribunal has found that this fraud took place without any doubt whatever between the time when these votes were cast and 4 May. It has been suggested by members of the Government that this is a Liberal plot, so let us assume for a moment that

some mysterious person has taken this job in hand and has instituted this malpractice. What shall we call this mysterious person? Shall we call him a Labour man, or shall we call him a Liberal man? We will call him a Liberal man. He was very liberal to Mr. Gardner, anyhow, because he got him into power for some months. This Liberal man, clothed in a black coat and a black hat, goes to the metropolitan fire brigade and obtains an extension ladder so that he can crawl through the window of the Electoral Office. He takes some gunpowder with him and blows open the safe. Then he extracts these ballot papers from their envelopes and substitutes the false papers, and then steals away in the dead of night without leaving any trace.

There is only one other way in which this thing could have been done. The person who was responsible for it would have had to have the key of the safe. Is anyone foolish enough to suggest that this Liberal supporter who is going to substitute these votes so that a Labour man can win the seat, would be able to get the keys from their custodian? Is there anyone over there so stupid or anyone so dull as to say that anyone would believe such trash? There is no wonder that we pray for this country each morning.

This is an old stunt of trying to cover up your tracks by blaming someone else, it is as old as the hills. The Communists use it continuously and the Government are only emulating their friends, the Communists. They are using their smear tactics. Today the British people, as ever, are a peace-loving nation seeking peace and only peace but we have the Russians in the past few days saying that Britons are the warmongers of the world.

Mr. SPEAKER: Order!

Mr. DEWAR: I am connecting up my remarks with the question. When you want to cover up something you have done yourself the oldest stunt in the world is to blame someone else. Those are the tactics of the Premier and his cohorts, just as they are of the Communists their friends.

The Premier was so bereft of argument that he had to continue in his smear campaign by telling the Leader of the Liberal Party, the hon. member for Coorparoo, that he as president of his bowling club was responsible for some sly-grog selling or some such ridiculous thing. For years every club and the Labour League in particular has been doing this kind of thing, as you know, Mr. Speaker. It indulged in Sunday trading during the war period, as you know.

Mr. SPEAKER: Order! The hon member is saying that I know these things happen. He may be trying to embarrass me but I want to tell him that I do not know that these things happen and I want him to keep to the question before the House.

Mr. DEWAR: I am sure, Mr. Speaker, that you know that I would not try to embarrass you. Would the Premier be responsible for the theft of postage-stamps by his office

boy? It is just as ridiculous to suggest that as it is to suggest that the hon. member for Coorparoo was responsible because his bowling club was run in for sly-grog selling or something just as ridiculous. Let him try to draw some more red herrings across the track.

Yesterday I heard the hon. member for Mirani read a speech by the Premier, which is recorded in "Hansard," in which the Premier made certain statements concerning public servants in relation to particular jobs. The hon. member for Mirani quoted the actual words of the Premier himself and only five minutes later the Attorney-General accused the hon. member for Mirani of abusing public servants. The things that I have heard in this Chamber in the last two days really amaze me. All these stunts that have been pulled in this smear campaign, blaming the Liberal Party, do not mean a thing. That is an old stunt of the Labour Party and—I was just going to say, "and you know it, Mr. Speaker," but I stopped myself in time. The fact of the matter is that any time any hon. member on this side of the House makes any reference to any particular phase of government there is the loud cry from hon. members opposite that we are abusing public servants. What is the function of an Opposition in Parliament if it is not to criticise, to suggest and make some contribution to the debates? There is nothing else that it can do. It cannot formulate legislation because the electoral boundaries have been rigged against that possibility. Therefore, it has only the one function and that is to criticise and help wherever it can. Yet every time some criticism is offered by members of the Opposition we find a smear campaign started from the Government benches and we are abused because we are supposed to abuse public servants. It is the greatest trash of all time.

Yesterday the Treasurer spoke. He made a much better speech than the Premier, who was much better than he is today but is slipping. I heard him talk about Fascism. On every occasion any member on this side opens his mouth he is called a Fascist. In Italy, as we know Fascists—

Mr. SPEAKER: Order! I ask the hon. member to connect his remarks up with the matter before the House.

Mr. DEWAR: That is exactly what I am doing, although I may be doing it in a roundabout way. A Fascist is a Socialist.

Mr. SPEAKER: Order! For the information of the hon. member, I will read to him the motion before the House. It is—

"That the Government does not possess the confidence of this House, for the following reasons, namely:—"
and then the reasons are set out. There is nothing in the motion about Fascism.

Mr. DEWAR: The Secretary for Mines and Immigration went back to the days of Queen Anne.

Mr. SPEAKER: Order!

Mr. DEWAR: We are a bit unlucky, because we are the Opposition.

As I stated, the tactics used in this smear campaign by the Government are typical of the Communists' tactics. I suppose I shall be able to connect up those tactics by saying that Fascists, Socialists, Communists and Labour use the same tactics when they want to cover up something they are doing; they blame the other man. There has been no attack on any member of the Public Service by any hon. member on this side of the House. (Government laughter.) It has been proven quite conclusively that the Elections Tribunal found that there has been malpractice in the interpretation of the Elections Act for one thing.

Mr. Hanlon: No, the Tribunal found no such thing.

Mr. DEWAR: It may not have stated that.

Government Members: Ah!

Mr. DEWAR: The Tribunal found that these votes were in the Electoral Office until 4 May, which is a contravention of the Elections Act.

Mr. Hanlon: It found nothing of any malpractice.

Mr. DEWAR: Is that not malpractice?

Mr. Hanlon: You are not telling the truth.

Mr. DEWAR: If I stole your purse it would be malpractice. If I stole 2s. from you that would be malpractice, and if I break the provisions of this Act that is malpractice also. That was found by the Tribunal. (Government dissent.)

Mr. SPEAKER: Order!

Mr. DEWAR: It is surprising to me, with this typical Socialist mind we have exemplified in the Government, that we have an election at all. Why not go the whole hog and have only one candidate? You would not have to rig any ballots then. You could arrive at the same position in a different way altogether by deciding to have no election at all. We talk about there being no stuffing of rolls.

I have in my hand a list of names of electors to whom I posted electioneering propaganda, my personal pamphlet, and my how-to-vote card, on 29 April last year. I posted that propaganda to every male elector in my electorate. Of the 300 or 400 envelopes returned to me I find—and I checked some today—that 146 of the names appearing on those envelopes returned through the post are still on the Chermside roll.

Mr. Hanlon: What does that prove?

Mr. DEWAR: It proves that roughly 292 votes could have been cast in the Cherm-side electorate by persons who had no right to vote.

The post office is a fairly efficient organisation, whether under a Socialist or a Fascist Government, as Government members call us.

Mr. DONALD: I rise to a point of order. The speaker referred to the present Government as a Fascist Government.

Mr. SPEAKER: Order! If there were fewer interjections hon. members would hear plainly what the hon. member was saying. I heard the hon. member say that the post office was a very efficient organisation, whether run by a Socialist or a Fascist Government. There is no point of order.

Mr. DEWAR: The post office has a duty to deliver a letter. It is its duty to find the person to whom the letter is addressed, and you can take it for granted that if it does not find the person, then he does not live in that street to which the letter is addressed. I am prepared to believe that those 400 or 500 envelopes that were returned to me during May marked "Address not known" showed that the people did not live in that area, yet 146 were still on the roll on 29 April. In spite of that the Government still suggest that the rolls are clean.

What about the roll checks? I do not wish to cast any aspersion on the Police Department. I have a lot of darned good friends who are policeman, and I know what they think of the way in which they have to check the rolls. A policeman goes round for about five or six weeks. In Kedron they have been working in bunches of three for the last couple of weeks, but normally a policeman goes out and has to cover 3,000 or 4,000 people in five or six weeks, depending on the number of staff at the station. He goes to a door and says, "Does Healy live here?" and the woman who answers says, "Yes." I know for a fact that because they cannot do every house in the time allowed they ask the person at one house who lives in such-and-such a house in that street. Many of them have told me that they do it and it is the only way in which they can carry out the check in the time. They rely on Mrs. Healy to tell them the names of the persons in the other houses that they can see from her place.

Mr. Moore: That is not true.

Mr. DEWAR: I am telling the hon. gentleman that it is true.

Mr. Moore: They were pulling your leg.

Mr. DEWAR: I know. The hon. gentleman is guessing.

Mr. SPEAKER: Order!

Mr. DEWAR: How in the name of heaven can we get a thorough roll-check if that system is used? It is unfair to the police to expect them to check the rolls in the time at their disposal and a most incomplete check is the result of the present method.

There has been considerable effort on the part of the Government to show that the Electoral Boundaries Commission personnel were more or less suggested by the Opposition and that therefore we should have no reason to complain about their findings. Anyone with a nose on his face and eyes to see

is aware that the damage was done in the zoning. It is a simple matter to say that the commission sat and decided on those boundaries and that we suggested two of the three personnel. It was the zoning that decided how the boundaries would work. In Condamine there are 10,000 voters and in the adjoining electorate of Balonne there are about 4,000. These are adjacent country electorates! We have no quibble with the Electoral Boundaries Commission—they could not do anything else. Our quibble is with the iniquitous and undemocratic zoning system brought in by this Government, who have deprived the people of this State of a democratic voice in the running of this State. Hon. members opposite do not believe in democracy. They believe in Socialism, the Socialism of their Communist friends.

Mr. SPEAKER: Order!

Mr. DEWAR: I think I have covered most of the ground, but the Secretary for Health and Home Affairs stated that the Liberal Party should be satisfied, inasmuch as they have got another election. We are not satisfied. How can we be satisfied? There is the greatest probability that the same electoral machinery and the same set-up of personnel will be used in the next election as in the election in dispute. How could we be possibly satisfied, knowing that nothing is being done in the way of an open inquiry? The Secretary for Mines spoke of so many things that as a matter of fact he could not follow them himself. He went back to Queen Anne and Cromwell, so far back in fact that I got confused when he reached the year 1900. Suffice it to say that the tribunal has shown up one point very clearly and that is that votes cast under Section 70 of the Elections Act, which should have been sent immediately to the returning officer of the Bulimba electorate, were held illegally until 4 May.

A Government Member: For what purpose?

Mr. DEWAR: I do not profess to be a Sherlock Holmes. I am very happy to leave the matter in the hands of the police. If the findings of the Tribunal are looked into, the obvious source of information is the time the votes would be most likely to have been taken out of the envelopes. That is the point at which the police should start and not worry about other fields. That is where the fraud started and it should be easy enough for one of the best detectives in this State to narrow the field down to the culprit so that that person gets the deserts that the people of this State demand he must be given.

Mr. DECKER (Sandgate) (10.15 p.m.): The debate on this motion has occupied the day, and from it emerges the fact that the Premier informed the House that there would be no election for the Bulimba electorate until the mess had been cleaned up.

I have not the slightest doubt what the result of the police investigation would be. The whole business will go for naught. There

have been investigations of this kind before, and what do we find? Different matters have been investigated previously and the Government get a report, but the House and the general public know nothing of it. When one examines the position one finds that some very serious allegations have been made by this side of the House that call for a report from the Government. The hon. member for Mt. Coot-tha showed the House that an exactly similar position obtains at Windsor. He quoted figures to support what he said. Already we have proof in our hands that of 42 votes under Section 70—one was counted as disqualified—our candidate received only 11, as against 30 received by the Labour candidate. That proportion is exactly the same as existed at Bulimba.

The worst feature of the whole matter is that the Government have side-stepped this matter. Our organisation has interviewed these people and we have in our possession 22 voluntary statutory declarations. (Government interjections.) Hon. members, and particularly the hon. member for Carpentaria, can treat this as a joke but we view it seriously. As I was saying, we have 22 declarations in our possession stating that people voted for our candidate but of the 41 votes he was only accredited with only 11. Surely that reeks of injustice. If we can get the names of 91 people who voted under Section 35A we will force another Elections Tribunal and another election will be declared void. There should be no need for us to do a thing like that because if the Government take a serious view of the facts we have proved they will act of their own volition. They will have the matter brought up under Section 101 of the Act and will bear the costs of the Tribunal. Bulimba is only one of the cases of gross fraud. Windsor might be another and as the matter is sub judice in another case I cannot mention it. Bulimba is not just an odd case, for there are at least two or three elections that could be proved—

Mr. Power: You have no evidence of that at all.

Mr. DECKER: The Secretary for Mines and Immigration is trying to cloud the issue.

Mr. DEPUTY SPEAKER: Order!

Mr. DECKER: We have provided extra evidence today of exactly similar happenings to those at Bulimba. There has been a definite step on the Minister's part to avoid the serious implications that have been made. He has endeavoured to drag red herrings across the trail and all we can get out of the Government is that the Opposition are trying to smear the Government. What a state of affairs when the Government use arguments of that kind, when we are arguing on the findings of a Tribunal! A Tribunal was duly constituted and we have its finding before this House. Both the Leader and the Deputy Leader of the Opposition put up a very strong case, which was based on that report. The Government have absolutely failed—

Mr. Power interjected.

Mr. DECKER: The hon. gentleman had an opportunity to state his case but he is trying to prevent me from stating mine. I venture to say that the Minister's "Hansard" proof will have many changes in it in the morning.

Mr. POWER: I rise to a point of order. Is the hon. member in order in suggesting that I will change my "Hansard" proof in the morning? That suggestion is offensive to me and I ask that it be withdrawn.

Mr. DECKER: I will withdraw it without being asked to. However, if the hon. gentleman does not alter his proof he will have a more mixed case than any other member of this House. The hon. gentleman attacked the hon. member for Mt. Coot-tha—

Mr. Power interjected.

Mr. DEPUTY SPEAKER (Mr. Farrell): Order! I ask the hon. member to address the Chair.

Mr. DECKER: From the point of view of the Government, the least said about Windsor the better. One would expect the Government to take steps to alter the electoral laws of this State so that these things cannot be repeated. I do not want to take up much more of the time of the House, but I am sure that we have every reason for asking that the electoral laws of the State be cleaned up. It is no defence for the Government to refer to something that happened in 1852 or in 1870 or in 1900. We are dealing here with something very serious that happened in 1950.

Mr. Moore: What about the last municipal election, when you were removed from a polling-booth?

Mr. DEPUTY SPEAKER: Order! I ask hon. members to allow the hon. member for Sandgate to continue his speech without interruption.

Mr. DECKER: I do not intend to ask for a withdrawal, because never in my life have I been removed from any polling-booth.

We are fighting not only the abuses of the election system but the abuses of office. Government paper, Government stamps and Government cars have been used in election campaigns. Who pays for the Government envelopes, the Government stamps and the petrol in Government cars? These things have to be cleaned up because we have got to a very low state indeed.

Mr. GAIR: I rise to a point of order. The Premier said earlier in the day that any literature used by him in an election campaign was paid for by him and that no Government paper or Government stamps were used and no expense was borne by the Government in the issue and delivery of such matter. That statement was made by the Premier and in his absence I now ask the hon. member for Sandgate to withdraw his statement or to give the House evidence to substantiate it.

Mr. DECKER: I am not going to be bluffed on this occasion.

Mr. DEPUTY SPEAKER (Mr. Farrell): The Deputy Premier has pointed out that the Premier has said that all expense is borne by him. He has asked for a withdrawal of the statement by the hon. member and I ask him to withdraw it.

Mr. DECKER: In deference to you, Mr. Deputy Speaker, I am forced to accept his denial but I want to know now what the Premier says he does pay for.

Mr. Hanlon: I pay for the paper that I use and I do not steal it. I pay the Government Printer.

Mr. DECKER: The Premier says that he does not use Government paper.

Mr. DEPUTY SPEAKER: Order!

Mr. DECKER: Who pays for the petrol in the Government cars?

Mr. DEPUTY SPEAKER: I ask the hon. member to get on with his speech.

Mr. DECKER: I am, but this is part of my speech. I am showing why we have no confidence in the Government.

Mr. DEPUTY SPEAKER: Order!

Mr. DECKER: Who pays for the public servants who are used during the election campaign? All these things are linked up and hon. members opposite do not like it when they are raised in the House. We know now the abuses that were practised in Bulimba but what action is to be taken to clean up the mess? What action can we expect from the Government? Nothing at all. The offence was proved beyond doubt in Bulimba. If we could get honest men these things would not happen. We should not have the Government directing that certain areas should be put into certain zones. They would say no. Where the figures are close they are used illegally against the opposing candidate. If the Government were honest today they would say, "We will clean up the electoral rolls, we will clean up the Elections Act. We will get rid of the abuses and any suggestions from hon. members opposite will be taken into consideration." If we could have that assurance we could have some confidence in the Government, but at no stage has that assurance been given; there has merely been an attempt to justify this rotten thing at Bulimba. No-one can deny the happenings of Bulimba and the public will not be satisfied if an investigation does not lead to the cleaning up of these matters. No-one expects that anyone is going to be arrested; there is no possibility of that. If the Government do produce a criminal in this respect then I shall be willing to get up in this House and make a humble apology. I say definitely that I have no doubt in my mind—and Government members, if they are honest, will admit the truth of my statement—that there is no hope that the perpetrator of the fraud will be caught. What is going to be done to stop abuses of the Elections Act? Practically nothing. Is it any wonder that the Government are losing the confidence of this Chamber and the people themselves? The Government,

with all their scheming, cannot scheme much longer. They have been slipping for years, particularly in the last six years. The time is coming when just men will have their dues and I hope that time is not far off.

Mr. WOOD (North Toowoomba) (10.31 p.m.): It is regrettable that such objectionable matter should be intruded into a debate of such serious import as this, as we have just listened to from the hon. member for Sandgate. This motion of no confidence is one that is being very seriously watched by the great majority of people. I am sure most hon. members on both sides were shocked by the tone in which the hon. member who has just resumed his seat delivered his remarks. I certainly will not attempt in any way to refute any suggestions that were made by him, but I will say that the only feeling of satisfaction that anybody has felt throughout the whole of this regrettable incident has been shown by some hon. members of the Opposition. I say in all sincerity that some of them received the report of the Judge of the Elections Tribunal with ghoulish glee and they rubbed their hands with satisfaction and gloated over the opportunity they had to pursue their malicious campaign of slander and hatred against the Labour Party. I am convinced, too, that this will finally recoil on their own heads. In this I do not by any means include all the hon. members of the Opposition who have spoken, or those who may speak. I admit that the majority of the hon. members of the Opposition are prepared to approach this very serious matter from the viewpoint from which it deserves to be approached, but there have been three or four cases in which we have been subjected to nothing more than a malicious campaign engineered by the Liberal Party and urged on by the "Courier-Mail."

It is absurd to state that this Government do not wish to bring the criminal or criminals to book. Let us examine for a minute in whose interests it is to see that the criminal is apprehended? We cannot deny that the Opposition have charged this Government with the responsibility of committing this gross fraud. Although this attack was based on that charge it gradually developed in virulence until the hon. member for Mt. Coot-tha, in his most typical and vindictive way, charged both a responsible officer of the Government and the Government themselves with being directly responsible for the perpetration of this fraud. Therefore it is vital to this Government that the criminal be found. It is ridiculous for those few hon. members of the Opposition who have made the charge to say that the Government will attempt to shield the criminal. I know that there is not one man in this House—certainly not on this side—who does not deplore the fact that fraud has been committed. I know that I speak for all members of this party when I say no matter who the offender is it is our earnest wish that he receives the punishment he so justly deserves.

Many of the grounds of this No Confidence Motion have been very effectively answered by members on this side, and in particular the hon. the Premier dealt very trenchantly

with the attack launched by the hon. the Leader of the Opposition. In this regard I would point out in passing that it is significant that once the hon. the Leader of the Country Party had spoken the poison was left mainly to the Liberal Party. I have always had a respect for the Country Party, and I still respect the great majority of its members, but I do say this definitely—that if the Country Party allows itself to be led by the nose into all the muck that the Liberal Party will take it through, the days of the Country Party are nearing their end. And they deserve to be. I do not say that the Liberal Party is responsible for the perpetration of this fraud; I am not making that charge. I know no more than the Premier or any member of this House who the criminal was; and in spite of all that the Leader of the Opposition talked of producing evidence and facts, we have not heard one fact presented to us today or tonight to give us any indication as to who the criminal is. We have had innuendoes, and insinuations, and rash statements, but not one word of evidence that would be accepted in any court of law.

The first of the charges against the Government on which this No Confidence Motion was launched was the alleged failure of the Government to conduct an open inquiry. The Premier very effectively showed that the fullest open inquiry was held—the Elections Tribunal presided over by Mr. Justice Mansfield. There is the answer to that; there is no need for me to elaborate on it. It has also been shown that the Government were prompt in carrying out the recommendation of Mr. Justice Mansfield in arranging for the Commissioner of Police to allot skilled men to carry out an immediate, searching and impartial investigation.

Let us see how this attack has developed. First of all, we have the hon. the Leader of the Opposition telling us no matter who the criminal is he must be apprehended. We do not know who he is. Then we have the suggestion from the Deputy Leader of the Opposition, the hon. member for Coorparoo, that it could have been Mr. Maguire. Proceeding from that, in that typical vicious, storm-trooper speech of the hon. member for Mt. Coot-tha—and I say "storm-trooper" with a full appreciation of the meaning it implies—he made a definite charge that Mr. Maguire was responsible. He gave us no evidence to support it. He set himself up as a detective of the Police Force, a judge, jury, and hangman. He sentenced Maguire for this vile crime, and then went even further and said it was engineered by a junta of the Labour Party. Those are vile charges to make. After all, there are none of us, no matter who we are, who do not value our reputations. The Attorney-General quoted Shakespeare, and if my memory serves me right, Shakespeare said also—

"Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed."

Names and characters mean nothing to members of the Liberal Party of Queensland. Ever since I have been associated with this Parliament I have noticed the continual campaign of character assassination. It has been deliberate and organised, to set up in the minds of the people of Queensland the idea that a man cannot be a member of the Australian Labour Party without being a crook. These are the suggestions made by the Liberal Party and the prime mover is the hon. member for Mt. Coot-tha. He comes into this House and rises in a very emotional manner, stirring himself up and almost convincing himself that he believes what he is saying. We have heard these members quoting statements by Mr. Marriott. I remember Mr. Marriott saying, "I know who committed the crime. If the detectives come to me I will tell them." A few days later detectives went to him and we read that Mr. Marriott said that the detectives came to him but they already knew everything he knew. That is exactly the same as his henchman, the hon. member for Mundingburra. I would not waste five minutes answering any of his statements, and I hope I never shall; truth is so foreign to him that I do not think there is a member who accepts one statement he makes. I particularly noticed the Leader of the Opposition listening with the rapt expression of hero worship when he vilifies the Labour Party, but his lip drops when he finds the attack being made on him. I particularly watched and every member of the Opposition gazed with open-mouthed adoration on the hon. member for Mundingburra, their unofficial leader, while he was abusing the Labour Party. The hon. member for Mundingburra came into this House to-night and said, "I know who did it." But then he blustered and blundered for nearly an hour and told the House nothing. Every fair-minded member of the Opposition—and I believe most of them are fair-minded—will admit that they did not get one clue towards the identity of the perpetrator of this fraud from the remarks of the hon. member.

But now let me for a minute return to the member for Mt. Coot-tha. This morning I listened very carefully to him. He adopted his emotional style, waved his arms round, and in his best histrionics said there was fraud not only in Bulimba but also in the Windsor electorate. I have checked his statement with other hon. members and confirmed that the hon. member for Mt. Coot-tha said they were not happy about the position in Windsor. He said they had no suspicion that Section 70 votes there would be fraudulent until they read the judgment of the Elections Tribunal. That is what the hon. member said in this House.

Mr. Morris: I said nothing of the sort.

Mr. WOOD: He then proceeded to say that their suspicions had been aroused by what had been disclosed in the hearing by the Elections Tribunal of the Bulimba appeal and that they then began to check on the Section 70 votes in the Windsor electorate, finding that in a batch of 42, 30 votes were cast for Rasey and 11 votes for Devene. He said then that they took sworn statements

from some 20-odd people. I do not know the exact number but I accept his word that they took sworn affidavits from 22 people and found that they were still seven short. He then said they wanted proof of some more fraudulent votes and sought the names of Section 35A voters. In May, 1950, although his suspicion was first aroused after the judgment of the Elections Tribunal in January, 1951, they sought these names. That is the case he put up to us this morning.

Mr. Morris: Don't be silly.

Mr. WOOD: I checked up with at least half-a-dozen members on this side. His suspicions were first aroused in January, 1951, that there was fraud in the Section 70 votes.

Mr. MORRIS: I rise to a point of order. The hon. member for North Toowoomba has deliberately misquoted me, knowing he is doing so, and I ask that he withdraw that deliberate misstatement.

Mr. DEPUTY SPEAKER (Mr Farrell): I do not know to what passage the hon. member is referring. If he gives me the statement that he seeks to have withdrawn I will give consideration to his request.

Mr. MORRIS: I am asking the hon. member for North Toowoomba to withdraw the statement that our suspicions were first aroused on the findings of the Bulimba Elections Tribunal. That is not what I said. I said that our suspicions were first aroused when it was discovered that there were faulty votes as a result of the Bulimba election.

Mr. DEPUTY SPEAKER: I ask the hon. member for North Toowoomba to accept the hon. member's denial.

Mr. WOOD: The hon. member for North Toowoomba accepts the denial of the hon. member for Mt. Coot-tha without in any way admitting his charge that he deliberately misquoted that hon. member and knew that he was doing so.

This is a very grave charge to make without any supporting evidence to show that the ballot was fraudulent. The hon. member for Mt. Coot-tha has had plenty to say and he said it in his usual vicious way. I am not afraid of his loud mouth.

Mr. Chalk: The school-teacher, again.

Mr. WOOD: I might have something to say about the hon. member for Lockyer and I advise that hon. member to keep quiet. I am surprised to find the hon. member for Lockyer is acting as the champion for that hon. member.

The hon. member for Mt. Coot-tha right throughout his speech said that the Windsor campaign had been almost touch-and-go but to their chagrin in this batch of votes 30 were for Mr. Rasey and 11 for Mr. Devene—almost three to one. He did not say he thought they were false but they convinced him that there was fraud. He quoted another batch of which Mr. Rasey got two and Devene got six—a case of three to one the other

way. Of course, they were not fraudulent. Although the election was touch-and-go most of the way I want to say that I checked up figures in the library and I found that in Albion South the Labour candidate got 270 to the other candidate's 165. At Wooloowin South the Labour candidate got 482 and Mr. Devene 363. Is it to be said that because they are not running neck and neck there is fraud? The hon. member for Mt. Coot-tha stated that because there was a three-to-one majority in a batch of 41 votes that presupposes fraud on the part of the Labour candidate.

I should like to touch on one other point before I resume my seat. One of the grounds for the No Confidence Motion was the fact that Mr. Gardner retained his seat after the Elections Tribunal had delivered its judgment. The Premier answered that charge this morning and pointed out that Mr. Gardner is entitled to the same rights and privileges as any other citizen, and if his conscience was sufficiently clear to feel that he should continue doing his electoral work and receiving the pay for it until this supreme body, the Parliament of the State of Queensland, declared the seat vacant, if he felt in his conscience that he was doing the right thing, where was the crime?

Most members of this House know Bob Gardner. I was fairly closely associated with him although I had never met him until I came into this House. I had never heard of him. He was a very unassuming member of this House and there was not a more sincere man than he. I do not think that anybody could honestly charge Bob Gardner with corrupt practices.

Government Members: Hear, Hear!

Mr. WOOD: Any casual observer could see the effect that the malicious persecution, particularly of the "Courier-Mail," was having on him. I noticed a great change in him over the last month. Instead of being his normal, care-free self, he was a changed man. He was worried, and who would not be when all the guns of the "Courier-Mail" and its cartoonists were being levelled at him day and night? They never let up on him. They were more severe than the Opposition. As a matter of fact, they gave a lead to the Opposition, and the Liberal members of the Opposition foolishly followed them. I say again that Bob Gardner's conscience is clear and he can face the electors when the by-election is held with the full knowledge that he has been absolved of any responsibility by Mr. Justice Mansfield. In spite of that, however, the "Courier-Mail" and the Opposition have tried by every means at their disposal to implicate him. The "Courier-Mail" has been guilty of political malevolence. It has cruelly persecuted this man, and I say now that instead of damaging his chances it has assured his re-election.

Government Members: Hear, Hear!

Mr. Chalk: Wishful thinking.

Mr. WOOD: The hon. member can say "Wishful thinking." He says too many things out of his turn. When I say a thing I stick to it. I will not say one thing today

and something different tomorrow, and I say now that I believe that this persecution will have the reverse effect to that intended. Most people in the community are fair-minded, and if they feel that a member of the community is being persecuted they will swing to his support. I had practical experience of that in 1946. When I won a by-election in that year I attributed it primarily to the leading articles that had appeared in the "Toowoomba Chronicle." Day after day the "Toowoomba Chronicle" did not let up in its editorial attacks on me, and I believe that those attacks finally swung the sympathy of the people sufficiently to give me a narrow majority. I do not believe that I should have won that by-election if the editorials of the "Toowoomba Chronicle" had not been continued in that strain. Similarly, I believe that throughout Southern Queensland today people are realising that the "Courier-Mail" has reached an all-time low standard of journalistic efforts. We hear a great deal about the freedom of the Press but the surest way of driving a nail into the coffin of the freedom of the Press is for the "Courier-Mail" to carry on with its present low-standard tactics. The people today are becoming so cynical in their acceptance of the opinions expressed by that journal that they are rapidly losing any respect they may have had for the way in which the Press exercises its freedom. I do not want to take away the freedom of the Press, but I can only say that such newspapers as the "Courier-Mail" and others are going to crucify themselves. Every hon. member of this party strongly deplores the low standard of journalistic ethics that has been displayed by the "Courier-Mail."

Finally I come to the matter of gerrymandering the electorates, and that is one of the seven or eight grounds on which the Motion of No Confidence has been launched. All that we have had today was a rehash of the arguments that were rejected by the people of Queensland at the last State election. We have not had one word of evidence that would help the Government, the police, or anybody else to discover who was responsible for the fraud. We have had a recapitulation of the evidence given before the open tribunal. We know that gross fraud was practised and we regret that such a state of affairs existed, but beyond saying that there was fraud, which is admitted, hon. members have not given us one tittle of evidence to show who the perpetrator might have been. Nothing has been offered to help anybody in any shape or form and so I hope that the House will treat the motion with the contumely that it deserves.

Mr. MUNRO (Toowong) (10.58 p.m.): At this stage, approximately 12 hours after the debate began, I think I may be justified in assuming that it is reaching its concluding stages. That being so, I do not propose to introduce any new subject matter into it. I propose, however, to bring a calm consideration to what are the real essential and fundamental issues involved. In considering the motion, and in order to determine the fundamental issues, we should primarily consider paragraphs 1 and 8 of the reasons for it.

I do not discard paragraphs 2 to 7. I regard them as being only incidental to the main paragraph. The first reason given why the Government do not possess the confidence of the House is—

“The failure of the Government to conduct an open public inquiry into the malpractices and gross fraud found by Mr. Justice Mansfield in the recent Bulimba Elections Tribunal Appeal.”

I think almost every hon. member who has listened to the debate will agree that abundant material has been put forward by both sides of the House to justify the statement that there should be a free and open inquiry on these matters.

Mr. Power: Who do you think should investigate these matters?

Mr. MUNRO: That is one of the things I want to speak about. I am merely establishing, firstly, that even if we had heard only what was said from the Government side, I at any rate should feel that there is considerable justification for saying there should be an open inquiry into the possibilities of malpractices under the Elections Act in the future.

Mr. Devries: What do you mean by an open inquiry?

Mr. MUNRO: I ask the hon. gentleman to let me proceed with my speech. The main case has been so well substantiated on both sides of the House that I merely wish to analyse what has been said in defence. What has been said in defence can fairly well be dealt with under five headings. The first three are really so absurd or humorous that they can be dealt with very quickly. At this stage they should be merely mentioned. The first is this absurd smoke-screen that was introduced in the early stages—that this is something in the nature of a Liberal plot. No fair-minded man in this House believes it. It may be humorous to bring it forward but we cannot take it seriously and no hon. member should waste time considering it.

Mr. Devries: You say it was a Labour plot, and we have as much right to say it is your party's plot.

Mr. MUNRO: The Minister has a right to say anything he likes but I may not agree with him. I am giving to the House a fair and impartial analysis of what has been said on that side of the House.

Mr. Gair: Mr. Justice Mansfield said it might have been perpetrated by an enemy of Mr. Gardner's.

Mr. MUNRO: I propose to say what I intend to say, notwithstanding any efforts that may be made from that side of the House to prevent me from saying it.

The second point, which also can be disposed of very briefly, is the great amount of time that has been spent on the Government benches telling us of things that occurred 30, 40 and 50 years ago. Again any reasonable hon. member or any member of the public will realise that that is entirely irrelevant. If it has any weight at all it indicates how important it is in the interests

of the people that we should take every reasonable, practical safeguard so that occurrences of this kind will not take place.

I can deal with the third heading equally briefly, and that is the regrettable practice that has arisen in this House of replying to logical arguments by making a personal attack on the hon. member who advances them. I do not wish to say anything more with reference to that except that I very strongly deprecate that method of debating any question.

That disposes of those three aspects of the defence, which none of us take very seriously. If they are of any value at all, perhaps it is because they introduced a little bit of humour. We then get down to the two essential features of the defence that has been put up from the Government benches.

The first of these has been mentioned by the hon. member for North Toowoomba who said very forcibly that the recent proceedings before the Elections Tribunal constituted an open public inquiry. By that I take it he must mean an open public inquiry in the terms of this motion into the matter of malpractices and gross fraud. It is necessary to deal with that argument in some detail. It is quite untenable but it is an argument that, unless refuted, may on the surface appear convincing. It should not be necessary to explain that the whole of these proceedings of the Elections Tribunal were carried out under the Elections Act, under Sections 101 onwards up to 126. That Elections Tribunal is created for only one very limited purpose and that is to deal with election petitions as set out in Section 101. The primary duty of the judge who constitutes the Elections Tribunal is set out in Section 117, which says—

“At the conclusion of the trial the judge shall declare, upon the questions of fact and law arising before him, whether the member whose return or election is complained of was duly returned or elected, or whether any person not returned as elected was duly elected, or whether the election was void. . . .”

There is an incidental duty with reference to corrupt and illegal practices, but that is only in relation to the candidate. This provision is contained in three separate sections, where we have the similar wording as to whether the offence has been committed “by or with the knowledge and consent of any candidate.” I stress this point: that as far as this Elections Tribunal is concerned it has completely carried out its duties and it has never been anything in the nature of an open public inquiry into the questions of importance that are visualised in this motion before the House. I think that is quite conclusive, and I think any reasonable man must agree that that conclusion follows.

The second defence put forward by a number of speakers is that the inquiry by Inspector Bischof is in the nature of an open public inquiry. That suggestion is just as ineffective as the first. I feel that the inquiry by Inspector Bischof will be a very effective one within the very limited terms of his responsibility. I cannot state the terms of his

responsibility with precision, but I think that substantially it would be limited to the matter of finding out who was the person who faked the ballot papers, and matters purely incidental to that. But surely this Government must be concerned as to whether the safeguards as to elections are effective and whether anything further should be done in the future. If the Government are not, the Opposition certainly are.

The last paragraph of the motion reads—

“That although the attention of the Government has been drawn to the defects in the Elections Acts which facilitate excess and false enrolments, it has neglected to amend such Acts so as to prevent or reduce such facilities and has thus connived at electoral corruption.”

In the responsible statements of the Premier and leaders of the Government we have had very little indication of any intention on the part of the Government to proceed to put these affairs in better order. Considering these two points, at the concluding stages I would point out we all realise that legally the Government have a majority of members in this House. The Government have the power if they so wish to defeat this Want of Confidence Motion, irrespective of the logic of the argument put up in favour of it. On the other hand, the Government also have the power to say that having had this motion put forward by the Opposition they will take the necessary action to have an open inquiry instituted. If they do so, that inquiry will not be of any great use unless they also take the further step of conferring with the Leader of the Opposition as to the terms of reference for that open inquiry.

Mr. Hanlon: Was that decided at the meeting of the board of directors of the “*Courier-Mail*” you were at? Do you still pass on the instructions?

Mr. MUNRO: I should not expect an interjection of that kind from the Premier of Queensland. I was a member of the board of directors of the “*Courier-Mail*” for approximately 12 months, but because I am rather particular in anything of a personal nature I resigned entirely from the directorship of the “*Courier-Mail*” before I submitted my name as a candidate for election to this House. I took the chance of not being elected.

Mr. Hanlon: You are still associated with it.

Mr. MUNRO: I had hoped in a debate of this nature that a motion of this kind would be discussed without personalities, and particularly personalities that have no foundation.

I would point out that the Opposition in this Parliament, putting it on the most conservative basis, represent at least as many electors of Queensland as members of the Government party and in a matter of this kind we have just as much right as members of the Government to have our views considered. Perhaps it would improve the position a little bit if we were to regard our

political affairs in the light of sport—in the way in which test cricket is conducted. Surely the member of one team would not want to have all the power in determining the rules of the game or altering the rules of the game from time to time, without consultation with the other teams. It is only a fair suggestion that in matters pertaining to the election of members of this Assembly the Leader of the Government should be as anxious as any other member that the position is made fair and to the satisfaction of members of both sides.

Mr. Hanlon: An Act can only be altered by Parliament as a whole and not by the Government.

Mr. MUNRO: That is quite so. An Act can only be altered by an Act of Parliament but I am suggesting that, whereas in matters of policy the Leader of the Government might correctly contend that he has some mandate from the people, the Leader of the Government certainly has no mandate from the people to disregard the views of a considerable section of the people of Queensland on matters concerning the election of members of the Assembly.

Finally, I should like to say that this Government through their leader have the opportunity, having heard all the various arguments that have been advanced, of taking the necessary action to institute a full and open public inquiry into the matters raised. If they wish to do the right thing, they might also move for the appointment of a select committee of members of both sides of the House to consider the necessary amendments to the Elections Act and other Acts dealing with matters appertaining to elections, and I think that if the Government were to take that action they would regain something of the respect of the people of Queensland which it is likely they will otherwise lose. If that action is not taken, failure to do so will be the final and definite responsibility of the Government and for that failure they must stand condemned.

Mr. BURROWS (Port Curtis) (11.18 p.m.): I came into this House yesterday knowing that this matter was going to be debated and with the idea of approaching it with an unbiased and unprejudiced mind.

Mr. Sparkes interjected.

Mr. BURROWS: If I had an unbiased and unprejudiced mind, I should not be able to join the hon. member's party but members of the Labour Party are able to have that.

I have been impressed with the fact that the need for some reform in our electoral Act has become apparent, particularly as a result of the debate, and only to that extent has the debate been of value. Before I left Gladstone to come down here a man, facetiously I thought, said to me, “I see Nicklin is going to move for a stop-work meeting amongst you fellows.” You are as bad as the lumpers and the coalies.” The debate has more or less defeated its object by the late hour to which it has continued.

There are at least two men who have been mentioned in this debate for whom we should all feel very sorry. It is to be regretted that certain members of the Opposition have taken advantage of the privilege of this House to abuse the Principal Electoral Officer, Mr. Maguire. I do not think I ever spoke to Mr. Maguire till tonight, but it is quite apparent from all the repetition that has taken place here today that a heresy hunt is on. The Opposition are out to get Maguire. What the Maguires have done over the centuries I do not know, but they have certainly done something on this occasion to upset the big bosses and the vested interests that control the "Courier-Mail," which in turn dictates the policy and the actions of the Liberal Party in Queensland.

At this late hour I do not intend to be guilty of tedious repetition, but I feel that I should emphasise the necessity for some reform in our electoral legislation.

An Opposition Member: Are you foreshadowing it?

Mr. BURROWS: I am not foreshadowing anything. We on this side of the House do not shadow anything. Hon. members opposite are the shadows for the "Courier-Mail" and the vested interests. I enjoy the privilege of any member of the Labour Party to move anything. I am not dictated to by outside influences. Hon. members opposite, I think, will at least admit that if I believe a thing I do not worry about the consequences, and I hope I never shall. I am here as a trustee of the electors of Port Curtis, and I hope I shall never betray that trust in any shape or form.

A Government Member: Hit them with a bit of coal.

Mr. BURROWS: Callide coal is too good to throw at the Opposition.

Some people may wonder why I have followed in the traditions of the Labour Party. At an early stage in my life I had a job as an office boy—it was the first job I ever had—and one of my duties was the copying of letters. Naturally, one becomes curious if a letter is interesting, and I well remember how shocked I was one day to read a circular letter that was sent to every mine in Australia. That letter contained the descriptions of three men whom the manager had sacked that day and warned every other mine in Australia not to employ them. Their names were Bynon, Bernasconi and Peel. I was only 14 years old, but I still recall those names quite well. This circular letter said, "These men were caught today selling union tickets." They were sacked and they were branded throughout the Commonwealth in the hope that they would be prevented from following their vocation.

An Opposition Member: What has that got to do with the motion?

Mr. BURROWS: Judging by the confessions and disclosures of the hon. member for Mt. Coot-tha today there are very strong possibilities that that practice will be followed. He referred to the names of 22

voters, and although I have had quite a deal of experience in electoral matters I was surprised to hear what he said. He had a list of the names of these 22 persons who had voted, and unashamedly he admitted that they had asked 11 of them how they had voted and these 11 had said that they had not voted for the hon. member for Windsor. What would have happened if pursuant to the cross-examination and process of elimination practised by the hon. member or the agents of his party some of the other 11 had admitted that they had voted for the Labour candidate? What would be the fate of, say, one of the 11 if he was employed at the Bruce Pie factory in Brisbane? Their names could be circulated throughout the State and people advised not to employ them. I respectfully suggest to the House that we seriously consider making it an offence for any man to be approached by these self-appointed prosecutors, judges, jurymen, and—yes—hangmen, too. These people would hang their own mothers, and they would not put on a mask, as the hangman did in Melbourne the other day. Judging by the way in which they besmirch and willfully take away a man's character and reputation under privilege in this House, hanging would be just child's play to them; at least it would not be repulsive. I respectfully suggest that when the Elections Act is being considered again we give serious consideration to the possible effect of the destruction of the secrecy of the ballot as suggested by the exposures by the hon. member for Mt. Coot-tha today. I can tell you that his statements shocked me. I had no intention of speaking on this debate, but I said to myself, "I shall have to draw the House's attention to the possibility of the victimisation that can occur and more than likely will occur." I have had considerable experience and I know myself how it can occur.

Mr. Kerr: They were the bad old days.

Mr. BURROWS: Never mind about the bad old days. I appeal to the better instincts of the majority of hon. members opposite and ask that they seriously consider before they associate themselves with this smear campaign, this attempt to take away a man's character. A man is not guilty until he is proved to be guilty. I appeal to them not to take away a man's character, as they are seeking to do in Mr. Maguire's case in particular. There are other men but Mr. Maguire, the Principal Electoral Officer, has to take the brunt of the attack, and he has taken it like a man. If any hon. member of the Opposition was put in his position he would squeal like a stuck pig.

Let us consider the responsibilities of that position and the anxiety that man goes through every election. If one returning or presiding officer does anything wrong it is he who has to face up to the music. Mr. Maguire has stated, and it has not been disproved, that he did not handle one of these votes in question. The person who voted did so at the counter. Mr. Maguire had 70-odd electorates to attend to and he had to account for every ballot paper. I strongly

advise hon. members opposite to inquire whether other States have such a strict law controlling ballots as exists in this State, and whether there are the strict requirements to be complied with as here, particularly in regard to seeing every ballot paper is issued and where it goes to.

Inspector Bischof has been entrusted with this investigation and the Opposition have pointedly shown that they are trying to usurp the position of this detective. I feel sorry for Inspector Bischof. I do not know him. He will get very little credit if he discovers the culprit and he will be crucified by the Opposition if he fails. To that extent I commiserate with him. Give him a chance! Every decent member of the Opposition should vote against this motion as an indication that they were willing to do so. Instead its members want to impute motives and ventilate a lot of silly and impossible theories of what might have happened. The whole thing has been grossly unfair and has been dictated by the "Courier-Mail."

I should like to congratulate the Premier on the way in which he has resisted the efforts of the Opposition to stampede him into taking precipitate action in the matter. I am very pleased to see that the Government have resisted the attempt of the "Courier-Mail" to usurp the functions of this House and I hope I shall never see the day when the actions of the Government will be governed by a newspaper, not by the representatives of the people of Queensland.

Mr. CHALK (Lockyer) (11.34 p.m.): When this House opened this morning we heard the motion of no confidence very ably moved by the Leader of the Opposition and most factually supported by the Deputy Leader. I am quite convinced that the reply of the Premier was the weakest statement I ever heard him make in this House during the four years I have been here. The Premier was supported by the Attorney-General, who attempted not to reply to the criticism that had been levelled at the Government on this motion but to put forward certain arguments to distract the attention of the people from the subject matter of the debate.

I believe that fairly and squarely the case was advanced reasonably by both sides by the first four speakers in the debate.

I should not have risen to speak on this issue, which as I have said was fairly fully covered, but for the fact that the hon. member for North Toowoomba entered the debate. He did not enter it to reply to the charges levelled against the Government but in order to make a direct attack on the Liberal Party, so that there might be a record in the Toowoomba papers of the material that he delivered, hoping that as a result of his attack on the Liberal Party his position in his own electorate will be strengthened. I do not propose to allow the hon. member to get away with some of the statements he has made. He has suggested that this attack on the Government is nothing more than a malicious attack concocted by the Liberal Party. He went further and stated that it was

being urged on by the "Courier-Mail". The position is that this motion of no confidence in the Government has been brought before the House by the joint Opposition. It is a motion that has been carefully considered by the leaders of both parties. The hon. member for North Toowoomba is prepared to endeavour to drive a wedge between the Liberal Party and the Country Party and he has seized upon this opportunity to endeavour to do so. I can assure him that he has no chance of driving a wedge between the two parties.

The hon. member contended that the Government were prompt in their investigation and the action that they took. I propose to point out that the Government have not been so prompt as the hon. member has endeavoured to make out. He said that immediately after the Tribunal made its finding the Government set the machinery into operation to clear up this mess in Bulimba. We are not denying that this Government did carry out certain of the findings made by Mr. Justice Mansfield, and they immediately started a police investigation. But exactly how far has that police investigation gone? The Premier conceded in this House that he received a letter from Inspector Bischof on 16 January asking for certain assistance and information and he apparently pigeon-holed it until this House met. I say that that is one of the greatest indictments against this Government. It is an indictment also against the Premier because that letter has been lying idle since 16 January. The Premier knew the contents of it and he realised very well that if this matter can be dragged on till after 29 April, under the Criminal Code the culprit will be able to go free.

Mr. SPEAKER: Order! That matter has been debated two or three times already.

Mr. CHALK: I appreciate that the matter has been chewed over.

Mr. SPEAKER: I point out that it is tedious repetition. I am sick and tired of listening to it. I ask the hon. member to break some new ground or sit down.

Mr. CHALK: I will not say any more on that point. I wish to make reference to one other point that has been mentioned. During the speech of the hon. member for Toowoong the Secretary for Public Instruction stated by way of interjection that the Labour Party was blaming the Liberal Party for the smear campaign because the Liberal Party was blaming the Labour Party for what happened in Bulimba. The Secretary for Public Instruction admitted that the attack being made now upon the Liberal Party by the Labour Party is nothing more than reciprocating because the Liberal Party brought this matter into this House.

Throughout the ages the British-speaking race have treasured democracy. They have also treasured very much the assurance of a fair trial in a British court of justice. The British people have at all times appreciated the right of the individual to vote secretly and to elect whatever Government he desired.

That is a fundamental of democracy. As I have said, in a British court of justice any person accused of doing a wrong gets a fair trial. These treasures of democracy have been handed down to us but because the Labour Government have been in office so long there has been a gradual withdrawal by them of the fundamental bases on which democracy has been established. The Premier and his Government whittle away the very thing that we democrats love very dearly and the Labour Party, by gerrymandering electoral boundaries, has brought about a state of affairs under which one hon. member on this side of the House represents some 7,900 electors and the hon. member for Flinders on the other side represents only 1,907. Under Labour administration he has the same voting power inside this Chamber although he represents only one quarter of the number of electors the member for Clayfield represents.

Mr. SPEAKER: Order! The hon. member is repeating statements already made in this debate.

Mr. CHALK: Another point that is very clear in the eyes of the people of Queensland is the fact that when making his findings in the Bulimba case the Elections Judge stated quite openly that fraud had been committed—that in relation to 11 ballot papers there had been grave and criminal fraud. (Government interjections.) I know the truth hurts and I shall attract many interjections but I am prepared to deal with them. The Premier was willing to break down the finding of a court of investigation; in other words, the hon. gentleman is the man in this State who is willing to break down that which British people and British-speaking races appreciate.

Mr. HANLON: I have a good deal of patience, but I cannot put up with this political Charlie McCarthy telling falsehoods. I have not broken down any standards, and I object to this particular type of hon. member saying that I have broken down the findings of the Tribunal. I ask that the remark be withdrawn.

Mr. SPEAKER: Order! I ask the hon. member for Lockyer to withdraw the statement.

Mr. CHALK: If the statement is offensive to the Premier, I will withdraw it, but I repeat what the Premier stated in an interview with the "Courier-Mail" and I am willing to allow the people of Queensland to judge for themselves whether the statement I made just now about the Premier is true or false. The Premier, according to the "Courier-Mail" of 19 January, 1951, said that the question of declaring the Bulimba seat vacant would be decided by Parliament. He said, "The Bulimba seat will be declared vacant if Parliament wills." Mr. Speaker, "if Parliament wills." The finding of the Tribunal was that Mr. Gardner was elected by means of fraud and the Premier states, "So far as I am concerned, I am not going to worry about the findings of the tribunal."

Mr. SPEAKER: Order! The hon. member must not misrepresent the Premier, but keep to the matter he has opened.

Mr. CHALK: I quoted the statement attributed to the Premier.

Mr. SPEAKER: If the hon. member continues to repeat himself I shall have to ask him to resume his seat.

Mr. CHALK: I know that the hour is getting late, and I know that there has been a fair amount of repetition but I am justified in repeating some of the charges because they are so important to the people. The charges made against this Government in the findings of the Tribunal are something very close to the people of Queensland, and is it any wonder that people throughout the State are feeling that Parliament is getting down to the depths of the gutter? The people feel that they have little faith in that institution, and consequently we find that they are prepared to belittle Parliament because of the actions of the Labour Party governing the State.

Let us look at the points raised in the No Confidence Motion. The first is the failure of the Government to conduct an open inquiry. I have heard the Premier repeatedly say, "Was there not an open inquiry?" "Didn't you have an open inquiry?" The Premier knows as well as I do that there was an open inquiry but it is his cunning way to hoodwink the people of the State. He said that there was an open inquiry. Yes, there was an open inquiry into the position at Bulimba so far as the conduct of the ballot was concerned. The Tribunal heard the evidence of various witnesses, but it was not in any way asked to find the perpetrator of the fraud. It was asked to decide whether Mr. Gardner was elected by fair means or not and the judge who constituted the tribunal fulfilled every one of the obligations he was expected to fulfil. He found that fraud had been committed, but he was not asked to go past that, and that is what the Opposition are demanding of the Premier at this very moment. They are asking for an open inquiry to see whether the evidence can be produced in order to bring the culprit who is responsible for this fraud to justice. That is the point that the Premier is very cleverly and very cunningly trying to conceal from the people.

The second reason for no confidence is the determination of the Government to proceed with further elections under the same electoral laws and with the same electoral officials. That point has been covered by the Opposition today.

Mr. JESSON: I rise to a point of order. This thing has been read at least half a dozen times today by different hon. members and every item has been dealt with. I object to this repetition.

Mr. SPEAKER: I ask the hon. member for Lockyer to proceed.

Mr. CHALK: As I said before, apparently the truth hurts. I am taking the

clauses as they were read, but I have also the replies that the Premier gave and I believe I have a right to comment on those replies.

The Premier has said here today that no election will be held in Bulimba until this mess is cleared up. Those were his words, and I am pleased to know that that is so. However, what will be the position if this police inquiry continues for many months? Does the Premier intend to disfranchise the people of Bulimba because a fraud was committed in that electorate? Does he intend to disfranchise those people till he reaches the stage where someone can be convicted or the inquiry has to be dropped? The Premier's own words were, "We cannot do anything out here till we clean this thing up." However, if this had happened in some other department I venture to say that the officer concerned would have been suspended and we could then have proceeded to hold an election. That is what I suggest should be done now. We should face up to the position and say, "We will appoint new officers to conduct this election so that the people of Bulimba can have the representation to which they are entitled."

Now let us have a look at the third reason, for want of confidence. The motion reads:—"The cases of gross fraud proved in the recent appeal were not confined to that electorate." Evidence was produced here today by the hon. member for Mt. Coot-tha of what has happened in other electorates, but still the same thing is allowed to go on. The Premier is prepared to condone it and to allow it to go on.

The delay by the Government in seeking to have Parliament called together was the fourth point raised, and I believe that that has incensed the people of Queensland more than anything else, that is, the fact that the Premier has condoned this state of affairs by allowing the ex-member for Bulimba to continue as a member of this House. The Premier stated parliamentarians were away on holidays and that he could not call Parliament together. However, he is the custodian of the finances of this State and he allowed this man to continue his representation of the people in Bulimba although the judge had said that he had been falsely elected. The Premier allowed this thing to go on for eight weeks, yet during all that time he had in his pocket a letter from Inspector Bischof dated 16 January asking that something further be done.

Mr. SPEAKER: Order! I ask the hon. member not to keep on repeating statements over and over again.

Mr. CHALK: The fifth reason was the approval by the Government of Mr. Gardner's action in withholding his resignation as a member of this House. The Premier said that Mr. Gardner was quite within his rights in remaining a member of the House, but the Premier had a duty to the people and that was to call Parliament together earlier than he did.

Now I come to the subject of gerrymandering the electorates. In this connection the Premier said that no serious objection was raised to the new boundaries but he must know that that is false. He must have been told by the hon. member for Toowoomba and the hon. member for North Toowoomba that serious objection was raised in Toowoomba itself and that a petition was actually presented to the Electoral Office protesting against the new boundaries. The people of Toowoomba believed that they had been badly treated and that will be conceded when I point out that people living on the north side of Toowoomba found that they were in the Lockyer electorate and people on the east side were in the Cunningham electorate. Could you have anything more stupid than that and is it any wonder that the people of Toowoomba should protest vigorously? But the whole thing had been cut and dried and no matter how they protested they could get no alteration. Yet the Premier says that no serious objection was raised to the new boundary.

During this debate we have raised many points that I am sure the people will consider seriously. I am pleased to support the motion. I hope the time will come when we shall get away from the present regime of Labour Governments because if they continue much longer in office the freedom of the people will be completely filched from them and as in Russia only people approved by the party in power will be allowed to stand for election.

Mr. SPARKES (Aubigny) (11.58 p.m.): It was not my intention to speak in this debate but I am prompted to do so by the fact that the Attorney-General referred to certain figures affecting my electorate. He mentioned one instance in which I received 35 votes and my opponent none and in another case that I got 88 votes and my opponent only 2. He failed to mention that in the postal votes I got 62 and my opponent 63. I got a big majority at every polling booth throughout my electorate. The only instance in which I did not get a majority was in the postal votes.

A Government Member: What are you suggesting?

Mr. SPARKES: I am not suggesting anything. I am simply referring to these things. It is true that in one case I got 35 votes and my opponent none and in another I got 88 and my opponent only 2.

Mr. Power: And it is true that you had a policeman transferred, too.

Mr. SPARKES: The hon. gentleman will poke his snout out. If he does no doubt someone will poke a good straight left on to it. The hon. gentleman suggested that a policeman was transferred from my electorate.

Mr. Power: At your request.

Mr. SPARKES: The policeman went round the electorate asking the post-masters who had gone from the district. Why? Why was it that I was beaten on the postal votes

when I received a 10-to-1 majority. The hon. gentleman might know. He knows more about that type of stuff than I do. We in the West do not deal in those things. The hon. member for Nundah said that no member of the Country Party had risen to take part in this debate.

Mr. F. E. Roberts: You are only the second.

Mr. SPARKES: The Country Party is just as much upset and worried about this Bulimba affair as the Liberal Party. So should any decent citizen be worried. Let us look at the position and see what happened. The finding of the Elections Judge showed clearly that a fraud and crime had been committed. Everyone admits that. Who benefited by that crime? That is the first approach to the question. We must admit that those fraudulent votes benefited the ex-hon. member for Bulimba. Who benefited because he was returned by those votes? I am not suggesting that he did anything wrong at all, but in a case like this you must see who benefited. It is ridiculous to suggest that any member of the Liberal Party would have been stupid enough to run the risk of gaol by taking part in it. A Blind Freddy knows that. That suggestion is as bad as the statement of the Minister for Transport today who said when he complained of delays to stock that I must have put stones on the line. Should I be likely to put stones on the line to interfere with the transport of stock? Would a member of the Liberal Party be likely to do something that would result in having his political head cut off? We have to find out whether someone benefited and who was the gainer thereby and why. There is usually some incentive for the doing of ill deeds. No hon. member here is likely to take the risk of going to gaol for such a gain. There are some hon. members opposite who might do those foolish things.

Mr. Power: More likely on that side of the House.

Mr. SPARKES: I would not include the hon. gentleman and that is being generous. A fair-minded man would agree that the person committing this crime gained some benefit. Who gained the benefit? We say that in the first place the member benefited. It was subsequently mentioned by the hon. member for Mt. Coot-tha that similar happenings occurred in the Windsor electorate. I do not think for one moment that the hon. member for Windsor would be associated with any occurrences like that. I do not think the ex-hon. member would, either.

Mr. Devries: He is suffering for someone's crime.

Mr. SPARKES: That is so. That is so. I ask the Minister why that crime was committed?

Mr. Devries: Why was it?

Mr. SPARKES: There must be some incentive for a person to commit that crime.

Mr. Devries: You are not suggesting a member of the Labour Party is guilty.

Mr. SPARKES: If the hon. member wants to think those things I cannot stop him.

Mr. Devries: Do you suggest the Country Party was guilty?

Mr. SPARKES: I am not saying anybody was guilty. I am trying to give some reason why it was committed. There must have been some incentive. The evidence has shown that to a certain extent it may have occurred in the Electoral Office. If it did—I am not saying it did or did not—the person must have done it with some motive of gain. You cannot tell me that any public servant would take the risk of gaol unless there was some gain.

Mr. Power: There is no evidence that a public servant did it.

Mr. SPARKES: I did not say so.

Mr. Power: You inferred it in a veiled manner.

Mr. SPARKES: The hon. member must have a warped mind. Why would a public servant do it? Where was his gain? There is no doubt that if a person committed that crime he must have been paid to commit it by somebody or by some people. There is the position as I see it.

I think this House should look at it in this way: The Premier said yesterday that we were holding the thing up for a day. According to the Premier, he held it up for six weeks because there was no reason why he could not have called the House together.

Mr. Hanlon: You would not have been here for a start; you were away.

Mr. SPARKES: It would not be necessary for me to be here in order to have it passed. If this electoral officer or somebody in the Electoral Office is guilty, why was he guilty?

Mr. Hanlon: Because he was guilty. (Laughter.)

Mr. SPARKES: As we enter into the morning of 1 March one would think we were entering 1 April. (Laughter.) I ask the Premier, "Why did he become guilty?"

Mr. Hanlon: Because he became guilty. (Laughter.)

Mr. SPARKES: People do not run the risk of going behind the bars for nothing.

Mr. Aikens: What risk does he run?

Mr. SPARKES: He runs some risk, and he must have some gain. Who is giving the gain? Some hidden hand. If there is within that department an officer who is guilty, some hidden hand is paying him well or he is getting some benefit.

Mr. Devries: Why don't you say what you would like to say?

Mr. SPARKES: Anything I should like to say I will say quick and lively.

Mr. Devries: You are not game to say it.

Mr. SPARKES: I am game to say.

Mr. Devries: I know what you would like to say.

Mr. SPARKES: You tell me and I will say it quick and lively. Now go on! (Laughter.) If you can read my mind and tell me—

Mr. Devries: What is the gain you are referring to?

Mr. SPARKES: The gain is there. There must be a reason for the person to commit this crime. There is no doubt about it and any sane, sensible man, even the hon. gentleman, would know that.

Mr. Devries: I am reading your mind and I know what is there.

Mr. SPARKES: The hon. gentleman has no mind when he talks like that.

Mr. SPEAKER: Order!

Mr. SPARKES: That is the position we have to look into. All this tommyrot that has gone on in this House today in reference to what took place in 1900, 1929, and 1932, is merely trying to cover up. The matter is as clear as crystal. A crime has been committed and there must have been a reason for committing it. The Country Party is right up to the hilt behind this motion to have this matter cleaned up, and I think every decent citizen in the State of Queensland wants to have that done. The hon. members for Mt. Coot-tha and Coorparoo set out the case. We on this side of the House are not attacking anyone, but hon. members opposite make the suggestion that we are. The Country Party is right behind the Liberal Party in this matter. This thing occurred in the city and naturally we left it to city members to deal with it. That is the only reason the Country Party has not taken a great part in this debate, but I can assure members of the Government that the Country Party is right behind the motion.

Question—That the motion (Mr. Nicklin) be agreed to—put; and the House divided—

AYES, 29.

Mr. Allpass	Mr. Müller
„ Bjelke-Petersen	„ Munro
„ Clark	„ Nicholson
„ Decker	„ Nicklin
„ Dewar	Dr. Noble
„ Evans	Mr. Pizzey
„ Gaven	„ Plunkett
„ Heading	„ Roberts, L. H. S.
„ Hiley	„ Sparkes
„ Jones, V. E.	„ Taylor, H. B.
„ Low	„ Wordsworth
„ Mackinn	
„ McDonald	<i>Tellers:</i>
„ Madsen	Mr. Aikens
„ McIntyre	„ Kerr
„ Morris	

NOES, 38.

Mr. Brosnan	Mr. Jesson
„ Brown	„ Jones, A.
„ Burrows	„ Keyatta
„ Byrne	„ Larcombe
„ Clark	„ Marsden
„ Collins	„ McCathie
„ Crowley	„ Moore
„ Davis	„ Power
„ Devries	„ Rasey
Dr. Dittmer	„ Riordan
Mr. Donald	„ Roberts, F. E.
„ Duggan	„ Smith
„ Dunstan	„ Taylor, J. R.
„ Farrell	„ Turner
„ Foley	„ Whyte
„ Gair	„ Wood
„ Graham	<i>Tellers:</i>
„ Gunn	Mr. Ingram
„ Hanlon	„ Moores
„ Hilton	

PAIR.

AYE.	No.
Mr. Ewan	Mr. Walsh
Resolved in the negative.	
The House adjourned at 12.20 a.m.	