

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 16 NOVEMBER 1915

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LEGISLATIVE COUNCIL.

TUESDAY, 16 NOVEMBER, 1915.

The PRESIDING CHAIRMAN (Hon. W. F. Taylor) took the chair at half-past 3 o'clock.

ASSENT TO BILLS.

The PRESIDING CHAIRMAN announced the receipt of messages from the Deputy Governor conveying His Excellency's assent to the following Bills:—

Toowong Park;
Building Societies Act Amendment;
Brands;
Succession and Probate Duties Acts Amendment; and
Trustees and Executors Act Amendment.

COMMONWEALTH POWERS (WAR) BILL.

The PRESIDING CHAIRMAN announced the receipt of a message from the Asserably forwarding this Bill for the concurrence of the Council.

SUSPENSION OF STANDING ORDERS.

The SECRETARY FOR MINES (Hon. W. Hamilton): As hon. members are aware, last Thursday evening we were kept here till late in the evening expecting this Bill to come along, as I wanted to get through the first stages that night in order to avoid meeting on Friday; but it was quite evident that it would be very late before the Bill was finished in another place, and I therefore spoke to several hon. members, who, although they could not make a promise binding on other hon. members, signified their willingness to pass the first and second readings to-day under the suspension of the Standing Orders, with a view to obviating the necessity for sitting on Friday. I thereupon asked the clerk to send a notification round to hon. members asking them to form a special quorum to-day to enable the Standing Orders to be suspended. Then we can put through the first and second readings to-day, if not the Committee stage as well. If we took the Bill stage by stage, we would not finish this week unless we sat on Friday; and I wish to avoid that. I therefore beg to move—

“That so much of the Standing Rules and Orders be suspended as would otherwise preclude the Commonwealth Powers (War) Bill being read a second time on the same day on which it shall have been read a first time and ordered to be printed.”

Question put and passed.

COMMONWEALTH POWERS (WAR)
BILL.

FIRST READING.

On the motion of the SECRETARY FOR MINES, the Bill was read a first time.

SECOND READING.

The SECRETARY FOR MINES: Under the suspension of the Standing Rules and Orders, I beg to move—That the Bill be now read a second time. This Bill requires very few words by way of explanation. You are all aware that the Commonwealth Government in providing for the defence of Australia and in sharing in the defence of the Empire have found themselves hampered by limitations imposed by the Commonwealth Constitution. It was the intention originally of the Commonwealth Government to secure the necessary amendment of the Constitution by the way laid down in the Constitution itself, that is by submitting the proposed alterations to the decision of the people. There can be no doubt that the people would gladly have given the Commonwealth Government the enlarged powers they seek if the matter had proceeded as far as a referendum, but to some it seemed very unbecoming that a referendum with all its attendant agitation should take place in the very crisis of the great war in which the very integrity of the Empire is at stake. The Commonwealth Government certainly required the enlarged powers and the enlarged powers had to be given to it even if a referendum had to be taken, notwithstanding its inconveniences. Happily, through the good sense of Commonwealth and State political leaders, a way out of the difficulty has been suggested and the means are provided in this measure. It ratifies the proposals to which State and Commonwealth Ministers have agreed, and it is now the duty of this House to assist

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to place it on the Queensland statute-book. It provides that some of the more indispensable and urgent powers required by the Commonwealth and now vested in the States should be temporarily transferred by the States to the Commonwealth. A strict limit is placed on the period during which this cession of powers operates. It has only force during the war period and a year afterwards. At the end of that period the Act becomes inoperative and the powers temporarily yielded are reinvested in the States. For the information of hon. gentlemen, I may mention that the following is the resolution passed at the Premiers' Conference:—

“Following upon the discussion which arose at the Financial Conference of the Premiers on the occasion of the visit of the Prime Minister this Conference of Premiers suggest that so as to avoid the necessity for taking a poll of the electors in next December the Commonwealth authorities concur in the proposal to postpone the referendum during the war on the following conditions:— (1) The Premiers to bring forward in their respective State Parliaments legislation providing for the reference during the war and for following year after the declaration of peace to the Commonwealth Parliament under section 51, subsection 37 of the Constitution of the powers sought by the suggested alteration of the Constitution, subject to the following limitations: (a) Railways the property of a State to be exempted from the Commonwealth power as far as regards the control or management of such railways and rates and fares on such railways; (b) in lieu of proposal No. 3 industrial matters substitute the following:—(a) Employment and unemployment; (b) strikes and lockouts; (c) the maintenance of industrial peace; (d) the settlement of disputes industrial. (2) The Premiers at a later date to consider what powers they will invite from their respective local Parliaments to surrender permanently under section 51, subsection 35 of the Constitution. (3) With a view to removing any doubt as to power of the State Parliament under section 51, subsection 37 to refer any matter for a limited time only an Act of Parliament Imperial to be sought if necessary to make that power clear and to ratify what has been done under it.”

Turning now to the provisions of the Bill, it will be observed that the preamble thereof sets out that as a result of the discussion at the Premiers' Conference held in Melbourne in November, it was agreed between the Premiers and the Commonwealth Prime Minister that the Premiers would bring forward in their Parliaments the legislation for referring to the Commonwealth Parliament the matters specified in the Act. This is now being done. The Bill is an exact replica of the Bills which will be submitted to the Parliaments of the other States. I may say that the State of Victoria was represented by the Premier, Sir A. Peacock, and Mr. Hagelthorn, and they agreed as to the proposal, and with their views would, no doubt, follow the Liberals of Victoria. Clause 3 gives the gist of the powers to be transferred, which I will now briefly compare with the referenda proposals—viz., as to No. 1—Trade and commerce. This proposal is identical with that which is contained in the

Referenda Bill which was to have been submitted to the people, in that the words "Trade and commerce" contain no limitation as they do now under the present Commonwealth Constitution, viz. :—

"Trade and commerce with other countries and among the States."

As to (ii.)—Corporations—including—

"(a) The creation, dissolution, regulation, etc.

"(b) Corporations formed under the law of a State including their dissolution, regulation, and control (with exceptions as to municipal corporations, religious charitable corporations, etc.).

"(c) Foreign corporations."

It will be seen that the proposal in the Bill covers the whole ground of the referenda proposal without limitation. As to (iii.)—Industrial matters—here the proposals contained in the Bill differ from those in the Referenda Bill. It will be observed that the Referenda Bill dealing with this head provides as follows :—

"Industrial matters, including—

(a) Labour;

(b) Employment and unemployment;

(c) The terms and conditions of labour and employment in any trade, industry, occupation, or calling;

(d) The rights and obligations of employers and employees;

(e) Strikes and lockouts;

(f) The maintenance of industrial peace; and

(g) The settlement of industrial disputes."

In the Bill as now introduced, it will be seen that the words "Industrial matters, including," are eliminated. The Bill refers—

"The following matters—

(a) Employment and unemployment;

(b) Strikes and lockouts;

(c) The maintenance of industrial peace;

(d) The settlement of industrial disputes."

Hence, it will be observed that the general headings

"(a) Labour;

"(c) The terms and conditions of labour and employment in any trade, industry, occupation, or calling;

"(d) The rights and obligations of employers and employees,"

as appearing in the Referenda Bill, do not appear in the Bill now before us. As to (iv.)—Railway disputes. The proposal of the Bill in respect of this head is also similar to that contained in the Referenda Bill. As to (v.)—Trusts, etc. These proposals in the Bill are similar to those contained in the referenda proposals. As to (vi.)—Nationalisation of monopolies. These provisions are substantially similar to the referenda proposals, with some slight alteration in the form. I may also point out that there is a substantial difference in these present proposals to those contained in the referenda proposals which will be found in clause 4 of the Bill, the purport of which is that nothing in the Act shall be construed to empower

the Parliament of the Commonwealth or any authority constituted thereunder to affect the control or management of railways the property of a State or the rates or fares on such railways. As before stated, the passing of such Bill by the several States will obviate the necessity for a strenuous campaign to be engaged in when matters of pressing and grave Imperial concern obtain, besides the saving of a large sum of money which would necessarily be spent were the Referenda Bills submitted to the vote of the people. Again, the compromise effected will put to an end to a very large extent the spectacle of party strife at the hustings of a campaign. As before stated, the Liberal Government have adopted a policy of reasonableness in connection with the Bill, the contents of which were adopted after weighty argument and discussion, and it is hoped that the same sense of reasonableness adopted elsewhere in Australia will prevail in this large and important State in a matter of historic concern. Hon. members are not in the position they were in last week when I had a similar motion before the House, and they said they had not seen the Bill and they knew nothing of its contents. This measure has been discussed in all its bearings in another place, and I feel certain that every member of the Council is au fait with everything in the Bill. There is, therefore, nothing to be gained by my speaking at greater length on it. The Bill has been accepted by all the Cabinets of the States, and is before all the State Parliaments. This week it should be passed by the different State Parliaments, and I hope that the Legislative Council of Queensland will not be the only legislative body to stand out and mutilate the measure, as I am confident the other State Parliaments will adopt it, which by the restriction limiting it to the period of the war and one year after the conclusion of peace, is really made a war measure. I hope that this Council will not throw out the measure, which has been brought in with a view to avoid taking a referendum during the period of the war. If a referendum is taken on these questions after the war is over, the people will be able to deal with them in a calm, cool, and deliberate manner. I have much pleasure in moving that the Bill be now read a second time.

HON. F. T. BRETNALL: I had not expected to be the first member to speak on this subject, but someone must open the debate, and I hope that other members will follow, and advance strong arguments showing why the Bill should not be passed by the Council. The Bill comes before us in a way that one cannot regard in any other light than as a side way. Why has not this Bill been submitted to the country? Why have not the Commonwealth Government submitted the questions dealt with in the measure to the electors of the whole Commonwealth? We have been told month after month that certain referenda were to be submitted to the vote of the entire number of the electors of Australia before the end of this year, in order that the Commonwealth Government might obtain authority to amend the Constitution in a way which would confer upon them certain powers which they do not now possess. It was distinctly proclaimed and emphasised that such was the intention of the Commonwealth Government, and only a short time ago I took

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upon myself, with the concurrence of political friends, to refer to the undesirableness of persevering with a measure like that in times of national difficulty and danger. I have been told since that I submitted a motion condemning the proposal to refer these questions to the people. I did nothing of the sort. I simply moved the adjournment of the House for the purpose of considering the unreasonableness of prosecuting the referenda in such a troublesome time as this. That is the matter that I spoke to, and no motion was passed except the motion for the adjournment of the Council. I had had my say, and other hon. gentlemen had had theirs; we had done what we wished the opportunity to do, and there we were content to leave the matter. It may safely be said that it was a very considerable surprise to the people of Queensland when an announcement appeared in the daily Press towards the end of the same week that the referenda proposals had been withdrawn. The feeling we all experienced at that announcement was that that was the end of it, and that we should hear no more about it—that the Commonwealth Government had seriously thought of the impropriety and inadvisableness of prosecuting a measure like that at a hazardous time in the history of our country. But we had only to wait a day or two when we were undeceived, and were told that a Bill was to be submitted to this Parliament granting the same powers to the Commonwealth Government as they were to ask the people for by way of referenda. We have been told that the powers proposed to be conferred upon the Commonwealth Government by this measure are substantially the same as were to have been asked for in the referenda which were to have been submitted to the people.

The SECRETARY FOR MINES: To a limited extent, some of them.

HON. F. T. BRENTNALL: They are practically the same. If they are approximately the same, why was the Federal Government afraid to submit them to the people as they had intended to do? Why have they come by a back door or a side door to the various Houses of Parliament with a series of proposals which they were afraid to place before the people? They realised that they had an unpopular business on hand, and that they were dealing with something which was not likely to commend them to the good graces and sympathies of the general public; they recognised that they were practically coming into collision with the views and opinions of the general public on these particular questions, and what they dared not submit to the electors throughout Australia they submitted to six or seven Premiers at a conference in Melbourne. They decided, as a result of that conference, that they would withdraw the referenda proposals, because they knew perfectly well—I feel persuaded of that—that they would never have carried them in the country. If the referenda were submitted early next month to the electors of Queensland, does any rational person think that the electors would rush to the poll to support them? If any person does hold that view, then I beg to differ from him. Manifestly better thoughts and safer judgment pervaded the minds of those who were responsible for submitting the

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referenda to the popular vote, and by this side door the Commonwealth Government are trying to get the powers they seek. There is a little mark upon this measure which they think will popularise it in the public eye—a thing which will throw dust into the public eye, so that the people will not read through the whole design—and that is the limitation of the operation of the measure to the period of the war. But I venture to say that, if we place these things on the statute-book, it will take a good deal of trouble to get them off again. It would not be the first instance in which things had got on to the statute-book in a comparatively surreptitious manner, and in which it had been extremely difficult to get them off again. Are we to be cajoled into the situation by a provision of that sort? Are we to allow ourselves to be placed in a position which we might regret all the rest of our lives? Are we to allow ourselves to be placed in that position when we are satisfied that, if to-morrow we had a chance of going to the polling-booth and voting on this referenda, the majority of us would vote it out? If that is our feeling, what is *our* duty to do here? Is it *our* duty to pass this measure?

HON. G. S. CURTIS: No.

HON. F. T. BRENTNALL: Are we to pass the proposals contained in this measure in the belief and hope that the administration of them by the Commonwealth Government will not be as harsh, as severe, and as far-reaching as we now fear it would be? We are not bound to pass this measure because of any difficulty or any fear. If we pass it, let us pass it because we think it will be for the good of the country to give these powers to the Commonwealth Government. If we think it will not be for the good of the country to transfer those powers to the Commonwealth, then let us reject the measure. Twice before we have had an opportunity of voting on this very same thing, and we have voted out the proposals, and the people of the State have voted them out; and I believe that, if the people of this State had a chance again within the next week or two, they would vote them out the third time. We should express a frank and honest opinion as to whether the proposals contained in this measure should become the law of the land. We have refused this session to pass one or two Bills carrying monopolies—not conscientiously carrying them—not absolutely carrying them. The Meatworks Bill that has been so much talked about came to us with amendments put into it elsewhere to take the sting out of it. Hon. members remember very well the hours we

[4 p.m.] spent here harmonising the rest of the Bill with that particular provision in clause 2, which limited it by making it a war measure. That was not put in by the Government. That was never a part of the Government scheme. It was not in the Bill when the Bill entered the Assembly. Let us emphasise the fact that it was put in by an amendment proposed by the leader of the Opposition. That is how it became a war Bill. We carried a series of consequential amendments with the object of making it a war measure, and for one or two other important reasons, which I hope will always be the principles which will guide this Council—so long as it pleases other people to allow this Council to continue to

live and work. I hope that we shall never pass legislation that is intended to confiscate other people's property or to take away other people's property without paying proper compensation. (Hear, hear!) Is that a dishonourable position to take up? Would it be a dishonourable position to take up between a merchant and a trader in Queensland? It is the fundamental principle upon which the whole honest fabric of commerce stands. Unless we can trust each other and do our duty to each other, our commerce will fall to pieces. We should pass measures here which we can approve of and conscientiously pass in the unswerving belief that they will be for the good of the country. If we cannot do that, we had better not pass them at all. I would just like to read an extract from a Southern paper. It is headed "The Sinister Influence of the Referenda Bill"—

"Anything more ill-advised, or more mischievous, or better calculated to stifle enterprise or immigration can hardly be imagined."

What encouragement shall we give to the people to open up business in this State? What encouragement shall we give to people to come here and open up our comparatively empty country? What encouragement shall we give to people to come from the old country when the war is over and we begin to need young men to come here and develop the resources of our country, if we pass measures such as we are asked to pass this afternoon? What could we think of ourselves—what could they think of us—if we offered inducements of that kind to men to come and settle here with embargoes imposed by the Legislature, telling them clearly that they have no right to own any capital? That is what it is leading to. If things go on as they are going now, it will be a crime by and by to have capital, except on the part of a few Labour leaders—they will have some—they will take care of that. (Laughter.) We have been told in a paper which is strongly and emphatically on the side of the Government—

"The Meatworks Bill, the Workers' Compensation Bill, the Industrial Arbitration Bill, and other important Bills have been passed by the Legislative Assembly, but what has been done in another place? The Meatworks Bill has been emasculated out of recognition. It was an urgent Bill, essential to enable the Government to deal with the supply of meat for the soldiers."

I should infer from the cable we got expressing the opinion of Mr. Bonar Law that it was not essential, though it was desirable; and though it was something they wished to have as a reserve—something as a standby—but there was nothing immediately essential about it, as was represented to us. As to emasculating that Bill, as I have already indicated, we thought it our duty to protect the people who had spent their money in erecting those works from suffering the entire loss of the money they had invested, through the Government laying violent hands upon the works, making use of them year after year, and, when the machinery was largely worn out or they had done with the works and did not want them any longer, handing them back without any compensation whatever. I do not know how people can write such things in a paper. The writer could

not have read the debates in this Chamber. The Premier, himself, in another place said something like this—

"He was surprised that the Legislative Council should attempt to block the passage of such a Bill as that."

I venture to say that the Legislative Council only sought to improve "such a Bill as that," and they had to try and make it workable and take away the rough edges and jagged corners of it, and so amend it that it would work smoothly when it came into operation. I have no intention of going into detail about the Bill. It is a question of principle that presents itself to us now. We have had the contents of the Bill run over by the Minister, and we have had an opportunity of looking at the Bill for ourselves. We are told that it is practically, if not essentially, the same Bill as that which was to have been voted upon at the referenda. When we are told that, it is time for us to pause and consider whether we should not do here what we would have done ourselves, and what we would have advised our friends to do, if it came to a referenda vote—that is, vote against this Bill. Each one of us must decide for himself—it is our duty to do so—whether this Bill shall pass its second reading.

HON. W. H. CAMPBELL: I may be pardoned for saying a word or two in connection with what happened the other day. It was understood that, although the Hon. Mr. Beirne, the Hon. Mr. Plant, the Hon. Mr. Dunn, and myself voted with the Government for the suspension of Standing Orders on Thursday last, we did not then know what the Bill proposed. We did not know anything at all about it. We simply voted in support of an act of courtesy that had never before been refused in this Chamber, and I do not suppose it will be refused again. We naturally supposed when the Bill had to be debated on the second reading that, if there was a majority against the Government, they would carry the adjournment of the debate against the Government and the Government would be powerless to carry the Bill through. We were under no pledge or obligation to assist the Government to carry the Bill simply because we voted for the suspension of Standing Orders. I never had an opportunity of seeing the Bill on Thursday. In fact, I never saw it until I read it in the papers the next day. The agreement came to between the Prime Minister of the Commonwealth and the State Premiers was only that the latter should introduce a measure in the State Parliaments to transfer to the Federal Parliament certain powers which the States held under their Constitutions. I have looked at the Bill very carefully, and I cannot see that the State Premiers did more than agree to introduce the measure in their respective Parliaments. They did not give a pledge that they were going to carry it through both Chambers.

The SECRETARY FOR MINES: They could not do that.

HON. W. H. CAMPBELL: That is specially shown in the drafting of the withdrawal Bill itself. Originally, when that Bill was brought into the Federal Parliament it used words somewhat like this—that it was introduced "in consequence of an agreement made between the State Premiers and the Federal Government." Those

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words were withdrawn altogether on the motion of the Prime Minister himself. Then the question arises: Did the Commonwealth pass the withdrawal Bill on the understanding that the States would ratify the agreement? Apparently that was the opinion of the Federal Government and the leading men of the Liberal party? At all events, according to the telegraphed report of the debate, that appears to have been the opinion of Mr. Cook, Sir William Irvine, and some other members on the Liberal side. A Bill conferring those important powers on the Federal Government might have but little effect in New South Wales and Victoria. I have no doubt the Victorian Parliament will agree to give such powers to the Federal Government.

The SECRETARY FOR MINES: The Victorian Premier and the New South Wales Attorney-General were present at the conference.

HON. W. H. CAMPBELL: Look at how those States would be affected by the acceptance of these proposals. They would agree to all power being centred in the Federal Parliament. They do not care about the State Parliaments at all. But here in Queensland it is a very different thing.

HON. A. G. C. HAWTHORN: Everything would go to Victoria.

HON. W. H. CAMPBELL: We are so far away from the seat of Government, and there seems to be very little difference, so far as we are concerned, between the State Labour Government and the Federal Labour Government sitting in Melbourne. The ordinary citizen, by consenting to such a change in the Constitution, would be merely jumping out of the frying pan into the fire, if we are to judge by what recently took place in the Senate when discussing the Income Tax Bill. Senator Stewart proposed as an amendment that no interest should be paid on Commonwealth bonds, and he actually was supported by two other men—I am sorry to say, they were both Queensland men—Senator Ferricks and Senator Mullan. The common sense of the Senate rejected the amendment, I think by 19 votes to 3; three of the men elected by Queenslanders were found alone voting in support of such a confiscatory proposal. Then we come to the question of the agreement between the Premiers of the States and the Prime Minister of the Commonwealth. Of course, one has to consider very seriously whether it would not be dishonourable to repudiate a solemn agreement made between the Premiers and the Prime Minister. But all that our Premier has promised to do he has done. He pledged himself to bring this matter before Parliament, and has done so. Therefore, he is absolved from any further responsibility as far as the carrying of the Bill is concerned. I think it was a great pity that when the position which the Council was likely to assume was first made manifest, the Premier should himself have used threats towards this Chamber. Not only did the hon. gentleman use threats towards this Chamber, but I understand that a distinguished visitor from the South—the chairman of a trade union and a Postmaster-General in the Federal Government—said they knew what to do with the Council if they did not pass the Bill—to throw it out. Whatever inclination hon. gentlemen might have to support the Government in this measure, I feel

that when a man comes to me and holds a loaded "life preserver" over my head, and says: "If you don't pass this Bill I will knock you down," I should resent such a threat. The Government practically say: "If you don't pass this Bill, we will out you."

HON. A. A. DAVEY: If you do pass it, you will be outed all the same.

HON. W. H. CAMPBELL: The people who are opposed to the proposals contained in the referenda will thank the Council for rejecting this measure and retaining to Queensland the powers which she now possesses. I do not consider this a war measure in any sense of the term. We all know the Government were rather frightened of submitting it to the people because of some of the reports in their own newspapers, and were disinclined to go on with the measure. It was a very clever ruse on the part of those who suggested that they should lay the matter before the Premiers of the various States and achieve their object in another way. The Premiers decided that, as these powers were only to be granted for twelve months after the conclusion of peace, a trial should be given to them under the Constitution, and that, if they proved satisfactory in their operation, they should be continued by subsequent legislation. On the other hand, they held that if they were not satisfactory, there could be no harm in giving the Commonwealth Government the powers during the duration of the war, as such powers would be rescinded on the conclusion of peace. We have had certain measures submitted to us which we have passed and amended in some respects. Our amendment to the Meatworks Bill consisted of two words, which no party ought to object to. We also made an amendment with reference to the monopoly by the Government of insurance under the provisions for compulsory insurance in the Workers' Compensation Bill. Our action with regard to these two measures furnishes us with a very good claim on which to go to the country, as our amendments show that we are doing the best we can for the country as a whole. In this House we represent every section of the community—pastoralists, sugar-planters, grazing farmers, merchants, tradesmen, and labourers—all are represented here, and we try to legislate for the whole country, and I feel confident that if an attempt is made to do away with this Chamber, the people will be opposed to it, especially if the drought continues and the war drags on.

HON. E. W. H. FOWLES: If this measure was a genuine war measure for the defence of Australia or for the purpose of helping the British Empire, I do not suppose one hon. gentleman in this House would delay its passage for one minute.

HON. A. HINCHCLIFFE: What about the Meatworks Bill?

HON. E. W. H. FOWLES: That was as great a piece of Chadband hypocrisy as has ever been brought before this House. The only two words which this House insisted upon inserting in the Meatworks Bill—"just terms"—are contained in this Bill. What arrant hypocrisy it is to say that the Meatworks Bill was introduced as a war measure! When it was brought into the Assembly there was not a scent or smell of smoke of war about it to show that it was a war

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measure. It was introduced as an ordinary perpetual measure. We were told that the Home Government asked for it.

HON. F. McDONNELL: Of course, they did.

HON. E. W. H. FOWLES: The Government did not need such a measure to enable them to acquire meatworks, because they had all the necessary powers in the Sugar Acquisition Bill, and they are now using those powers, so that the pretence that it was a war measure was mere flimsy bluff and arrogant hypocrisy. If the Government are at all sincere in their professions about bringing in war measures, there are half a dozen measures that they could bring in within a week, and that would be readily passed by both Houses. But they are only trifling as far as these matters are concerned. With regard to the referenda, if the powers asked for were really needed for war purposes, we should vote for them without any demur—not a man in this House would vote against them. But anyone with any knowledge whatever of the powers contained in the Constitution will know that, under the Constitution, the Government possess the fullest powers for dealing with the war. This measure is not needed in connection with the war, and the pretence that it is needed for such purposes is only the thinnest of excuses. Not a single sentence in this measure is needed for the purpose of conducting operations in connection with the war. Section 51 of the Constitution gives the fullest powers to the Commonwealth Government to deal with any matters relating to the war.

The SECRETARY FOR MINES: You would sooner have the referendum taken during the war than pass this Bill?

HON. E. W. H. FOWLES: I doubt if the referendum is needed at all, and I shall give good reasons for that opinion. It is supreme hypocrisy to say that it is needed at the present time. What is the good of wasting our time in passing industrial measures if the subjects dealt with in those measures are going to be placed in the hands of the Commonwealth Parliament?

The SECRETARY FOR MINES: These powers are only conferred on the Federal Government temporarily.

HON. E. W. H. FOWLES: I shall come to that point later on. This Bill simply refuses to the people of Australia the opportunity of expressing their views with regard to the handing over of these powers to the Commonwealth.

HON. A. A. DAVEY: It is undemocratic.

HON. E. W. H. FOWLES: Twice those powers have been brought before the people of Australia, and twice the people have answered in a resounding emphatic "No!" Yet while the echo of that answer is still in our ears, the Government say, "We will try by devious ways to secure those powers." The Government act in a hypocritical, undemocratic manner, and say, "We will 'gag' the 6,000,000 people of Australia, and will not give them a chance of saying anything on the referenda; we will get the powers we ask for through a back door—we will get them from the Australian Parliaments." Surely, that is the limit in undemocratic legislation. They claim that they

only ask for these powers during the war and for twelve months after the conclusion of peace.

HON. F. McDONNELL: Where will this House be after the war?

HON. E. W. H. FOWLES: This House will be here after the war is over. Oliver Cromwell passed an Act saying, the King is abolished and the House of Lords is abolished; but both the King and the House of Lords are there to-day. This time the people of Australia are not to be given a chance of saying "Yes" or "No" on the referenda. I would call the attention of hon. members to the opening words of the Bill, which read as follows:—

"And whereas, as a result of discussion which arose at a financial conference of the Premiers of the States, held in Melbourne in the month of November,"

etc. As a result of a discussion among six gentlemen from six different States, without any constitutional authority—

The SECRETARY FOR MINES: They were sent by the people, and were not put there as members are put in this Council, by an arbitrary act of the Government.

HON. E. W. H. FOWLES: They were not sent there by the people.

HON. F. McDONNELL: They were appointed by the Government, who represent the people, and they were never rejected by the people as you were.

HON. E. W. H. FOWLES: And the people have been sorry ever since for their action on that occasion. This proposal is like a cool drink on a thirsty day! As the "result of a discussion," which arose among Premiers in a conference held, say, at the corner of Bourke and Collins streets, these six gentlemen said, "We will hand over these powers to the Federal Government." That is the "result of a discussion," plus a cigar and a whisky and soda. It was fixed up, just in the way we might fix up a thing before lunch, while waiting for a tram. As a "result of a discussion" among six gentlemen, we are asked to emasculate and mutilate State rights out of all recognition.

HON. P. MURPHY: A Liberal statesman, when in power, said that it was necessary that the Commonwealth should have these powers.

HON. E. W. H. FOWLES: Western Australia is just a little bit too much involved in local affairs to care a snap of the finger about handing over powers to the Commonwealth. I know why Victoria wants to give these powers to the Commonwealth. The Government there are kept in office by the small Labour tail which wags the dog. Melbourne is the "greediest" city in Australia, and as long as Victoria can have all the power and patronage exercised in connection with the different public departments it will try to get the largest powers possible given to the Federal Parliament. The hon. gentleman must remember that we are not in the same position as Melbourne, and that Queensland is the State which will suffer most by handing over to the Commonwealth the powers contained in the referenda proposals. I lived eight years in Victoria, and I know it intimately, and I can say that

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the people there are as ignorant as possible of Queensland affairs. If there is one State that could afford to stand out on its own nationality, its own resources, on the genius of its own people,

on its own climate and industries. [4.30 p.m.] and snap its fingers at the rest of Australia, it is Queensland. What could Queensland do supposing Victoria and New South Wales said, "We will combine. We have more than half the population; we have more than half the representation"? They could keep Queensland out of the counsels of the Federation. Western Australia was far more canny than we were. They stood out of the Federation and did not rush in like a love-sick swain and simply say "Yes" at the very first moment. They stood out. They had Sir John Forrest over there, and they made a better bargain than we did, and they got the Transcontinental Railway.

HON. A. HINGCHLIFFE: What has that got to do with this question? That was settled long ago.

HON. E. W. H. FOWLES: What did Queensland get out of this bargain? We are asked to hand over these things, which would be to our great detriment. We are asked to hand them over to the Federal Government 1,000 miles away, and Queensland will get absolutely nothing out of it.

HON. F. T. BRENTNALL: Not even a "thank you."

HON. E. W. H. FOWLES: They hold a sort of bribe out to us, "If you do not pass this legislation in your Parliament, we will not give you your share of the loan." Are those the methods of British statesmanship? Are they not the methods of political high-women, or rather the methods of the Prussian drill sergeant?

THE SECRETARY FOR MINES: Where do you find they said that?

HON. E. W. H. FOWLES: Everyone knows what is behind it. This State is in want of money. Western Australia has enough to last until 31st October, and may have enough to last, by squeezing, till the end of November. I do not know how much this State has. I hope it has enough to last for another year or two. But I can point to the fact that in New South Wales in the last ten years the public indebtedness under Labour Governments has leaped from £80,000,000 to £136,000,000. Talk about "Boom, Borrow, and Burst"! Talk about a "No borrowing" policy! It is said we are going to get a loan if we keep meek and quiet. And what will be the next demand of the Federal Government? They may say, "Give us everything—your State Constitution and everything you have, and be ruled from Melbourne."

HON. A. G. C. HAWTHORN: They are getting everything in this Bill.

HON. E. W. H. FOWLES: They are getting a good deal, at all events. And, by the way, the Premier said in another place that this Bill substantially hands over to the Commonwealth Government all the powers that they had asked for. He said—

"If hon. members will study that particular clause of the Bill and compare it with the proposals which were contained in the Commonwealth Referenda Bills, they will find that substantially

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the whole of the powers that were asked for by the Commonwealth are being referred to the Parliament of the Commonwealth by this measure."

THE SECRETARY FOR MINES: Yes, for a stated period.

HON. F. T. BRENTNALL: We have not much faith in those "stated periods."

HON. E. W. H. FOWLES: Will the Minister learn from the Crown adviser whether it is possible to hand over these powers for a stated period, or whether, if they are handed over once, the Act is not irrevocable? I would quote from page 649 of "Quick and Garran." Speaking of section 51, subsection (37)—the very section under which those powers are proposed to be handed over—Mr. Quick—now Sir John Quick—scented danger from afar, and he suggested that—

"The provision afforded an easy means of amending the Constitution without consulting the people."

Do you think chapter VIII.—the chapter which refers to the alteration of the Constitution—would ever have been passed if the 5,000,000 people of Australia had known that they were to be deceived in this way, and that chapter VIII. was to be nothing, and that the Constitution could be amended in this way? Chapter VIII. lays it down that the Constitution shall not be altered except in a certain specified manner. I would like that to get to all the electors of Queensland.

THE SECRETARY FOR MINES: This is only a temporary transference for a stipulated period.

HON. E. W. H. FOWLES: "A temporary transference"! That is the sheerest hypocrisy possible.

THE SECRETARY FOR MINES: Then you must say that all the State Premiers are hypocrites.

HON. E. W. H. FOWLES: Not at all. I suppose two or three of the members of the conference thought out the constitutional side and the rest took their word for it. On the point of whether this transfer is likely to be temporary or irrevocable, "Quick and Garran," on page 649, say—

"At the Melbourne session, Mr. Deakin raised the question whether the subclause, though suitable enough for the Federal Council, was sufficient for the purposes of the Commonwealth, and whether it authorised legislation involving expenditure or taxation; and he also raised the question whether a reference once made would be revocable."

That is the whole point. Then, referring to the constitutional side of the question, "Quick and Garran," say, on page 988—

"A constitution is a charter of Government; it is a deed of trust, containing covenants between the sovereign community and its individual units. Those covenants should not be lightly or inconsiderately altered."

Also, on the same page, they say—

"A Federal legislature is a mere creature of the Federal Constitution; it is a mere instrument or servant of a Federal community; it is an agent, not a master."

That is the point. The Federal Constitution

has absolutely nothing to do with the Parliaments of the States; they are only mentioned incidentally here. The Federal Constitution is the constitution of the people; and, if this Bill were passed at the present time, any citizen of Queensland could go to the Supreme Court and get an injunction restraining the Government from acting upon it. It would be illegal—unconstitutional. We have not the power to hand over these things to the Federal Government. The only way in which they can be referred—not transferred—is by a vote of the people. Subsection (37) of section 51 uses the word "referred," and that refers to an emergent industrial dispute—some question cropping up just for the moment, which might be referred to the Federal Parliament for settlement. It does not mean handing over, *holus-bolus*, powers of the State Parliament to the Federal Parliament for ever, or even, under the thin guise of a war measure, handing them over indefinitely. "Quick and Garran" further say—

"The Constitution is the master of the legislature, and the community itself is the author of the Constitution. In this respect a Federal legislature differs from a supreme legislature like that of Great Britain, which is the embodiment and essence of the sovereignty of the British nation. Sovereignty resides in that person, or body, or class of persons in whom is ultimately vested the power to amend a constitution of government."

Then this is the most important sentence—

"The test of the federal system lies in the principle that the central government cannot destroy nor modify the local, nor the local government the central. Now, this relation between central and local government is impossible unless both rest upon a common basis, *i.e.*, the co-ordination of these independent governments as parts of a harmonious political system requires an organisation of the sovereign, the State, distinct from and supreme over both."

Now that the Federal Parliament is seeking to acquire these powers from the States, it is necessary to point out that it is simply national trespass for any one Parliament to presume to hand over to, or to take from, any other Parliament any of its rights. I shall not speak on the question of whether it would be to the advantage of Queensland to hand over these rights or not. There are other hon. members who know more about that than I do, and who probably took part in the federation debates. But at all events it is open to me to say that, although nationally and territorially Australia is one continent made up of the several States, yet I contend that Queensland is separate just as much as Belgium is separate from Germany; and, although I am a national Australian, I am also an intense Queenslander. I can see that, if we hand over these powers to the Commonwealth, there will be absolutely nothing left for ourselves. Surely that is in entire opposition to the policy of the present State Government, even in connection with the railways.

The SECRETARY FOR MINES: We are not proposing to hand over the railways.

HON. E. W. H. FOWLES: But the Government are proposing to decentralise the

railways—to have two Deputy Commissioners in the two Northern divisions of the State, and the Commissioner in the South. We have felt the need of local government with regard to railways, and here we propose to turn back on our steps, and hand over employment and other industrial matters to a Parliament sitting in Melbourne. On the one hand we are adopting a policy of decentralisation, and on the other hand we are embarking on a policy of centralisation in Melbourne. Will the Minister say that that is advantageous for us from an economic point of view?

The SECRETARY FOR MINES: I can say that, so far as the pastoral industry is concerned—and that is the largest industry we have in Australia—since the power of dealing with that industry was handed over to the Commonwealth, there has been no trouble in the industry in any part of Australia.

HON. E. W. H. FOWLES: Will the hon. gentleman point to the Post Office as taking the first prize for administration?

The SECRETARY FOR MINES: I am not going to say anything about the Post Office. (Laughter.)

HON. E. W. H. FOWLES: Will the hon. gentleman point to the Defence Department as being a paragon of perfection, and as being a model of efficiency and expeditious administration? I know those at the head of the Defence Department in this State are doing their best, but will any hon. member say that the department works with rapidity?

HON. A. HINCHCLIFFE: When did all this trouble arise?

HON. E. W. H. FOWLES: It has been an accumulation of years—an accumulation of cobwebs in Melbourne.

HON. T. M. HALL: It is worse than ever to-day.

HON. E. W. H. FOWLES: I can mention another department which shows the evil effects of centralisation. Every hon. member knows that the Trade Marks Department is simply smothered in Melbourne. From here in Queensland you cannot get any business done in that department. The quickest and cheapest way of getting a trade mark is to go to Melbourne for it.

HON. T. J. O'SHEA: That is the only way to do business successfully.

HON. E. W. H. FOWLES: That is so. These are three departments that have been handed over to Melbourne, and Queensland, in regard to those departments, is simply left out in the cold.

The SECRETARY FOR MINES: Those departments were taken over under the Constitution.

HON. E. W. H. FOWLES: It is only since the war commenced that the facts about the Defence Department have been thrown into such tremendous relief. As I remarked on a previous occasion, if you wanted a get a soldier's corpse taken from here to Melbourne, you have to go through I do not know how many forms. It is simply a scandal the way the department conducts its business. The men here will not go beyond certain limits—they have to follow instructions. If we had our own administration in these matters, these things could be

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attended to in five minutes, but we are simply tied to Melbourne hand and foot.

THE SECRETARY FOR MINES: Do you advocate that each State should have command of its own defence?

HON. E. W. H. FOWLES: No; but I say that even with the departments they have at the present time they are overloaded in Melbourne, and we should not give them a bit more power in that direction. There can scarcely be any doubt that this proposal is ultra vires, and that there is no sanction for it by the vote of the people or by legislation of the Imperial Parliament. Will the Minister tell us why this proposal was deferred until Mr. Fisher ceased to be Prime Minister?

THE SECRETARY FOR MINES: I know nothing about that.

HON. E. W. H. FOWLES: It is a curious thing that, as long as Mr. Fisher was Prime Minister, we were told that the referenda proposals were going to be rushed through, but that, as soon as Mr. Hughes takes his place, a conference is called, and a little discussion takes place at the corner of Bourke and Collins streets.

THE SECRETARY FOR MINES: I presume that Mr. Hughes read the protest made by the Hon. Mr. Brentnall in this Council, and that he came to the conclusion that it was undesirable to take a referendum.

HON. E. W. H. FOWLES: I hope he did. There is one argument which will probably be used privately with members of this House. It is an immoral argument, and that is, that we shall be hard pressed for loan money unless we put this Bill through—that we shall not have our share of the Commonwealth loan money if we do not pass this Bill. I say nothing about the sheer brigandage of such a thing—the Commonwealth holding a pistol at the head of the State—but I would remind hon. gentlemen that Queensland has managed to get along on her own borrowing for sixty years. New South Wales has been able to obtain loan money to the extent of £50,000,000 during the last ten years. I would ask the Minister if we have to go on our knees to the Federal Parliament for a loan is that because the present Government are in power?

THE SECRETARY FOR MINES: If there were any other Government in power you might not have got it at all.

HON. E. W. H. FOWLES: Is it because the present Government are in power that we shall not get a loan unless we pass this Bill?

THE SECRETARY FOR MINES: There is nothing in the terms of the agreement about a loan.

HON. E. W. H. FOWLES: Certainly not, but there is more left out of this Bill than there is in it. I believe "the honourable understanding" is that, if we pass this Bill, we are to share in a loan to be obtained by the Commonwealth. With regard to South Australia, I find from a Sydney newspaper of the 10th November that the loan recently issued by that State was a complete success. Is there any reason why a loan issued by South Australia should be a greater success than one issued by Queensland? That loan was fully subscribed, the

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underwriters not receiving any of it, and it was quoted at par. South Africa has also offered a loan which has been successful. I believe the amount was £16,000,000. Is there any reason why Queensland should not be able to raise a loan on her own in London?

THE SECRETARY FOR MINES: South Africa is a dominion which is carrying on a war; Queensland is not.

HON. E. W. H. FOWLES: We ought to be. Another argument which will probably be used is why are we not honouring the pledge given by the Premiers of the different States? In reply to that question I would ask who gave them any mandate to give any pledge, if they did give a pledge? Is that in the Barcardine speech?

THE SECRETARY FOR MINES: The pledge they gave was that they would introduce this measure and do their best to get it passed into law.

HON. E. W. H. FOWLES: What authority had they to pledge the people of the State that this measure would be passed by Parliament?

THE SECRETARY FOR MINES: The very fact of the Government being on the Treasury benches is sufficient for them to pledge the people.

HON. E. W. H. FOWLES: Are all the sins—past, present, and future—of this Government to be saddled on the people of Queensland? Surely there is not the slightest justification for saying that the Government had any mandate in regard to this matter. Probably the Premier did not know when he went to Melbourne that this immoral proposal was to be sprung upon him by the astute Mr. Hughes. The Premiers went to Melbourne and blinded the people with the idea that they were going to a financial conference. I have no doubt that it was a financial conference. As I say, this proposal may have been sprung upon them, and now we are told that we should honour the pledge given by the Premier. I do not see that there is any honour in bargaining away State powers, in robbing the people of Queensland. The argument is that our Premier in his generosity made one mistake, and that we should enable him to make another. I might refer to a section in "Quick and Garran," which is most illuminating on this point, but I shall content myself by saying that the Constitution at present in force distinctly provides the amplest powers for the Federal Parliament to deal with any emergency occasioned by war. Section 51 of the Constitution enables them to take any measure, emergent or otherwise, that they may think necessary during the term of the war, and there is no need for this Bill at all. For that reason I shall vote against the second reading of the Bill. If the Bill would help one iota to bring about victory one hour sooner, I would vote for it, but the suggestion that it is needed for war purposes is only the thinnest of disguises. The people will get a shock when they understand that this House is asked to bargain away, barter away, huckster away the rights of Queensland. I suppose that if we get a loan we shall have to pay interest on it. If Mr. Hughes had said, "I will give you a loan, and you will not have to pay any interest

on it," I could have understood such a bargain. But he has done nothing of the kind. Our Premier has simply been hypnotised by Mr. Hughes, and we are to get nothing for bartering away our rights as a people.

HON. P. MURPHY: I have a few remarks to make on the very important Bill which is now before the Chamber. It is quite evident to me that the majority of the members of the Council are going to throw the Bill out, and I would like to draw the attention of the House to the position taken up by two gentlemen who have spoken on the other side, the Hon. Mr. Brentnall and the Hon. Mr. Fowles. I do not wish to be disrespectful, but I cannot help saying that the position taken up by those gentlemen reminds me very much of the old fable in the second reading book of the man and his boy and his donkey. The Hon. Mr. Brentnall is the man, the Hon. Mr. Fowles is the boy, and the referendum is the donkey. First of all, those two gentlemen did not want the referendum at all. They said it was the wrong time to take a referendum, which might have the effect of setting the people one against the other. They went so far as to say that it would be a disloyal thing to take a referendum at such a time, and I am inclined to think that they impressed the Federal authorities to such an extent that they looked round to see if they could not find some way to avoid taking the referendum. At any rate, they came to the conclusion that it would be a wise thing to bring the Premiers of the various States together. The Premiers discussed the matter with the Prime Minister, and they came to the conclusion that it would be a wise thing not to take a referendum of the people, but to suggest that the powers they were asking for should be given to the Federal Parliament by the State Parliaments for the duration of the war and a year after the conclusion of peace. To show the absolute insincerity of the reasoning of the Hon. Mr. Brentnall in this matter, I would point out that he said that whenever anything of this sort gets on the statute-book it is practically a human impossibility to remove it. That is provided for in the Bill itself. The Hon. Mr. Fowles very wisely did not refer to this matter, but I would point out that clause 5 says—

"This Act, and the reference made by this Act, shall continue in force for the duration of the present war between His Majesty and the German Empire, and for a period of twelve months after the declaration of peace, and no longer."

Yet the Hon. Mr. Brentnall would have us believe that it will practically be a human impossibility to remove this measure from the statute-book. As I have said, those gentlemen first of all stated that they did not want a referendum to be taken. The Federal Government decided not to take a referendum, and those gentlemen are still dissatisfied. Though this measure is only of a temporary character, they are dissatisfied, because they say it may continue on the statute-book. They know very well that it is necessary for the good government of Australia that the Commonwealth should have these powers. Other people who held political opinions quite different from those which I entertain have declared that it is necessary for the Commonwealth Government to have these powers. The Hon. Mr.

Fowles looks in wonder at me when I make that statement, but I would remind him that a Liberal Premier of the Commonwealth expressed that view.

HON. E. W. H. FOWLES: Mr. Molman is in favour of handing over only the powers to deal with trade and commerce.

HON. P. MURPHY: The great thing to remember is that it is expedient in order to get over any difficulty which may arise in connection with the war that the Central Government should have extended powers. If the powers referred to in this Bill are given to the Commonwealth, the people will see the utility or otherwise of handing over those powers, and, if they find that it is a useful thing for the Commonwealth to exercise powers of this nature, there will be no necessity to refer them to the people by means of a referendum. The people would agree with the referendum. They would put them through the various Parliaments of the country. Although the Hon. Mr.

Fowles, no doubt, is a very good [5 p.m.] constitutional lawyer, I think that the States, through their Parliaments, can agree to hand over powers to the Commonwealth without a referendum. If each State Parliament agrees to hand over these powers temporarily it is quite justified in doing so. The Federal people would not ask for these powers if it were not legal. It has been argued by those who are opposed to these powers being given that it is illegal according to the Constitution. But the States would never dream of giving them unless they were legal. There is no doubt that the system proposed to be adopted, if the Bill is carried, is quite a legal thing to do. It may not have been contemplated by the Constitution, because when it was being framed who could imagine that such a set of circumstances as have been created by this war would occur? I do not see myself what the members of this Council have to be frightened of. If the giving over of these powers is a good thing for the people of Australia, surely the members of this Council will be very pleased. If it is not a good thing, well, they have to be handed back. The Bill itself provides for that. If these powers are not for the benefit of the Commonwealth, then no referendum would be carried when the time comes. I do not think that hon. members can contend that there is any catch in this. If the thing is good, it remains on the statute-books. If the powers have worked badly they will be removed. The people will have a chance of seeing whether they are working for their benefit or not.

HON. E. W. H. FOWLES: If we had 2,000,000 of people instead of 500,000, would you hand them over?

HON. P. MURPHY: Yes, I would hand them over temporarily at a time like this. I was very much impressed the other afternoon by the speech of the Hon. Mr. Brentnall when he moved the adjournment of the House to discuss the referendum. When he argued that it was not a right thing to throw this bone of contention to the people during war time, I could not help thinking that there was some force in his argument. I think now that there is force in his argument. The whole thing is: Is it a wise thing, in order to enable the Parliament of the Commonwealth the better to rule the whole of the Commonwealth, to give them

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these powers? From time to time, when the Liberals have been in power, a great many Liberals were of the opinion that it would be better if the Commonwealth Parliament had more power. Without mentioning names, I can even say that a Liberal member of this Chamber, who invariably supports the Hon. Mr. Fowles, has told me that if a vote was taken he intended to vote for the granting of greater powers to the Commonwealth.

HON. E. W. H. FOWLES: Are a majority of Australian voters in favour of handing these powers over at the present time?

THE SECRETARY FOR MINES: They were before the war.

HON. P. MURPHY: I believe they are.

HON. E. W. H. FOWLES: Australia said "No."

THE PRESIDING CHAIRMAN: Order!

HON. P. MURPHY: If my memory serves me rightly, more than one of the leading Liberals stated in the Federal Parliament and elsewhere that sooner or later additional powers would have to be given to the Commonwealth Government in order to enable them the better to rule the Commonwealth. I cannot go further than that. I believe that the powers will be wisely used by the present Parliament, but whether they are good or bad, they will only be given temporarily, and if they do not work well, the Bill itself provides that they shall cease twelve months after peace is declared. I do not know why there should be any opposition to this Bill. After hon. members have approved of all that was said on the Hon. Mr. Brentnall's motion the other afternoon in favour of there being no referendum, I cannot really see how they can vote against this Bill.

HON. A. HINCHCLIFFE: It seems to me that it is the same on this question, so far as this Council is concerned, as on most other proposals which emanate from the party at present in power—that is, that the majority in this Council does not represent the opinion of the people at all. An assertion has been made by the Hon. Mr. Brentnall, I believe, and certainly by the Hon. Mr. Fowles, this afternoon, that the people of Queensland have already declined most emphatically by voting "No" on the question of the referenda at the last Federal elections.

HON. E. W. H. FOWLES: Australia.

HON. A. HINCHCLIFFE: Queensland. The hon. member was referring to the electors of Queensland, and was holding up their attitude as a guide as to what the Council should do at the present time. I have the official returns, from the Official Year Book, 1901-1914, by G. H. Knibbs, and I think it is necessary at this stage of the debate that these figures, for Queensland, should be placed on record. The voting in this State was as follows:—

	For	Against
Trade and Commerce ...	146,187 ...	122,813
Corporations ...	146,936 ...	123,632
Industrial Powers ...	147,171 ...	123,554
Railway Disputes ...	146,521 ...	123,859

HON. E. W. H. FOWLES: The same vote all the way through.

HON. A. HINCHCLIFFE: Yes. Of course, the hon. gentleman says that it is the same vote. I expect that he will have

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the same old argument to urge—that it was organised by the Labour party. The voting on the other questions was as follows:—

Trusts	147,871 ...	122,088
Nationalisation of			
Monopolies	139,000 ...	117,609

Now, it is quite clear that the people of Queensland, at any rate, were most emphatically in favour of handing over those powers to the Commonwealth Parliament.

HON. P. J. LEAHY: What year?

HON. A. HINCHCLIFFE: That vote was taken on the 31st May, 1913, during the Commonwealth elections. There is not the slightest doubt that the objection to these proposals arises because they have emanated from the Labour Government. Hon. members, the other day, as has already been pointed out, did not want the referenda. They desired to have them postponed. Now, when they have the referenda postponed, probably at a suggestion contained in the debates here the other day, and they have succeeded in achieving their desire, so far as the postponement is concerned, and a very reasonable compromise, in my opinion, has been offered—

HON. A. A. DAVEY: Very reasonable.

HON. A. HINCHCLIFFE: It is no use arguing the matter. We have absolutely no hope in this Chamber of getting a vote in favour of such a proposal, and I shall not waste the time of the Council. But I think it necessary to have those figures placed on record.

* HON. A. J. THYNNE: I have taken very little part in the discussions in this Chamber up to the present time, but I think that this is a subject on which I ought to give expression to my views. I am afraid that I do not concur with some of the views which were expressed before I came into the House, because I, for one, am not disposed to take on myself the responsibility of rejecting this measure. All that has been said may be correct—that the Federal Government realised that they were going to be defeated. It may be said that the Premiers have come to some bargain in order that they may get over some difficulties in connection with finance and loan money. Other things may be said, but I think that, in dealing with this matter at the present stage of affairs in the Empire, we want to look at broader things than these. My view is that we have not yet realised—any of us—what is necessary in connection with the war in which we are engaged.

HON. A. A. DAVEY: Is this going to help us?

HON. A. J. THYNNE: I do not think that the hon. member who interjects has realised it.

HON. A. A. DAVEY: Oh, yes; I have.

HON. A. J. THYNNE: We shall see. I think it is necessary that there should be one authority in Australia to control everything to the end of this war, and unless we get that authority, we are bound to blunder and make great mistakes, and perhaps lose the force of our people before the war is over.

HON. E. W. H. FOWLES: Why not shut up the State Parliaments until the end of the war?

HON. A. J. THYNNE: I do not know, and I do not feel too confident either that the Federal Government are capable of rising to the occasion; but if they are not, that is their responsibility.

HON. E. J. STEVENS: The responsibility rests with us if we give them the power.

HON. A. J. THYNNE: I doubt whether, if various matters come before the people of Australia, which may have to come before them before we know, the States will be able to handle them uniformly, and in a way that will be for the safety of this country. I think that we have got within measurable view of measures and steps that very few of us have ever realised as being possible in this country. I think that we are on the eve, not merely of conscription for army purposes, but on the eve of conscription of other work. I think that every capable man in this country, who is capable of doing any work, say between the ages of sixteen and sixty, will have to be organised and regulated and put into a sphere of work in which he is capable of making the most production for the benefit of this State. We cannot shut our eyes to this much longer. We are here to-day endeavouring in our small way to do each of these things, but the co-ordination that is necessary to have these powers exercised with vigour and effect does not exist. Someone ought to have that power, or else this country will suffer very much in prestige, in its finances, and in the welfare of its people. We have to realise that we are at war, and that every ounce of power that we are able to put forth is necessary to enable us to do our duty effectively. I am prepared to subordinate everything to get a power established that will be able to use all these powers.

HON. T. J. O'SHEA: Will this help?

HON. A. J. THYNNE: It will help in this way—that, when this power is given, it is there to be exercised by one authority. At the present time there is no authority. I am speaking quite frankly when I say that the war councils, though doing good work in their way, are absolutely impotent because it is a question of whether the funds needed are to be supplied by the State Government or the Federal Government. Let us put the responsibility on the shoulders of the one Government, and let them exercise that responsibility. If they do not rise to the occasion, or if they blunder, then their responsibility will come home to them. I hope, for the sake of Australia, that they will not make any blunders, but I hope they will exercise the powers that are proposed to be given them judiciously and well. I believe that the State Governments have made a tremendous muddle in connection with the question of fixing the price of foodstuffs. That is one of the matters that the Federal Government will probably give their attention to if we vest these powers in them. We have had a very sad experience of ill-feeling between the different States in connection with the commandeering of meat and other foodstuffs and refusing to help their fellow Australians.

HON. A. A. DAVEY: That is an instance of the "federal spirit."

HON. A. J. THYNNE: It is an instance of the want of federal spirit. The various Governments have been tempted to do these things to please the people in the different electorates. Let us wipe that local feeling

out, and let the Federal Government exercise these powers for the benefit of the whole country. I, for one, decline to take the responsibility of joining in any step to secure the rejection of this measure. I think it is a wise thing for this State, a wise thing for this House, and a wise thing all round, that this power should, without any delay, be placed in the hands of one body responsible to the whole people of Australia. I trust that the question will be gravely considered before any move is made to reject or destroy this Bill.

HON. E. J. STEVENS: I am sorry that I cannot say as much this afternoon as I would like, as I am suffering from a very heavy cold. I do not rise with the intention of replying to the Hon. Mr. Thynne. He always makes an able speech, although sometimes I do not agree with him, and I cannot say that I agree with him on this occasion. I think he has made a fine patriotic speech, but not one single sentence went to prove that we should give all these powers to the Federal Government. Take the question of trade and commerce, corporations, foreign corporations, employment and unemployment, strikes and lockouts, etc. No argument has been adduced why we should hand over any or all of these things to the Federal Parliament. But apart from that, I do not think we would be justified in stepping in between the Federal Parliament and the people. These are all subjects that should be dealt with by the people as a whole, and not by the Parliaments. (Hear, hear!) It may or it may not be a good thing to give these powers to the Federal Parliament, but I do not think we have any right to step in between the people and the Federal Parliament. I do not believe the people themselves are in favour of this proposal. It has been hinted that because the country returned the Labour party in great force at the last election they would probably be in favour of the proposed referenda; but that does not follow at all. Some years ago the Liberal party went down like ninpins in all directions at the Federal elections; but, at the same time, the referenda were rejected by the people. On the one hand they voted for the socialistic party, and on the other hand they rejected the referenda which that party wished to carry; so that the victory of the Labour party at the last election is no intimation that the people would pass these proposals. Of course, there are all sorts of remarks going about in times of crises, and we have heard that the Premiers have been practically bribed to submit this Bill to the State Parliaments. It is quite possible that the Federal Government might have said to the State Premiers, "Unless you have more what we consider general Australian ideas of policy, we will not be able to get money for you," and the Premiers may have replied, "We cannot make any promise. We will try to get our Parliaments to pass the Bill, but we may not be able to succeed." They may then have obtained a promise that the Federal Government would endeavour to obtain a loan, even if this Bill were not passed. If the Federal authorities went so far as to say, "If you will pass this Bill, we will get the money for you," they would not dare, in the event of the Bill being thrown out, to refuse to assist the States to obtain the money, so that that need not weigh one second with hon. members. I will say no more except that I am entirely opposed to this Bill on principle.

Hon. E. J. Stevens.]

HON. G. S. CURTIS: Bearing in mind that the people of Australia and the people of the separate States have twice negatived these proposals—

The SECRETARY FOR MINES: Not the people of Queensland—they carried it the last time.

HON. G. S. CURTIS: Bearing that in mind, I am irresistibly brought to the conclusion that these proposals should not meet with approval at our hands. I feel perfectly satisfied that if the Federal Government believed they could have carried these proposals at the poll fixed for 11th December next, they would have taken that poll. Why have they not proceeded with their proposals? Simply because they have come to the conclusion that the people were against them and that they would be beaten a third time, and in order to save their faces, they succeeded in inducing the Premiers of the States to agree to put this proposal before the State Legislatures. I do not think that the proposal is one that should find favour with the people of the States as self-governing entities. If we are satisfied in our own minds—as evidently Mr. Hughes and his Government are—that the people of Australia at the present time are opposed to these proposals, is not that a sufficient reason for us negativing this Bill? Would it be a proper thing for us, if we believed conscientiously that the people are against these proposals, to put our imprimatur upon them? That would be a most improper thing for us to do, especially if we believe that it is not a wise thing to transfer these increased powers to the Central Government even for a short space of time, because I can conceive that it would be the policy of the Federal Government during that temporary period to deal very gently with the States. They would take care not to do anything that would raise suspicion or offend the susceptibilities of the States, having in view the object of securing permanently all these extensive powers of self-government. They would be very circumspect, but we may rely upon it, that, as soon as the war was finished, a most desperate effort would be made by the Labour party throughout Australia to make this transfer of powers permanent. The Hon. Mr. Hinchcliffe assigned as a reason for the opposition of hon. members to the proposals that they were brought forward by a Labour Government. It is not a Labour Government that we are opposed to; it is the policy of the Labour Government—the policy of “socialism in our time.” If they secured this extended control over Australia, they know that they would stand a very much better chance of being able to carry out that policy than through the separate States. We should bear in mind that this Bill involves the alteration of the fundamental law of the Constitution. We should always bear in mind that we are living under a Federal Constitution—a union of self-governing States—and that, if the States should be gradually stripped of a large measure of their powers, it would eventually lead to the destruction of the Constitution, to the de-federalising of the Constitution, and the putting in its place of a great despotic Central Government. I can understand the Liberals in New South Wales and Victoria, with their larger populations, looking with favour upon these proposals.

HON. P. J. LEAHY: The Liberals are opposing the Bill in New South Wales.

[Hon. G. S. Curtis.]

HON. G. S. CURTIS: I am very glad to hear it, but I understood from one hon. member that they were supporting it—I heard one hon. member say that Mr. Cook approves of the Bill. But Mr. Cook's opinion would not influence me in forming an independent judgment upon the [5.30 p.m.] question, because we must recollect that a great central despotic Government in Australia—which would eventually be the outcome of this measure, if carried—would be representative of the larger populations of New South Wales and Victoria. That would be a very bad thing for the outlying and remote districts of Australia. As settlement spreads throughout Australia, those outlying districts will require every attention and consideration—more attention and consideration than they are likely to receive at the hands of a Government 1,000 miles away. The State should, therefore, retain its self-governing powers, so as to be in a position to meet the needs of increasing development. It has been said that this is a war measure, and that we should accept it because it will assist the Federal Government to carry on the war. I have an extract here from the Melbourne “Age,” which shows that Mr. Hughes stated in the Federal Parliament—“The defence powers of the Commonwealth are most ample and elastic, and he would indeed be a bold man who would set a limit to them.” I do not believe that this measure is necessary to enable the Commonwealth Government to carry on the war. I believe that they have got all the powers they need at the present time. Our federal union of self-governing States is modelled on the plan of the United States of America, and there the States have been very jealous of their powers, so that to-day they are a number of separate, self-governed Commonwealths with their powers unimpaired. If such a proposal as this were put before the United States of America, they would not consider it for one moment. A panegyrist of the American Constitution loves to describe it by an astronomical metaphor—“A system by which the centrifugal and centripetal forces are held in equilibrium so that neither the planet States shall fly off into space nor the sun of the Central Government draw them into its consuming fires.” That is a splendid illustration of the American system of Federal Government. An attempt is now being made by the Central Government to draw the States of Australia into its consuming fires. Professor Bryce in his work “The American Commonwealth,” devotes one chapter to the great merits and advantages derived from the federal system of government, under which the States are able to frame their own legislation and make their own experiments. He says that the first set of arguments which point to federalism proper are the following:—

“Federalism furnishes the means of uniting Commonwealths into one nation under one National Government without extinguishing their separate Administrations, Legislatures, and local patriotism.

“Federalism supplies the best means of developing a new and vast country. It permits an expansion whose extent and whose rate and manner of progress cannot be foreseen to proceed with more variety of methods, more adaptation of laws and administration to the circumstances of each part of the territory, and

altogether in a more truly natural and spontaneous way than can be expected from a centralised Government.

"Federalism prevents the rise of a despotic central Government, absorbing other powers, and menacing the private liberties of the citizen.

"Federalism enables a people to try experiments in legislation and administration which could not be safely tried in a large centralised country.

"Federalism, by creating many local Legislatures with wide powers, relieves the National Legislature of a part of that large mass of functions which might otherwise prove too heavy for it. Thus business is more promptly dispatched, and the great central council of the nation has time to deliberate on those questions which more nearly touch the whole country."

"Those are weighty arguments in favour of the States retaining their sovereign powers, and I fear very much that if these powers of self-government are transferred, even temporarily, to the Commonwealth, that will necessarily result in their transference permanently. Desperate efforts will be made by the Labour party throughout Australia after the termination of the war to secure these powers for the Commonwealth Parliament permanently, and that would be very detrimental to the States and to the Commonwealth as well. It might possibly lead to the glorification and exaltation of the Central Government, and the larger populations of Victoria and New South Wales; but for States like Queensland, with large areas and small populations, it would be a very bad thing. Strong self-governing States make a strong federation. If the States become weak and attenuated by the transfer of their powers to the Federal authority, there is a tendency for the Government to become unified. Professor Bryce says that one of the advantages of decentralisation is that it prevents the rise of a central and despotic Government. The proposals before us are entitled to the most serious consideration at our hands. If I thought that the transference of these powers to the Commonwealth would enable the war to be carried on with greater efficiency, I might waive my objections to them, but I cannot imagine that it would have any such effect. The quotation I referred to just now from a leading Melbourne newspaper, giving an extract from a speech made by Mr. Hughes in Parliament, shows that the powers of the Federal Government with regard to carrying on the war are ample and elastic. I cannot help feeling that the object of the Federal Labour Government is to secure a larger amount of control for the Commonwealth Parliament over the different States of Australia, and eventually to carry into effect their socialistic ideas. I do not think it is necessary for me to say anything further on the matter. I shall be glad to listen to what any other member may have to say on the subject.

HON. A. G. C. HAWTHORN: I do not think there is any necessity to dwell at any great length on the proposals contained in this Bill. When the hon. gentleman submitted a motion last week to suspend the Standing Orders, in order to get the Bill through all its stages in one day, I opposed the motion. I consider that the proposals are of such very great importance that they

should not go through quickly in any Chamber in Australia. We are practically asked in this Bill to give to the Federal Government powers which the whole of Australia has declined on two occasions to give them—powers which I am sure the Federal Government felt they were not going to get if they took the referendum in December next. They, therefore, seized the opportunity of postponing the referendum. I shall read from "Federal Hansard," page 7265, Mr. Hughes's speech on the question on the 4th November last, wherein he sets out the whole of the suggestions made by the Premiers with regard to transferring these powers to the Federal Government. He says—

"The Premiers assembled in conference have sent to me a communication which offers to grant the powers asked for in the proposed laws to be submitted to the electors at the referendums on 11th December, with certain limitations, to the Commonwealth on the condition that the Commonwealth postpone the referendum. This offer has been considered by the Government and the party which I have the honour to lead. The Government have decided to accept the offer, and the party have endorsed that acceptance. That the people may know the exact terms of the offer, I shall read the communication from the Premiers. It comes in a covering letter—

"Following upon the discussion which arose at the financial conference of the Premiers on the occasion of the visit of the Prime Minister, this conference of Premiers suggests that, in order to avoid the necessity of taking a poll of the electors in December, the Commonwealth authorities concur in the proposal to postpone the referendum during the currency of the war on the following conditions:—

"1. The Premiers to bring forward in their respective State Parliaments legislation to provide for the reference during the war and one year after the declaration of peace to the Commonwealth Parliament, under section 51 (37) of the Constitution, of the powers sought by the proposed alteration of the Constitution, subject to the following limitations:—

(a) Railways, the property of the State, to be exempt from the Commonwealth power so far as regards the control or management of such railways; and rates and fares on such railways.

(b) In lieu of proposal No. 3, "Industrial matters," substitute the following:—

(a) Employment and unemployment.

(b) Strikes and lockouts.

(c) Maintenance of industrial peace.

(d) The settlement of industrial disputes.

"2. The Premiers at a later date to consider what powers they will invite their respective Parliaments to surrender permanently under section 51, subsection 35, of the Constitution.

"3. With a view to removing any doubt as to the power of the State Parliaments under section 51 (37) to refer any matter for a limited time only, and

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Act of the Imperial Parliament to be sought (if thought necessary) to make that power clear, and to ratify what has been done under it."

That is the suggestion of the Premiers. I consider that the Premiers are taking a very great responsibility on themselves, and, to my mind, a greater responsibility than they should have taken, in undertaking to give these powers. They are practically giving to the Federal Government powers similar to those which were to come before the people on the referenda, and I say that they have no right to do that. If the Federal Government thought that they could not carry those powers, or if they felt that they were not justified in putting them before the people, the proper thing was to withdraw them unconditionally. In fact, I think it was out of place for them to suggest a referendum at this particular time. The Minister, in moving the second reading of this measure, said that these powers were necessary for the prosecution of the war, and that the Federal Government were hampered by the want of them. We have Mr. Hughes's own words, as already suggested by the Hon. Mr. Curtis; but I will just read section 51, subsection (6), of the Australian Constitution, which says—

"The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to—

- (vi) The naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth."

I submit that that is large enough to allow them to control everything in connection with the war. Their powers under that clause are quite as great as the powers which President Lincoln had in the war in America, when he was able to do everything he wanted to do. The Imperial Government have no greater powers, and they have exercised all sorts of powers, done things that we never heard of before; and the Federal Government have the full power to do the same. Mr. Hughes, in speaking on this particular section, said—

"The defence powers of the Commonwealth were most elastic. He would, indeed, be a bold man who would set a limit to them, particularly at such a juncture as this."

After such a statement as that, is it consistent to come here and say, "We want to get increased powers for the purposes of the war"? To my mind, there is no doubt that they have these full powers. The submission of this Bill to the various Houses of Parliament of the States is mere bunkum. It is not necessary. It is not necessary for the Premiers to offer to give them, but it was a very convenient way to climb down to get in out of the wet. That is the way in which I look at it; and I consider that we would be going against the rights of the people—that we would not be carrying out our duties as representatives of the people—undoubtedly, at the present time we are here to conserve the interests of the people—if we consented to hand over their powers in this way. We are not here to give by a sideward what the people refused on two

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different occasions. The Federal Constitution lays down distinctly what are the duties and rights of the Federal and State Parliaments. It reserves certain rights to the State Governments, and I say that we would be betraying our trust if we did anything to minimise those powers or enable anybody to filch from the people powers which they have said they do not want to be taken away. I think it is our duty to endeavour, so far as we can, to prevent that being done. I do not know what the other States are doing. I do know that the Bill has already passed the House of Representatives to defer or postpone the taking of the referenda, and it does not matter one iota whether we pass this Bill or not. It will not interfere with the submission of the referenda. I think that the proper thing to do is to defer the whole thing until after the war, and then let the people have the opportunity of saying "Yes" or "No." Let them be the final arbiters of whether they will give this power to the Federal Parliament or not. If the Government had stated, "We want certain powers," specifying those powers, there would have been no hesitation in giving them. But no opportunity has been given to us to find out whether certain powers are necessary; and I say that to give them a blank cheque and to hand over powers in this way would be going beyond our duty. Further than that, we have to face this prospect. If we give these powers, there will be all sorts of officials, all sorts of opportunities for starting steamship companies, and, goodness knows what else, during the course of a few years, or until the end of the war. Would we then upset all that, and make right all that has been done in the meantime? I think that the position is such that it is not urgent that the Commonwealth should have these powers. I feel sure that the people would not have given them, and I do not think it would be right for us, by a sideward, to give what the people themselves would not be likely to give.

Hon. A. A. DAVEY: It appears to me that the proposition that is embodied in the Bill is to give to the Federal Parliament, in an indirect manner, powers which the people would not consent to give. I may be forgiven for referring back to the time when we, as sovereign States, entered into the combination known as the federation of Australia. At that particular time, I was opposed to federation, because I believed that, under all the circumstances, the great and vast possibilities and resources of Queensland would be exploited, and were intended to be exploited, by that proposal. We had the matter discussed very fully by the ablest minds, probably, in Australia, and, eventually, the people decided to enter into that federation. Whatever may have been the opinion of those who believed that it was a good thing, the opinion still remained in the minds of the people who had opposed it that the effects, so far as Queensland was concerned, were going to be derogatory. But I, in common with everybody else who opposed the proposition at the time, have done the best to make a success of it, because we all recognise that, whatever the people desire—what the people in their freedom and liberty vote for—it is the duty of the State, or the Legislature representing the State for the time being, to place on the statute-book. It would be a peculiar position for anyone to say that the

people should not rule. I know members of this House, and numbers of people outside who thought—and were thinking in just as much an Australian spirit as anybody else—that it would be an unfortunate thing to go in for it; but so soon as it was decided, they made up their minds to give it every support, and they have done so. I remember that very specially and particularly we were told that federation did not mean unification, but that federation was a combination of sovereign States. None of the powers of those sovereign States was to be encroached upon. It was only for the better government of the whole of the country that certain powers were proposed to be transferred to a central body, which might better deal with certain matters, such as the defence of the country. We all remember perfectly well the difficulties that arose and the wonderful debates which took place, and we know that, rightly or wrongly, it was contended by the supporters of that beautiful idea that there was no intention whatever of depriving the States of their sovereign powers, nor of depriving the Commonwealth as a whole of the wisdom—some little of it—which might reside in any particular State. I remember asking at one or two meetings, when some very prominent people were speaking, several questions about how it was expected that the State would meet its responsibilities when its Customs duties had been taken away? The Hon. Mr. Philp, the Hon. Mr. Higgs, the Hon. Mr. Barton, the Hon. Mr. Deakin, and a number of lesser lights, all answered those questions in the same way. I will quote the Hon. Mr. Higgs because he may have great influence under present circumstances. They said, in reply to that question, that the States would have continually and always the power to direct legislation and direct taxation, but that the federation had to take over the Customs, so that they would have some revenue with which to carry on the business of the Commonwealth. Mr. Higgs went so far as to tell me, in person, that that was one of the great reasons which made him delight in federation, because, he said, the Tory party were opposed to a land tax, and it meant that the demands from the Federal quarter would be so great that it would necessitate the Labour party, or any other party, carrying out the Labour party's idea of a land tax, so far as the State was concerned, and no Federal authority would dream of interfering with State legislation. I am aware that, under the Constitution, they had certain flimsy powers by which they were to be able to do certain things. The States are members of a family, of which the Commonwealth is the common whole, so to speak. We know perfectly well that it was arranged that the Senate should be established for the purpose of looking after State rights. Why? If there were no State rights, there was no necessity for the establishment of a Senate at all. I go so far as to say that the Senate has not looked after State rights; but that has nothing to do with the idea that was at the bottom of the matter. That senators should be so blinded to their duty that they should deal with a Bill in a partisan spirit—no matter what party they belong to—and forget their real mission in the government of the country, is surprising to me. We have a number of so-called statesmen, legislators, who seem to know a lot, and who are always ridiculing

State rights. Had any of the leaders of the federation movement dared to suggest at the time federation was before the people of Australia that the States were to be shorn of their sovereignty, we would have had no federation to-day. While I am prepared to admit the many advantages that may arise from federation, I have no hesitation in saying that federation has been a mistake so far as Queensland is concerned. (Hear, hear!) This State has been exploited ever since we entered the federation, and I am sufficiently acquainted with public opinion in Queensland to say that, had the people of Queensland foreseen what was to take place, they would never have entered the federation at all. I remember that at that time I said that federation must inevitably lead to unification. That suggestion was the outcome of a distinct conviction in my mind that the temptations would be too great for any politicians to resist, and that they would ultimately take steps which would lead to unification. I have heard numbers of citizens say that they really would prefer unification to the methods that are being adopted now. I am opposed to unification, and I am opposed to any action of the Commonwealth Parliament or the representatives of the States that would tend in that direction, and it appears to me that the handing over of all the powers asked for in this Bill is taking a step towards unification. I cannot understand what the State Premiers are thinking about to rush into a matter of this kind. It appears to me that they are not duly impressed with the value of the sovereign States. If these powers are given to the Commonwealth, not only might the Legislative Council be well wiped out, but the Assembly might be equally well wiped out, and I think, if it came to the judgment of the community to-day in Queensland, they would not consider there was any greater intelligence or any greater ability shown in the Assembly than there is in this Council. Of course, it is popular to talk about the elected member. The elected member is all right if he were not bound hand and foot by party organisation. But we have seen what is taking place in the Federal Parliament. The very House that was established for the protection of State rights is simply a second party House to support certain things. Ever since we have had federation there has been nothing but a continuous and determined attempt made to rob the States of their sovereign powers. I have much greater admiration for the Federal member who, some years ago, told me frankly that he believed in unification—I refer to Mr. Bamford. I told him that he was the only man who had the courage to say so; but he stated the truth. There has been a constant attempt to bring about unification ever since federation came into existence. This is called a war measure in order to throw dust in the eyes of the people and stop criticism. Many things have been done of late under the pretence that they are war measures. The Federal Parliament determined to refer the matter to the people on 11th December next. A week ago we were asked to suspend the Standing Orders, because this was a matter of such great urgency. Quite recently we refused to suspend Standing Orders, and we are discussing the question to-day. In the meantime, not one solitary reason has been given to show

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the urgency or the necessity of the Bill. It is generally recognised that under the Commonwealth Constitution there is ample power to deal with everything in connection with the present crisis. The present Prime Minister stated that the Federal Parliament have absolute power to deal with any emergency that may arise. Rather than see this object gained by a subterfuge of this sort, I shall certainly oppose the passing of the Bill. I am a democrat. Democracy is not confined to this place or to any other place. I believe in trusting the people and in referring these questions to the people. The Hon. Mr. Brentnall some time ago moved the adjournment of the House to discuss the unwisdom of having the referenda, and I think it was an unwise thing to do at the present time; but that does not say that there is any justification for the Commonwealth Government saying, "We will not have any referenda, but you must give us everything we asked for in the referenda." If any necessity for this measure had been shown, every hon. member would have supported it; but there is no necessity and no urgency about the thing. It would not hurt if the question were postponed until after the war, when the people would have an opportunity of giving an intelligent and unbiassed vote upon it. It has been suggested that the referenda would have been defeated. I do not attach much importance to that, but there is no doubt that the late Federal Prime Minister—who has now been elevated to a more profitable and easier position, if not a more elevated one—was pledged to the referenda. I do not know what caused his removal, but it is very strange that immediately upon his disappearance from the field a suggestion of this kind was brought forward. We are Australians, but we are Queenslanders first; and any Queensland who is prepared to hand over the sovereign rights of the State to the Federal Parliament is not a friend but an enemy to Queensland. Furthermore, he reflects on the intelligence of the community. The very idea of having to settle all labour disputes from Melbourne! Is it that those disputes can be more quickly decided 1,000 miles away? Are the people in Melbourne any more intelligent than the people of Queensland? Are their lawyers any more erudite? Are their judges any more pure? Are their witnesses any more truthful? What is the advantage of removing the settlement of all our disputes right away to Melbourne? The thing is absurd. The present Government have seen the necessity of decentralisation in the management of our railways. Why is it necessary to centralise in the settlement of our disputes?

Mr. MURPHY: The majority of the people of Queensland voted in favour of it.

Hon. A. A. DAVEY: I do not mind what the majority of the people of Queensland voted for. The majority of the people of Queensland voted for a certain party, to which the hon. member is opposed, being in power for years and years, the hon. member would say they were wrong in doing so; but they voted for that party all the same. If the hon. member's argument is right, why has the hon. member fought against that decision of the people and said they were not right? I believe it is an absolute insult to the people for the Parliaments of the various States to commit them in this way.

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I understand that the Premiers have not committed themselves—that they only committed themselves to introduce the Bill for the consideration of their respective Parliaments.

Hon. F. McDONNELL: The people of Queensland carried the referenda at the last poll.

Hon. A. A. DAVEY: The people carry many things. They may turn the present Government out at the next election. But this is an Australian affair, and I am speaking from the Australian standpoint. This House would be doing a very foolish thing if it agreed to pass a measure of this sort. The Premier will have done what he believes to be his duty in introducing this Bill and having it discussed in the Queensland Parliament; but this House would be failing in its duty if it agreed to hand over these powers for a year or two—or whatever the term may be—to the Commonwealth. We know perfectly well that "Possession is nine points of the law." We know perfectly well that once legislation is passed, while it may be very difficult to get it on the statute-book, it is much more difficult to get it off the statute-book.

The SECRETARY FOR MINES: The Bill provides for that.

Hon. A. A. DAVEY: But we are not justified in giving the friends of this system two years' start. If there were any emergency it would be a different matter, but there is no evidence of emergency. Nothing has been adduced to show that [7.30 p.m.] this measure is necessary, and

I believe that the Commonwealth have all the powers they require, and that the plea that the measure is required in order to assist them to carry on the war is only a subterfuge or pretence, so that they may get these powers for a year or two. During that time something may happen which will make the people forget these proposals, or they may get accustomed to the loss of these powers. It is wonderful how we can get accustomed to things—even to injustices. In my opinion it would be unwise to give the powers asked for by this Bill to the Commonwealth, because I do not think the Commonwealth Government or any other Government is to be entrusted with them. The Federal Parliament in the past, no matter which party has been in power, has been continually encroaching on the rights of the State. It would be more honest for them to say that they are in favour of unification. If the people, when they have the question referred to them, say that they are in favour of unification, I shall do my best to carry out their wishes; but I am not prepared to vote for a measure granting such huge powers to the Commonwealth on the flimsy reasons which have been advanced in support of this Bill.

Hon. F. McDONNELL: I beg to move the adjournment of the debate.

Hon. P. J. LEAHY: This motion is a surprise to me. I have some remarks to make on the Bill, and business is likely to take me away to-morrow, and I believe other members are in the same position. Therefore, I think it would be unfair to postpone the debate.

Question—That the debate be now adjourned—put; and the Council divided:—

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 " A. A. Davey " A. H. Parnell
 " B. Fahey " E. H. T. Plant
 " E. W. H. Fowles " W. Stephens
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 " G. W. Gray " A. H. Whittingham

Teller: Hon. A. J. Carter.

Resolved in the negative.

HON. F. McDONNELL: I am sorry that the motion for the adjournment of the debate was not agreed to, as the postponement of the discussion would have given us a little more time to consider the matter. I am very much surprised at the attitude taken up by several hon. members on this question. The speech delivered by the hon. Mr. Thynne is one which should appeal to every member of this House. There is no question but that, from the hon. gentleman's point of view, and from the war point of view, the hon. gentleman's speech deserves a lot more consideration than it has evidently received up to the present time. I certainly think that the patriotic gentlemen on the other side, whose patriotism we so often hear expressed in this Chamber, should have been influenced by the appeal that hon. gentleman made to the House to pass this war measure. Undoubtedly, it is a war measure; it is definitely stated in the Bill that it is a war Bill, and will only remain in operation during the present war and for a period of twelve months after the conclusion of peace. I cannot understand how hon. gentlemen who have time and again expressed in this Chamber their readiness to support any war measure should take up a hostile attitude towards this Bill. An appeal has been made by the Premiers of the different States in conjunction with the Federal Prime Minister that we should pass this measure. I do not want to labour this question or to repeat what I stated here a few days ago. I do not want again to review the attitude taken up by the Hon. Mr. Brentnall and other hon. gentlemen with reference to the taking of the referendum, but I would say that any sane man would come to the conclusion, after the debate we had on a recent occasion, that when gentlemen who could speak on behalf of the majority of the electors in the different States of Australia entered into a compact with the Prime Minister, hon. gentlemen who had taken up such a hostile attitude against the taking of the referendum would have been heartily glad to have accepted the decision of the Premiers and to pass this measure. The Premiers who have entered into that compact had behind them a large number of the electors of the States, and there are many hundreds, yea thousands, of men in Queensland who hold different political views from those held by the Premier, and yet hold exactly the same views as he has expressed on this question. They have taken up a higher and a more patriotic

attitude in dealing with this question than has been taken up by some hon. gentlemen in this Chamber who are more concerned about a paltry party victory, about defeating the present Government, than about dealing with this important question at this important juncture in the life of the State. Their opposition is intended to secure a party advantage and to belittle the Government by defeating them in their object. That is the motive influencing hon. gentlemen opposite. They talk about the Huns and the Belgian treaty, and the tearing up of "a scrap of paper," but they themselves are working on exactly the same lines. They are tearing up a scrap of paper, if they are not tearing up treaties.

HON. G. S. CURTIS: You are tearing up the Constitution.

HON. F. McDONNELL: The hon. gentleman would tear up anything; he would tear up his mother-in-law. I had the honour of knowing the hon. member's attitude in another place. He is the most trusted Tory we have in the Parliament of Queensland. And yet he has the audacity to get up and say he represents the people, who time and again rejected him for Rockhampton. We have to look the thing squarely in the face. Hon. members have no right to get up and say they represent the people. Hon. members who are opposing this measure, who are opposing this compact which has been solemnly entered into by the Premiers of the State and the Federal Prime Minister, are doing nothing more nor less than the work of the Huns. They are simply tearing up a contract that has been made in this supreme hour, if I may so express myself, of the whole of the Empire in connection with this disastrous war. One would think that hon. members would rise to a higher sense of patriotism, and for once, at all events, put party advantage and party politics aside, and give this Government and the other Governments of the States the right to make this compromise, which is only to exist during the period of the war. Contrast the position of this Chamber with that of the Federal Parliament. On the faith of the promises that have been made to the Federal Prime Minister by the Premiers, a Bill has been passed without the slightest opposition, withdrawing the writs for the taking of the referendum, and yet we in this nominee Chamber—this Chamber that does not represent the people—are to be the first to tear up that contract. Hon. members on the other side get up one after another and not only ignore but offer an affront to the Federal Parliament. The attitude that they have taken up will give a bad and a wretchedly poor advertisement to Queensland at the present time. It will be very much to the discredit of this State that to-morrow, in the different States of Australia, it will be found that the Legislative Council of Queensland, in its last tottering days, in its last throes, in its very last agony, so to speak—

The PRESIDING CHAIRMAN: Order!

HON. F. McDONNELL: Has turned round and defeated this Bill, has torn up this contract which has been entered into by the Premiers and the Federal Prime Minister.

HON. F. T. BRENTNALL: Give them some poison gas.

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HON. F. McDONNELL: I have heard the hon. member practically defending the Germans on the floor of this House. I have heard him upbraid us for daring to say anything about the Huns. I do not know whether that is one of the hon. member's weapons.

HON. F. T. BRENTNALL: If you want to see us writing, give us something to write about.

HON. F. McDONNELL: The hon. member's attitude is so hard to define and understand that one does not know where to find him—whether he is on the side of the Huns or the other side.

HON. A. GIBSON: He is all right.

HON. F. McDONNELL: Well, I doubt it. This afternoon we had a very short speech and a very effective one from the Hon. Mr. Hinchcliff. He gave most undeniable proof by quoting figures giving the results of the poll here on 31st May, 1913. He quoted the figures from Knibbs, an unimpeachable authority, I understand. Every single question that is contained in this Bill—in fact, a good many more—was affirmed by the people of Queensland when they had the opportunity of dealing with them. They carried every question by a majority of from 16,000 to 27,000. The Hon. Mr. Davey talks about "the will of the people," and allowing the people to exercise their will. On the last occasion when the people of Queensland had an opportunity of expressing their opinion, they carried every question by a very large majority indeed. Is not that evidence that, so far as the people of Queensland are concerned, they were in favour of a Bill of this sort? We are giving the Federal Parliament, for the purpose of preventing turmoil in the country, the right to legislate on certain questions during the war and for twelve months afterwards. Fear seems to have taken hold of some hon. members on the other side, but we know that at the present time the Federal Parliament has adjourned till next May, and that none of the powers can be exercised until such time as they meet again.

AN HONOURABLE MEMBER: Perhaps the war will be over by then.

HON. F. McDONNELL: I am sure that we all hope so. If it is, the powers will only be in existence for twelve months after that. I know it is no use hon. members who are in favour of this Bill trying to convince hon. members opposite. They have made up their minds. They are going to kick out this Bill. They are going to ignore the Premier's compact with the Federal Parliament. They are going to take up this attitude, simply because this measure is introduced by a Labour Government. Contrast their position with that of the Victorian Parliament, where, from the expression of opinion of Sir Alexander Peacock, a Liberal Premier, they are very strongly in favour of this Bill. Of course, from a party point of view, the Bill may receive a certain amount of opposition from the Parliament of New South Wales, but I think that, when the whole thing is boiled down, it will be shown that Queensland, and this House in Queensland, will be the only Parliament in Australia that will have the audacity to repudiate and refuse to endorse the contract that has been entered into by the heads of the different States

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with the Federal Prime Minister. I certainly think that, if the Government of this State were looking for something that would strengthen them in the position which they have taken up in respect to this Chamber, there is no argument, there is no Bill, there is no support of any kind that would strengthen them more than the rejection of this Bill by this House.

HON. A. A. DAVEY: You ought to be pleased.

HON. F. McDONNELL: I am afraid that the hon. member will not be pleased. If the Bill is rejected, I have no doubt that the Premier has backbone enough to send it back again. No doubt, patriots on the other side will reject it, as they have rejected other war measures; but how will thousands of people in Queensland who accepted these questions, even when there was less cause for accepting them—how will they deal with them? They certainly did accept these questions by a large majority, and no doubt they will do so again, and there is no doubt that, at the same time, they will accept another Bill by a still larger majority. That position has been brought about largely by the attitude of hon. members opposite, who are more desirous of party triumphs and of belittling the Government than of rising to a sense of high patriotic action and conduct at the present time at the supreme crisis in our history.

HON. P. J. LEAHY: I think it is deeply to be regretted that any warmth or bitterness should be shown in connection with the discussion of this measure. We are here—at least I am—as a member of a deliberative body to weigh and consider all the facts for and against the measure. I think that anything that would cloud our judgment, that would stir up any latent prejudices that may exist, is highly regrettable. Before I come to the Bill proper, may I be permitted to make one or two remarks? It seems to me extraordinary that the Minister in charge of the Bill should have been a few days ago in such a violent hurry to rush it through, and that to-night one of his own ablest supporters, presumably with the knowledge of the Minister, should move the adjournment of the debate. As regards the position of this House and the remarks made by the Hon. Mr. McDonnell that, in its last stages we should do certain things, I say that it does not matter whether we exist for six months or twenty years. It has no bearing on this question. I take it, if we are men of any courage, judgment, or capacity, we are going to do what we think is right, whether our stay is going to be long or short, or whether our action now or at any other time is going to determine the period of that stay. It is most amusing to hear hon. members say that the people have expressed their opinions in a particular way. Most amusing inferences could be drawn from that statement. If that position were true, then, because the people did certain things two or three years back, there would have been no need for an election last May. We could argue that because three years ago Mr. Denham was elected by an overwhelming majority there was no occasion for an election in May last. Do we not know that the people change their minds in less than three years, and certainly the people have had good reason for changing their minds, if they have done so. To come to the Bill

itself, the last speaker emphasized the alleged fact that this is a war measure. I used the word "alleged" advisedly.

The SECRETARY FOR MINES: Read it.

HON. P. J. LEAHY: Of course, we know that it says so, but we must not always take the meaning of a Bill from its title. Mr. Fowles and others have said, and I may be pardoned for repeating it, that if there were anything in the Bill that would in the slightest degree help towards the successful prosecution or the early termination of the war, it would be carried by the House quickly and unanimously. Is it a war measure?

The SECRETARY FOR MINES: Some people would sooner terminate the Labour party than the war.

HON. P. J. LEAHY: I would not like to do that, because a great deal of the pleasure I have in life is derived from [8 p.m.] that party, and some of the arguments they use, and I consider that they contribute to the gaiety of nations, if they do nothing else. As regards this being a war measure, Mr. Wade asked the Premier of New South Wales last week—

"The order of leave says that this is a war Bill. In what way does the Bill help the war?"

The Premier, Mr. Holman, replied—

"It would materially assist in the prosecution of the war, as far as Australia was concerned, by the removal of a question which threatened to interfere with Federal activity in this direction."

I ask hon. members to ponder that reply. First, the Federal Government brought forward the referenda proposals, which, according to Mr. Holman, would have a bad effect on the war. Then a Bill is to be brought in, which is called a war measure, to prevent the Federal Government from doing something that will have an injurious effect on the war. (Laughter.) If that makes it a war measure, then all I can say is that it puts the Federal Government in a highly culpable light. I certainly consider that it is not a war measure, and it is not the only measure that has been brought in here and called a war measure that was not intended originally as a war measure.

HON. E. W. H. FOWLES: It is the same measure as was introduced in 1913, when there was no war at all.

HON. P. J. LEAHY: The Premier stated in another place—and let me say, in passing, that I think he stated the case for the Bill with perfect fairness and frankness—that he admitted that the Bill practically gave to the Federal Government all that they asked for in the referenda. But he said something more than that. I do not think he could have intended to mislead, but what he said certainly conveyed a wrong impression to my mind. He said that the best brains of the Liberal party, including the Liberal leaders in the Federal Parliament, were in favour of this Bill. Last night I perused the debate in the Federal Parliament on the Bill, and I found that Mr. Cook, Mr. Glynn, and other Liberal members, while they were in favour of withdrawing the referenda proposals, distinctly declined to put

the seal of their approval on this measure. They objected to any mention of the agreement in the Bill, and the Prime Minister fell in with their wishes and eliminated that part of it.

HON. F. McDONNELL: Why did they agree to the withdrawal of the Referenda Act?

HON. P. J. LEAHY: Mr. Cook was not at the conference, but in any case I am not in their confidence. I do not desire to touch upon the details of the Bill, but we have heard a great deal about monopolies. If there are any monopolies which the Federal Government has not ample power to deal with at present—even without submitting the question to the people, and particularly during the war—I am sure that every hon. member of this Chamber would assist in every way to hand over the control of monopolies to the Federal Parliament. But this is not a Bill dealing with monopolies. It is a Bill to take away Home Rule from Queensland. (Hear, hear!) I have some recollections of a country that lost Home Rule, and that had a long and bitter struggle, extending for over a century, to get it back, and I certainly do not want that repeated here. If these proposals are carried, undoubtedly this State will sink politically very low down in the scale. Talk of abolishing this Chamber! You will not want either Chamber if this Bill is carried, because unification will eventually follow from the passage of this measure. We are not acting in any selfish way in opposing the Bill. What does any hon. member here stand to gain by opposing the Bill, except in so far as we may be citizens of Queensland? What object can we have in opposing this proposal, except the one object that we think it is detrimental to the interests of Queensland. (Hear, hear!) It is undoubtedly—if not in the letter, at least in the spirit—a violation of the Constitution. At different times we have heard men saying they were good democrats. Let me tell the Minister that the democrats of Australia are not all to be found within the fold of the Labour party. (Hear, hear!) I say that this is a violation of the spirit of the Constitution, inasmuch as we are called upon to usurp the functions of the people. These powers, perhaps, can be conferred under section 51, but clearly that section was intended for something else than the wholesale transference of powers such as we are called on to agree to now. Another important question is whether this agreement—whenever the conclusion of peace may take place—is likely to come to a termination twelve months after that period. I read the following quotation in a Labour paper last week—a paper that I think is in the confidence of the Government, if any paper is. This is the quotation—

"One of the conditions on which the Federal Government has agreed to the postponement of the referenda is that the Premiers at a later date shall consider what powers they will ask their respective Parliaments to permanently hand over to the Commonwealth."

The word "permanently" is printed in italics. That is an extract from the "Worker" of Thursday last. Does that fit in with making this a matter of a couple of years? Undoubtedly it does not. It is clear that these powers and further additional powers are intended to be handed over permanently to the Commonwealth, and without consulting the people of Queensland.

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(Hear, hear!) We know perfectly well, that, according to the strict letter of the Bill, it will become inoperative after a certain time; but we know in practice that once a Bill becomes law it is not easy to get rid of it. Then, again, before the war is over a referendum Bill may be brought in and a vote taken. I am not sure that we have any certainty that a referendum is not to be taken even before the conclusion of peace, though probably it would not take effect until after the conclusion of peace. Then, supposing that any industrial awards are given under this Bill, the court might refuse to alter them at the conclusion of peace; and I am not sure whether under this Bill, we would have any power to compel the court to alter them. Then, this question was raised in the New South Wales Parliament: If the Commonwealth should acquire certain freeholds and certain businesses under this Bill, and assuming that they were paid for on just terms, would they return to their original owners at the end of two or three years, or would they remain with the Commonwealth? They would be the property of the Commonwealth for all time, so that, apparently, although we are giving something for a couple of years, we are doing something that is really much more far-reaching. It is well known that at the Labour Convention held in Adelaide a few months ago, certain instructions were given to the then Prime Minister with regard to the referendum. Mr. Holman, referring to that convention, said it was not properly representative of the people of Australia, so that there is not even a shadow of a mandate for asking the Parliaments of Australia to pass a measure of this kind. The Premier referred to "a scrap of paper" when speaking in the other Chamber. The Hon. Mr. McDonnell got quite enthusiastic over that. I did not know that anyone could show such enthusiasm and eloquence over such a small matter.

Hon. F. McDONNELL: Was the Belgian "scrap of paper" a small matter?

Hon. P. J. LEAHY: There is no comparison between the Belgian "scrap of paper" and the "scrap of paper" referred to by the Premier. The Belgian "scrap of paper" was a solemn treaty signed by the plenipotentiaries of the Great Powers, duly accredited for that purpose, and the treaty, if not formally ratified by the Parliaments of the States concerned, at least could have been vetoed by them if they had so desired. That treaty existed for many years with the full knowledge of the people of the ratifying States. This "scrap of paper" is a promise made by the Premiers of the State that they would bring certain legislation before their Parliaments. The Parliaments can exercise their undoubted right to deal with that legislation as they think fit. If we once accept the view that whatever is done at a Premiers' Conference must be ratified by Parliament, what position are we in? Are we a representative deliberative body? Do we try to represent popular opinion, or are we to represent the opinion of half a dozen men who gather together and agree to a particular thing? Surely no democrat will hold the view that we are bound to ratify something done without our knowledge, and something of which we disapprove.

Hon. F. McDONNELL: What about the Federal conferences years ago?

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Hon. P. J. LEAHY: The Federal conventions were an entirely different matter, because the Bill drafted by those conventions was submitted to the people. But, even in those cases, it was always open to the Parliaments to agree or disagree. I cannot assent to the principle that, because any body of Premiers, or anybody else, agree to something, it should be binding upon the Parliaments of the States, unless the members of those Parliaments are parties to what is done. Very much more might be said on the subject, but I do not wish to prolong the debate. If we have not already made up our minds, our duty is to weigh this thing soberly and calmly. Although we are not a representative body in one sense, yet indirectly we are representative, inasmuch as we represent great bodies of people associated with the primary industries, and we have to consider the effect of this legislation upon them. Having weighed the evidence, it is our duty to vote according to our consciences and our judgment.

Hon. B. FAHEY: Before I address myself to the Bill, I wish to say a few words with reference to what has fallen from some hon. members who have spoken in favour of the Bill. First, let me deal with my friend, the Hon. Mr. Murphy. The hon. member said that the Federal Parliament wanted more power, and when he made the remark I made a note of it, and underneath I wrote "Why?" The hon. gentleman did not tell the House why the Federal Parliament wanted more power.

Hon. P. MURPHY: Yes, I did.

Hon. B. FAHEY: I kept my ears open while the hon. gentleman was speaking, and I did not hear him tell us why the Federal Parliament wanted more power. The Federal authorities have, according to the present Prime Minister's statement, as much power as they want—perhaps even more than they want—in regard to the great absorbing question of the day—the war. They have got all the power they were invested with when federation was established—power to deal with defence, commerce, Customs, quarantine, post and telegraph offices. Those are matters of supreme moment to the whole of Australia, and power to deal with them was willingly conferred upon the Federal Parliament when federation took place. At that time sovereign rights were left with the States, and no man can say that they have not exercised those rights with wise discrimination. No State in Australia has made more rapid progress than Queensland in consequence, and yet we are called upon by this Bill to surrender practically all our rights to deal with important local matters to the Commonwealth Parliament. Every line of the measure justifies this House in its action in defeating the hon. gentleman's effort to pass it and force it on to the statute-book of the State in the dying hours of Thursday afternoon last. While the discussion on the Minister's motion was taking place in this Chamber the Bill had scarcely left the printer's hands. The hon. gentleman representing the Government in this Chamber tells us that it is a war Bill.

The SECRETARY FOR MINES: So it is.

Hon. B. FAHEY: I will have something to say on that point directly, but I say now that if the hon. gentleman will obtain the most powerful microscope that is in existence, and that if he will utilise that microscope

and finds any connection between a letter or word or sentence in this Bill and the war raging outside Queensland I will forfeit a new hat to the hon. gentleman. There is nothing connected with the war in the Bill, but it is a war Bill not intended to aid the Imperial authorities—as we were led to believe—but waging war against the sovereign rights and powers of the State of Queensland. That is what this Bill is, and it will leave the people of the State powerless, without a single feather to fly with, and at the mercy of aggressive and organised socialism. If this Bill becomes law, it will not leave as much authority inherent in the State as will enable it to settle a dispute between a wharfplumper and a tally clerk as to whether the wharfplumper will stack a ton of potatoes on the wharf or whether he will consult his own inclination and save himself some labour. There will not be enough authority left to the State to enable it to settle a dispute between the Commissioner for Railways and his office messenger as to whether the messenger should take an urgent telegram to the telegraph office. The surrender of the powers mentioned in this Bill will make of this Parliament and every Parliament in Australia, the Federal Parliament excepted, a glorified shire council without a single semblance of power in the hands of the people. The State Parliaments will not be able to move hand or foot to stem the tide of socialistic legislation which will be rushed from Melbourne and radiating to the uttermost ends of the continent. Matchless Queensland, the Queen of States, the Queen of the South, is going to be made a huge paddock in which the wild and fatuous pranks and schemes of socialism are to be tested by experiments on a larger scale than they have ever been tried hitherto, and not at the expense of the socialists, but at the expense of the diminishing revenue of the State.

HON. P. MURPHY: Do they take the control of lands out of your hands?

HON. B. FAHEY: We shall see directly what control they take, but I may say here that with the exercise of these powers land will soon become of very little value. These socialistic schemes and experiments have proved failures wherever and whenever they have been put to a practical test, and they will prove failures here, for the simple reason that they run counter to well tried and well established economic laws. And yet this is the Bill that we were asked last week to rush through this House in all its stages in one afternoon. The Minister told us that it was a war measure, and that in a few months after it became law it would make the Kaiser sue for peace upon his royal knees, shaking like an aspen leaf. I am dealing with this measure from the standpoint of a home ruler. I, and other hon. members who have opposed the Bill, have been charged with inconsistency by my hon. friend, Mr. McDonnell. If any inconsistency has been displayed in this matter, it has been by those hon. gentlemen who had addressed the House in favour of this Bill. They know that their own countrymen for 100 years have been demanding from England the right to manage their own domestic affairs, and yet those hon. gentlemen put their principles in their pockets when it suits them and support a measure of this kind that will cause Queensland to lose her

home rule and be trampled upon by socialism. I do not say that every unionist in Queensland is a socialist. There are trade unionists in Queensland, probably in this House, who are not socialists, and would oppose this Bill. The aim and object of this Bill was not hatched at the last conference of Premiers in Melbourne. Organised aggressive socialism has for a decade and more been worming its way into the trade unions throughout Australia, and they have been taking and are taking control of a large proportion of them. The one aim of socialism here, and in every part of Australia, is to concentrate the whole of their power in the Federal Government in Melbourne, and with the view of accelerating and accomplishing that object they have been making themselves very busy in every State of Australia in promoting unification. With unification and with the Central Government at Melbourne we will have the fate or destiny of every part of Australia decided there. I have never had the honour of meeting the Prime Minister of Australia, the Hon. W. Hughes, but by all accounts he is well qualified to fill the position he holds, and has the reputation of being one of the cleverest politicians in Australia. Long before the hon. gentleman occupied his present position—when he held a subordinate position in the Federal Cabinet—he was using his great ability nibbling and nibbling at the sovereign rights of the States. He was the prime mover in the first referenda which sought to curtail the powers of the States, and he was the prime mover in the second referenda, which had the same object

in view. But he and his socialist [3.30 p.m.] backers got such a slap in the face on each occasion that they did not want any more experiments on the subject of unification for some time. The moment the hon. gentleman succeeded to the Premiership and took charge of the Federal Parliament he realised that £100,000 was too big a premium to pay for the information which would enlighten him as to whether the people of Australia are still against these proposals. When he found that the Commonwealth of Australia could not afford to lose £100,000 to enlighten him, and making a shrewd guess—clever man as he is—that he would be defeated—it would be more prudent to set the referenda aside—he conceived another plan. He was the prime factor—I do not say that he was the direct convener—he was the factor that moved and brought together, *sub rosa*, the conference of Premiers in Melbourne.

HON. A. HINCHCLIFFE: You seem to know all about it.

HON. B. FAHEY: I hope I know more than the hon. member does, and I should be very sorry indeed if I did not. The hon. gentleman had a conference called, to do what? Ostensibly to talk over loan matters, when he knew that many of them were rather hard pressed for loan money—and in a short time they all will be hard pressed for that commodity; but, in truth, that conference was conceived by him in order that he might make use of it to carry, as he hoped—and as we do not, I hope—a project to a successful issue without costing him a penny; a project which, if submitted to the people of Australia, would have cost the Commonwealth £100,000. The hon. gentleman—clever diplomatist, clever tactician—dangled a loan of £10,000,000 before

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the eyes of the Premiers, for the reason that he knew they wanted it. He made it a sine qua non that each Premier would get a proportion on the basis of the population of his State on condition that he would give to the Federal authorities in exchange the birthright of the people of his State. And, as these Premiers were as putty in the hands of this clever man, they took the bait. But I think that he, on this occasion, reckoned without his host on this momentous question, and his host on this occasion is the people of Australia. We were told that the brains of the Labour and Liberal parties of Australia were represented at that conference. To that statement we might add, "And their conceit, too"—(laughter)—and they came to a unanimous decision. Who authorised them to do so, unanimous or otherwise? The Parliament or the people of Queensland certainly did not do so. And let hon. gentlemen remember this: that there was no Premier who sat down at that table, with one exception, over whose head the sword of Damocles was not suspended—and would have fallen instantly on the head or neck of him who refused his assent to that proposal. Written on the blade of that sword were these words, in large letters: "Assent to this or go out of political life." That was well known to the Prime Minister of Australia when he conceived the idea of the conference, when he conceived the idea of what I consider to be a perfidious proposal—to bereave this Parliament and every Parliament in Australia of every particle and vestige of the powers and privileges with which their Constitution invests them at present. Not one single ounce of power would they have. Should this Bill be ratified and become law, they will very likely have power to have an election every three years, vote themselves their own salaries for the next three years, and now and again very likely have a discussion as to whether the public lands of this State shall be dealt with by freehold tenure or indefinite lease. I will be told, very likely, that this Bill is only to last during the term of the war and twelve months after. Before the Premier of this State—I do not know what the other Premiers did—left for Melbourne, he did not, so far as I know, consult either the Parliament or the people of Queensland. I know that he informed the Press that he was invited to attend a conference of the Premiers of Australia in Melbourne, and that he was going to attend that conference in that centre. How, then, could the hon. gentleman have obtained the necessary authority to hand over to the aggressive socialism of Australia the birthright of the people of Queensland?

HON. T. J. O'SHEA: He did not promise that. He said he would bring the Bill in.

HON. B. FAHEY: He had no constitutional right to pledge or attempt to pledge this State at all. Nor had any other Premier. If they did, very likely they had authority from the Parliaments of their respective States to do so.

The SECRETARY FOR MINES: He could only pledge himself to introduce the measure.

HON. B. FAHEY: He had, as Premier, authority to promise that he would bring this Bill in. And now we are told that it is to last for the period of the war. What, in the name of Providence, has this to do with the war?

[Hon. B. Fahey.]

Is there one single sentence in it that could add to the power that the Federal Parliament has already, and, particularly, is there anything in this Bill that could possibly be construed as adding to the power of the Federal Parliament to deal with the war in which we are engaged? The Prime Minister of Australia has stated that his powers in the defence of Australia are boundless, and where there is any possible connection between this Bill and the present war, I cannot, for the life of me, see. This Bill is the most serious Bill in the interests of the people of Queensland that was, not only ever brought into this House, but ever conceived by the mind of a statesman, and if any hon. member of this House will not either amend it or deal with it in such a way that Queensland will not suffer, that hon. member is not a Queensland patriot.

HON. T. J. O'SHEA: I do not intend to give a silent vote on this question. This is a matter upon which, I think, hon. members of this Chamber should not take upon themselves the responsibility of usurping the powers of the people of Queensland, of saying to the people of Queensland that they shall not have a voice in deciding questions which are to be decided by this Bill, and which, by the Constitution of Australia, must be referred to the people of Australia, unless the Parliaments of Australia, the States of Australia, usurp the power which the Constitution never intended them to possess. I cannot understand the powers of reasoning of men who say that this Bill is necessary for the purpose of the preservation of the Empire, including Australia. I cannot see that this Bill has any reference whatever to the war, or anything pertaining to the war. The mere fact that the words are introduced into it, "During the term of the war and for one year afterwards"—well, they might have been, "During the life of John Brown and three days later"—it would have been just as relevant. The mere introduction of a phrase which mentions the war has no more effect on the war than if any number of days, months, or years, definite or indefinite, were mentioned. For about a third of a century I have been, in season and out of season, agitating, supporting in a small way, financially and otherwise, the theory of home rule for Ireland. It appears to me that if this Bill is passed, I will spend the remainder of my days in agitating for home rule for Queensland.

HONOURABLE MEMBERS: Hear, hear!

HON. T. J. O'SHEA: And I do not want that. I do not want Queensland to be governed from Melbourne or Canberra. I want it to be governed by Queenslanders for Queenslanders, and by Queenslanders for Queenslanders only.

HONOURABLE MEMBERS: Hear, hear!

HON. T. J. O'SHEA: If this Bill becomes law, I have a very serious and honest doubt as to whether it would not be ultra vires, but I have no doubt whatever on the point of the impropriety of passing it by the various Legislatures at the present time. Even if it were adopted, it would be an impropriety, and for that reason I would strenuously oppose it. I think the principle is wrong. I do not think the Government have a mandate from the people to hand over to the Federal Parliament or to anyone else the power of legislating for Queens-

land, which power the people of Queensland now hold, and which they delegate to their own legislators. Some cynical remarks may be made to the effect that the members of this Chamber are not elected by the people; but so long as the Constitution stands in its present form—and I think it will remain for a long time in its present form—members of this Chamber are as much delegated to guard the rights of the State of Queensland as elected members in the other Chamber. (Hear, hear!)

HON. P. J. LEAHY: And we are guarding them better.

THE SECRETARY FOR MINES: No one has declaimed more against the Constitution of the House of Lords than the hon. member, and the Constitution of that House is just the same as the Constitution of this Chamber.

HON. P. J. LEAHY: They are entirely different

HON. T. J. O'SHEA: I am sorry if anything I have said has pinched, but that does not deter me from doing what I consider is my duty. Another reason why this Bill should not become law is that, if you take it line by line, or word by word, and say, "Is there any power sought in it which could not be exercised by the Parliament of Queensland?" I think that the people of Queensland are in a better position to legislate for themselves through their legislators in the State Parliament than a large number of legislators in Melbourne, who have never seen Queensland, and do not care a "dump" for it, and who say that Queensland does not count, and that Queensland is an insignificant outskirts of the Commonwealth.

THE SECRETARY FOR MINES: That is not fair, because the people of Western Australia are taxed in order to keep up one of our principal industries.

HON. T. M. HALL: They will not keep it up long if they get this Bill through.

HON. T. J. O'SHEA: I venture to say there are not a dozen members in the Federal Parliament, excluding the Queensland members, who have travelled through more than perhaps the capital of Queensland, and one or two of the seacoast towns on a flying visit. They know practically nothing of Queensland, and they care less. I say advisedly that every member of this Chamber has at heart the welfare of Queensland quite as much as any member of the Queensland Ministry or of the Federal Ministry. (Hear, hear!) The members of this Chamber are as anxious and as careful for the preservation of the interests of Queensland and its people as any individuals in the community, notwithstanding the slurs that are regularly cast at us because of certain recent events. There are a number of items included in clause 3 which it is suggested should be handed over to the Federal Parliament for so long as the war lasts and for twelve months thereafter. Now I challenge the Minister or any individual who likes to take up the challenge to point to one item in the Bill which it is proposed to relegate to the Federal Parliament which cannot be more effectively dealt with by the State Parliament.

THE SECRETARY FOR MINES: This Chamber will not let the other Chamber deal with these questions. There is hardly a measure

which has come before us this session that has not been emasculated by hon. members.

HON. T. J. O'SHEA: The Minister has become rather fond of the word "emasculated"; he trots it out on every possible occasion.

HON. F. T. BRETNALL: The Premier set him the example with regard to the Meatworks Bill.

HON. T. J. O'SHEA: As the Hon. Mr. Brentnall reminds me, the Premier said that the members of this Chamber emasculated the Meatworks Bill. I challenge the Minister or anyone else to point to any alteration made by this Chamber in that Bill other than what is contained in the three words, "on just terms." (Hear, hear!) Is that an emasculation?

THE SECRETARY FOR MINES: Yes, those words are very far-reaching. That clause was a penal clause, and hon. members made it not a penal clause.

HON. T. J. O'SHEA: Does the hon. gentleman dislike the words "on just terms"?

THE SECRETARY FOR MINES: No.

HON. T. J. O'SHEA: If so, why does he put those very words in clause 3 of this Bill.

THE SECRETARY FOR MINES: That is not a penal clause.

HON. T. J. O'SHEA: Is that why he says we must not acquire assets "on just terms"? Is there any suggestion that it was intended that men who offended the dignity of Ministers of the day should be punished to the extent of hundreds of thousands of pounds, perhaps—that one man might be liable to the forfeiture of a few pence, while another might be liable to the forfeiture of millions for the same offence? Surely that is not a reasonable provision to put in any legislation? And because this House had the temerity to say that, if the Government did that, they must do it "on just terms" we are then told that we have emasculated the Bill. I do not think that the hon. gentleman has applied the correct term to our amendment of the Meatworks Bill. I do not think he can weigh his words when he says that, because this Chamber insists on those words—words that he himself is using in clause 3 of this Bill—it is an emasculation of the Bill.

THE SECRETARY FOR MINES: This is not a penal clause; the other was.

HON. T. J. O'SHEA: The hon. gentleman harps on that phrase—"a penal clause." We in this Chamber consider the utility of those words. They were not original; we had an excellent precedent for them; they were introduced in the Federal Parliament and grasped with open arms by the Labour Ministry of the day as a good general principle to be included in every transaction of life. In other words, "Make men stand by a scrap of paper." (Hear, hear!) That is the first principle of equity—the first principle that should be adhered to in all matters of life. The talk about emasculating Bills is a mere cry to delude thoughtless people. One of our poets makes rather quaint reference to one having to hear his principles and his words twisted to "make a trap for fools." It seems to me that the wise precaution which this Chamber insisted upon is being twisted to fool people into the belief that that Bill was thereby emasculated. This is merely a question of this Chamber guarding the rights of the people of Queensland—of saying to the people of

Hon. T. J. O'Shea.]

the State, "We are seriously urged by a number of individuals to steal from you your right of saying whether or not you will take another step in the direction of unification or whether you will adhere to your home rule rights and say that you will legislate in your own way on domestic affairs." I think that any assumption by this Chamber or by any other place, or by the various State Parliaments, of the right to legislate in this matter is a usurpation of rights, which neither the Constitution nor the people of the States ever delegated to the Parliaments of the States, and I think it is absolutely wrong in principle for the various Parliaments to endeavour to filch away from the people the right to govern themselves. Something has been said with regard to a "compact." Now, if an honourable compact were made which was even morally binding on the State of Queensland, I would be the last to say that it should be repudiated. I am not going back on one tittle of the compact which the Premier of Queensland made on behalf of Queensland. I say that, if he has pledged himself, he has fulfilled his pledge, and he has now left it to the legislators of Queensland to say whether or not they will adopt the suggestion made by that arch-Machiavelli, Mr. Hughes, with regard to filching away from the people of Queensland a right which he felt the people of Queensland would not grant. Therefore, I say that this Chamber is not in any way repudiating anything that the Premier of Queensland has done. The Premier made a promise, "I will submit to the Parliament of Queensland the Bill which you suggest." I think I may say that the hon. gentleman had a pretty fair idea of what would happen to the Bill. (Hear, hear!) In other words, it was a case of "Save me from my friends. I have been importuned to give the Parliament of Queensland an opportunity of deciding whether or not they will adopt this Bill." I think I know sufficient of the Premier of Queensland from his public utterances to say that I do not honestly believe that he

[9 p.m.] desires to see the Bill passed, and I think that this Chamber will be doing him a good service in saying that we decline to take the responsibility of attempting to pass a law which I honestly doubt if it would be valid, even if it obtained the sanction of His Majesty's representative in each State.

THE SECRETARY FOR MINES: Do you say that the Premier would wish to see this Bill killed—that he is not sincere in introducing it?

HON. T. J. O'SHEA: I say that he yielded to the influences that were brought to bear upon him, and made a promise that he would bring this Bill before Parliament, but he never made any promise, as far as I have been able to ascertain—

THE SECRETARY FOR MINES: He could not make a promise that the Bill would be passed.

HON. T. J. O'SHEA: He never made any promise that he would support the Bill. He did support it, because his party seem to think that it is necessary to do that sort of thing nowadays. I do not think the Minister in this Chamber will be at all regretful if this Bill is lost.

THE SECRETARY FOR MINES: Won't he? You will see the action which will follow it, anyhow.

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

HON. T. J. O'SHEA: I am not afraid of any action that may follow. We have had taunts and threats thrown at us during the last few months in a way that is quite childish. If you want men to do things for you, you are not likely to get them to do it by threatening to annihilate them. I may be persuaded, but I will not be threatened into taking a particular line of action. If I am shown that I am wrong in any position I take up, I am one of the first to admit it, and if I was satisfied that the legislation now submitted would be for the advantage of the State of Queensland, I would readily support it. But I do not believe it is for the good of Queensland, and if the matter came before me on a referendum to-morrow, I would vote against it. Then, why should I vote for it in this Chamber? Hon. members have asked that this Bill should be passed because this is a time of stress and war, and we must trust somebody. Therefore they say we should trust the Federal Parliament. If it were a question of assisting to bring about victory, I would shut up this Parliament, the Federal Parliament, and every Parliament in Australia and hand over to one man, even Mr. Hughes, the power to do anything that he could suggest or that anybody could devise to bring about that result. But to say that a measure of this sort will in any way assist to fight the battle of Great Britain and her Allies is simply fudge. Hon. members would be doing an injustice to themselves and to Queensland—they would be forging another link in the chain which will ultimately abolish all State legislation, and that would take to Melbourne legislation for the whole of Australia—if they agreed to this Bill. That I do not want, and I will strenuously oppose it as long as I have the power to do so.

HON. F. T. BRENTNALL: So would we all.

HON. T. J. O'SHEA: So we ought. I should not like to say that the financial clause of this Bill enacts that any measure which the Federal Parliament may enact in pursuance of the powers granted by this Bill will cease to have force twelve months after the war. But, suppose that Bills passed by the Commonwealth Parliament in pursuance of the powers granted by this measure were to terminate 366 days after the conclusion of the war, what would happen in regard to institutions which had been built up in the meantime by business men in the hope that they were going to be permanent? If business men find that, after a year's notice, their businesses will be ended, they are not likely to undertake those businesses. That is not the way in which the commerce, the industry, and the prosperity of the State will be built up. The more assurance as to the stability of legislation that you can give to the people the more likely are they to be enterprising and to carry out work which will advantage the State and assist in its development, and no legislation enacted under this Bill could be stable. Nobody could gauge to a month or a year when such legislation would terminate. We are hopeful that our Allies will be successful in a short time, but there is no warranty on that point. I, for one, am prepared to fight to my dying day rather than yield one tittle of the dignity of our nation to the autocrat at Berlin, and I would say that, if this war went on for fifty years, we should continue the war rather than yield. Is this Bill to

run for fifty years and be a menace for all that time to all the industries established under it? I may be told that the Federal Parliament will take care of them, but I say the State Parliament will take care of its own affairs, and that we should not put on the Federal Government the duty of protecting us as far as domestic policy is concerned. Any man who supports this Bill under the pretext that it is a war measure is deluding himself. Any man who possesses any well-founded principle of home rule for Queensland, or any other country, cannot conscientiously vote for this Bill. It is the duty of every Queensland to defend with might and main the rights of Queensland against the aggression which now threatens us with a view to filching from us the right to protect our people and manage our own affairs. If we pass this measure we shall be driving a nail into the coffin of Queensland as a sovereign State, and I, for one, will never be a party to such action.

HON. E. H. T. PLANT: It is unnecessary for me to say much on this subject after the able speeches we have heard from members on both sides of the House, but I should like to state briefly my reasons for voting against the Bill. My first reason is that the question at issue is one for the people and not the Parliament to decide. My second reason is that it has been shown that the Commonwealth have already ample power to deal with all matters connected with the war. Another reason is that there is nothing to show that this is what may be called a war measure. The people of the Commonwealth have twice rejected a proposal to confer the same powers on the Federal Parliament, and Parliament should not now deal with the matter without consulting the people. The giving of these powers to the Commonwealth at the present time of war and drought will interfere with the business of the States. Those are my reasons for opposing the measure. I shall not detain the House any longer. If a division is called for, I shall vote against the Bill.

Question—That the Bill be now read a second time—put; and the Council divided:—

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„ A. Hinchliffe	„ C. F. Nielson
„ F. McDonnell	

Teller: Hon. C. F. Nielson.

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„ C. Campbell	„ P. J. Leahy
„ A. J. Carter	„ B. B. Moreton
„ G. S. Curtis	„ T. J. O'Shea
„ A. A. Davey	„ A. H. Parnell
„ B. Fahey	„ E. H. T. Plant
„ E. W. H. Fowles	„ W. Stephens
„ A. Gibson	„ E. J. Stevens
„ G. W. Gray	„ A. H. Whittingham
„ T. M. Hall	

Teller: Hon. A. G. C. Hawthorn.

PAIR.

Aye—Mr. Thynne. No—Dr. Marks.

Resolved in the negative.

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PAPERS.

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

- Timber and quarry regulation, dated 4th November, 1915, under the Land Act of 1910.
- Regulation, dated 4th November, 1915, under the State Forests and National Parks Act of 1906.
- Regulations, dated 4th November, 1915, under the Public Service Acts, 1896 to 1901.
- Report of the Commissioner of Public Health for 1914-15.

DEATH OF ASSISTANT PARLIAMENTARY LIBRARIAN.

MOTION OF SYMPATHY.

The SECRETARY FOR MINES: The hon. members will recognise that during the last few days the grim hand of death has been amongst us again and has taken one of our oldest officers, Mr. Cornelius Moynihan, the Assistant Librarian. He was an officer of a good many years' standing, and one whose services were always at the disposal of members of this House and members of the Assembly, whenever we were seeking information or wished to hunt up records.

HONOURABLE MEMBERS: Hear, hear!

The SECRETARY FOR MINES: In recognition of his long and faithful services, I think it is only right that this Council should place on record a motion, showing that we appreciate the services that have been rendered to the Council by the late Mr. Moynihan. I therefore beg to move—

1. That this Council desire to place on record their appreciation of the long and faithful service of the late Cornelius Moynihan, Assistant Parliamentary Librarian, and to express their sympathy with the relatives of the deceased gentleman in their bereavement.
2. That the foregoing resolution be signed by the Presiding Chairman and forwarded to the deceased's relatives."

HON. E. W. H. FOWLES: May I be permitted to add a word here? It is in reference to the literary gift which was possessed by the late Mr. Moynihan. We have not a very numerous band of singers in Australia, but Queensland has produced Essex Evans and Brunton Stephens, and I feel sure that many hon. members have read with delight the very pleasing poems which have appeared from time to time in the daily Press from the pen of the deceased gentleman, and have also probably seen a beautiful little volume in which a number of his poems were collected. I read them through only the other day with great pleasure, and I think that the last poem he was permitted to write, "The Armageddon," certainly reached the highest heights with regard to literary excellence and fine thought that we have had from his pen. I had not the pleasure of knowing him intimately, but I did know him and found him a very obliging friend in the library, always ready to help, and well informed. I just rise to express my sense of indebtedness to him as being endowed with a literary gift that was cultivated to a very great extent, and by means of which he certainly reached a very large and delighted circle of readers.

HONOURABLE MEMBERS: Hear, hear!

Hon. E. W. H. Fowles.]

HON. B. FAHEY: I had the honour of knowing the late Mr. Moynihan. He was as faithful a servant as ever served Queensland. He was a patriot of his native country and a Queensland sincere patriot. His was a very nice, sweet, obliging disposition. He was a talented man, a credit to Queensland and a credit to his native country, and I know of no man whom I have met in Queensland whose disposition was so winning, inoffensive, and yet was that of a very shrewd man of the world. I exceedingly regret that the late Mr. Moynihan met such a sudden death. I realise that his services will be missed in this House, and also that he will be missed amongst his very large circle of friends. I in sadness support the motion so very kindly and considerably moved by the Minister.

HON. P. J. LEAHY: As one who knew the late Mr. Moynihan for the best part of twenty years, and who had many conversations with him on literary and other subjects, and who had an opportunity, when a member of the Library Committee when I was in the Assembly, of knowing how assiduous he was in the discharge of his duty, I may also be permitted to offer a few words. To many men he was known best by his works. Some of the poems he wrote were collected in a volume, "The Feast of the Bunya." Some of us have read his poems, as they appeared in the papers, and just recently he published a nice volume of poems with an introduction by Sir Robert Philp. This is not the place to enter into a discussion of the relative merits of his poems as compared with those of others. It is sufficient to say that many of his poems were of a high order of merit. It will be some consolation to his relatives to know that his memory is cherished, and, after all, that is all that we can do. As some poet has said—

"To live in hearts we leave behind,
Is not to die."

Question put and passed.

COMMON LAW PRACTICE ACT AMENDMENT BILL.

THIRD READING.

On the motion of the SECRETARY FOR MINES, this Bill was read a third time, and ordered to be returned to the Assembly by message in the usual form.

ADJOURNMENT.

The SECRETARY FOR MINES: I beg to move that the Council do now adjourn. The business to-morrow will be the second reading of the Diseases in Stock Bill, the consideration in Committee of the Metropolitan Water Supply and Sewerage Act Amendment Bill, the consideration in Committee of the Public Curator Bill, and the consideration in Committee of the Trade Union Bill. If we fix those up, we will pass on to the second reading of the Rights in Water and Water Conservation and Utilization Act Amendment Bill.

Question put and passed.

The Council adjourned at twenty-six minutes past 9 o'clock.

[Hon. B. Fahey.]