Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 19 AUGUST 1886

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LEGISLATIVE ASSEMBLY.

Thursday, 19 *August*, 1886.

Questions.—Petitions.—Motion for Adjournment—*Ad Valorem* Duty on Machinery.—Formal Motions.—Manufacture of Locomotives and Ironwork for Bridges in the Colony—resumption of debate.—Messages from the Legislative Council.—Employers Liability Bill—committee.—Adjournment.

The SPEAKER took the chair at half-past 3 o'clock.

QUESTIONS.

Mr. GRIMES asked the Minister for Works—

1. Was a ballast train running and men employed on the duplicate line between Oxley and Goodna Station on Sunday, the 8th instant?

2. If so, by whose instructions were they so employed, and why were they so employed?

The MINISTER FOR WORKS (Hon. W. Miles) replied—

1. Yes.

2. By instructions of the District Engineer, for repairs to the embankments damaged by the rain, and other work which could only be done on a Sunday.

Mr. ADAMS asked the Minister for Works—

When it is the intention of the Government to call tenders for the new post and telegraph offices at Bundaberg, for which a sum of money was voted last session?

The MINISTER FOR WORKS replied—

Plans have been prepared and sent to the Postmaster-General for approval. Tenders will be invited at an early date.

Mr. PALMER asked the Chief Secretary—

If the Government have any information as to the reports brought by H.M.S. "Opal" to Sydney about the continued occupation of the New Hebrides by the French troops from New Caledonia?

The CHIEF SECRETARY (Hon. Sir S. W. Griffith) replied—

The Government have no official information upon the subject.

Mr. NORTON asked the Colonial Secretary—

1. From what fund is it proposed to provide the money for building quarters for sergeant of police at Gladstone?

2. Has any communication yet been made to the Minister for Works as to the necessity for preparing plans and inviting tenders for the abovenamed building at an early date?

The COLONIAL SECRETARY (Hon. B. B. Moreton) replied—

1. From the general vote for police buildings and new stations.

2. No; but will be when the Estimates are passed.

PETITIONS.

Mr. WHITE presented a petition from the residents of Gatton praying for the repeal of the Contagious Diseases (Women's) Act, and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. WHITE, the petition was received.

Mr. FOOTE presented a petition from the Churchwardens of St. Paul's Church, Ipswich, praying for the repeal of the Contagious Diseases Act, and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. FOOTE, the petition was received.

Mr. GRIMES presented a petition from the clergymen and officers of the Congregational Churches and Sunday Schools in the Ipswich district, praying for the repeal of the Contagious Diseases Act, and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. GRIMES, the petition was received.

MOTION FOR ADJOURNMENT.

AD VALOREM DUTY ON MACHINERY.

Mr. BLACK said : Mr. Speaker,—I propose to conclude the remarks I am about to make with a motion for adjournment. I rise for the purpose of obtaining some information from the Colonial Treasurer. That hon. gentleman made a Financial Statement last night—a statement which, no doubt, will be criticised and analysed with the greatest interest by the whole of the inhabitants of the colony. At the end of that statement I asked the hon. gentleman the question whether the increase of 2½ per cent. to the *ad valorem* duty, making it 7½ per cent. in future, would apply to machinery, and the hon. gentleman gave me to understand that all goods or articles upon which an *ad valorem* duty was collected would have to pay the increased duty. I was under the impression at the time that last session when we imposed a duty of 5 per cent. on machinery it was to be a fixed duty, and did not properly belong to the *ad valorem* class. I should not, perhaps, have referred to this matter this evening but for the attention which the Colonial Treasurer himself gave to a newspaper article in his speech yesterday afternoon. He at somewhat considerable length endeavoured to impugn the accuracy of a statement which appeared recently in a paper which, although the hon. gentleman did not mention it by name, I believe was the *Courier*. The hon. gentleman somewhat invalidated the accuracy of the statements therein made in connection with the finances of the colony. In the *Courier* of this morning I notice it is said that machinery is to pay the increased duty ; but the other paper—which, I have been given to understand, is owned chiefly by members of the Ministry, and therefore might be considered to have exceptional means of information—gives a different version. I will just read what it says this afternoon on the subject. I may say, Mr. Speaker, that I rise now for the purpose of getting this question settled, so that we shall know in the North what we shall have to pay in the future in connection with this duty. I will mention incidentally that the machinery tax last year realised some £8,000 only, but of that £8,000 no less than two-fifths was paid by the inhabitants of the northern portion of the colony—slightly over two-fifths. Assuming that they number one-fifth of the population, it is evident to anybody that so far as that tax is concerned the incidence of taxation presses twice as heavily upon those in the North as upon those in the South. This matter will probably be referred to in detail when the debate comes on to-morrow, and I will therefore not refer to it at any greater length just now beyond mentioning that fact. In the Government organ of this afternoon I find this statement :—

> "From the short discussion on the speech it was made apparent that the additional impost will not fall upon articles claiming special duty, not even upon machinery, and that duty will be fixed upon the invoice value."

I rise to move the adjournment of the House, for the purpose of enabling the Colonial Treasurer to state to which of these daily journals we are to give credence.

Mr. LUMLEY HILL : Not the *Courier*, anyhow.

Mr. BLACK : I have no interest in either of the papers, though the hon. member who interrupted me may have. At all events, I do not think he will deny that the Government have a special organ, and if they have they are bound to see that the statements made therein are sufficiently accurate not to mislead the public.

The COLONIAL TREASURER (Hon. J. R. Dickson) said : Mr. Speaker,—I do not reply as the proprietor of either paper or as connected with either, nor do I intend to make any public declarations through the Press as long as I have a seat in this House. In my official position I will answer any question put to me in the House, but I will not enter upon any explanation through the Press. I cannot understand why this question should be asked this afternoon at all, after the very clear statement made last night, and which appears in *Hansard* this morning. In reply to the hon. member for Mackay, I stated—

> "In reply to the hon. member, I may mention that this increase will be levied on all articles at present paying *ad valorem* duty and not fixed duty."

And if the hon. gentleman will turn to the schedule of Customs duties of last session he will find that machinery for manufacturing, sawing, sewing, agricultural, mining, and pastoral purposes, steam engines and boilers, is set down under *ad valorem* duties. Machinery, therefore, comes under *ad valorem*. I will not take up the time of the House in continuing the financial debate this afternoon. Hon. members will see that that is not necessary. I desire to add, however, that the hon. gentleman need not look to any of the newspapers issued in Queensland for an exposition of the views of the Government in connection with the Treasury, except such as are uttered in this House.

Mr. LISSNER said : Mr. Speaker,—I think we have got the information we wanted. It appears to me that the *Telegraph* is wrong. That is all we wanted to know.

Question of adjournment put and negatived.

FORMAL MOTIONS.

The following formal motions were agreed to :—

By Mr. FRASER—

> That leave be given to introduce a Bill to enable the Corporation of the South Brisbane Mechanics' Institute to sell the whole or part of the land, being allotment 6, section 36, parish of South Brisbane, and to devote the proceeds to the purchasing of a more suitable site, and to the building of a new mechanics' institute thereon.

The Bill was presented, and, on the motion of Mr. FRASER, was read a first time.

By Mr. FOOTE—

1. That a Select Committee be appointed to inquire into and report upon the circumstances connected with the contract between the Government and Messrs. R. and J. Lindsay for supplying coal to the Railway Department, and with the alleged breach of such contract, and the claim of the Messrs. Lindsay consequent thereupon.

2. That such Committee have power to send for persons and papers, and leave to sit during any adjournment of the House, and that it consist of the following members, namely:—The Minister for Works, Mr. Wakefield, Mr. Donaldson, Mr. Palmer, and the mover.

By Mr. MURPHY—

That there be laid on the table of the House a return showing the cost of all tanks, reservoirs, dams, bores, and wells constructed by the Hydraulic Engineer in the pastoral districts of Mitchell and Gregory; showing the number of yards excavated from each particular tank, dam, or reservoir, with the cost per yard in each instance, and of supervision; also the cost of maintenance, if any. In the case of the bores or wells, the depth attained in each, and total cost of each one, specifying them individually, and the results as regards supply of water supposed to be attained in each.

MANUFACTURE OF LOCOMOTIVES AND IRONWORK FOR BRIDGES IN THE COLONY—RESUMPTION OF DEBATE.

On the Order of the Day being read for resumption of debate on Mr. Annear's motion—

"That, in the opinion of this House, the time has arrived when, from the number of skilled mechanics in the colony, an effort should be made by the Government to encourage the manufacture within the colony of locomotives and all rolling-stock in future required for our railways, and all ironwork required for our bridges"—

Mr. BLACK said: Mr. Speaker,—A week ago when this motion came on for debate, I noticed a considerable amount of laxity amongst the hon. members who addressed themselves to the question; and when the time came for the adjournment, I thought it would be a great pity if the motion should be carried—I could see no reason why it should be negatived—without affording hon. members a little more time to think over it and lay their views before the House. I consequently moved the adjournment of the debate for the purpose of having it renewed this afternoon. No doubt, Mr. Speaker, from the way that this motion is worded, it is one that cannot possibly give rise to any antagonism. I think all hon. members of this House will admit that the Government—this Government or any other Government—are bound to do all they can to foster the manufacturing industries of the country; and in that way I think most hon. members expressed themselves. But, I think, Mr. Speaker, that behind this motion there is something else really intended. It was really intended, I think, by the hon. member for Maryborough, who introduced this motion in a very able and telling speech—I think it was really his wish, as I know it is the wish of several hon. members of this House, to get some inkling of the feelings of this House in connection with the question of freetrade, fair trade, or protection. Now, it is no use disguising the fact that these are questions which are being discussed to a very great extent by the outside public; and I think I might go so far as to say that during the next general election they will be amongst the leading questions of the day. I know that many hon. members, and many of the outside public, are very much inclined to say that they are freetraders. A great many of those who express that opinion do so because they have been told that freetrade is the policy which has brought England to its present state of prosperity, and that therefore we are bound, being descendants of England, to follow exactly in her footsteps. But although, Mr. Speaker, I am not prepared on the present occasion to state myself an emphatic protectionist, I still do believe that occasions may arise — and are already arising in this colony—when that hard-and-fast principle of freetrade will have to be abandoned, in the interests of our manufacturing industries, and in order to find employment for the rising generation which we see so rapidly growing up around us. In this matter, Mr. Speaker, I somewhat differ from the hon. the Treasurer, who was the only gentleman in the House who emphatically denounced any attempt at protection. As a week has elapsed since the debate took place, I will just briefly refer to the hon. gentleman's utterances. They were perfectly sound from the freetrade point of view, and I give the hon. gentleman every credit for not having attempted in any way to disguise his feelings or ideas on the subject. Neither do I wish in any way to disguise mine on the present occasion. The hon. gentleman said:—

"There can be no doubt that it is highly desirable to encourage by every legitimate means the fostering of industries in the country; not only the iron industry, but all other industries that can be fairly encouraged without any disproportionate charge upon the general taxpayer. At the same time, I am not disposed to sit quietly by and assent to a proposition that the general taxpayer should be assessed at from 25 to 100 per cent. upon the cost of an article produced by a particular class, and that no other section of the community should derive any benefit whatever—or rather, to put it in this way, that the whole nation should be taxed for the aggrandisement of a few. I distinctly disavow any such policy as that, and I trust it will never be the recognised policy of any Government with which I have the honour to be connected. I go to this extent, that as far as possible it is desirable to encourage by every legitimate means, and by no undue pressure upon the general taxpayer, the establishment of industries in our midst; and I say that the action of the present Government has been to a very large extent to encourage local industries."

Now, sir, while assenting to a part of that, I entirely differ from the last portion. I say that if ever there was a Government that came into power which did more than any other Government to discourage local industries it is the present Government. And it is in consequence of the depression brought about by this Government having persistently discouraged local industry that the hon. member for Maryborough has brought forward the motion before the House. He finds the shoe pinching on the industries with which he is especially connected, and he laid the case before this House in a very able way. The hon. member pointed out how the depression in the foundries is likely to increase in consequence of the barges and dredges which the Government let contracts for to the iron foundries being nearly completed. But there are other causes to be sought for behind that in order that we may find out what is really the cause of the depression among the foundries. The Government, according to my view, let the contracts to which I have just referred, to the foundries in order to relieve them from the depression which was rapidly approaching them three or four years ago, and which was brought about by the action of the Government in destroying one of the chief means of support to the foundries—namely, the sugar industry. There is no doubt that the establishment of the foundries in Maryborough and Brisbane was brought about very largely by the very rapid progress made by the sugar industry in the northern portion of Queensland, and so long as that industry was prospering we never heard one word about embarrassment in the iron trades. There was ample work for all; in fact, I know of my own knowledge that the foundries could not complete all the orders they received, and this was especially the case with regard to

the magnificent foundry at Maryborough. The consequence was that a number of orders had to be sent home owing to the impossibility of getting them executed here within a reasonable time. But although the foundries are applying for relief at the present time, through the hon. member for Maryborough, they are not the only industry suffering from depression, and it is a very unfortunate thing that the depression in connection with these industries, to which I shall refer, cannot be attributed to that cause which the Government so fortunately have to excuse every mistake they have made for the last three years. I mean the drought. I do not know what the Colonial Treasurer would have done last night if he had not been able to point to the drought and say that was the cause of failure. The Minister for Lands attributes everything to the drought in the failure of his Land Bill. I contend that that is not the cause of the depression in our industries; the cause is to be found in the action of the Government in their legislation and administration. The squatting industry is in a depressed condition. We find cries coming from the unemployed in the West; in fact, all the squatting industry is depressed to a much greater extent than the sugar industry. I attribute the depression in the iron trade, as I said before, to the destruction of confidence in the sugar industry. The Colonial Treasurer said last week that every Government was bound to do all they could, without sacrificing any particular portion of the community, to encourage the manufacturing industries of the colony. But what have the present Government done? They have done nothing. I say the time is not far distant when those interested in the manufacturing industries of the country will compel the Government to take some action in this direction, and some more decided action than has been taken up to the present time. There is another aspect of this question, which was referred to by the hon. member for Wide Bay (Mr. Bailey), which I think is deserving of very serious attention indeed from this House, and that is the rapid increase of the juvenile population of the colony. We are at an enormous expense, comparatively speaking—I mean an expense of £200,000 a year—in educating the young people of the colony to a station, in the majority of cases, above that occupied by their parents. We are rendering them fitted for entering into manufacturing pursuits, and we know quite well that unless we in some way encourage the manufacturing industries, and the manufacturing industries that will be established in the colony, we shall be unable to find them fitting employment. It is useless looking to the Civil Service for employment for our young men and young women. That is already overdone. There is no employment that I know of which I would more regret to see anyone belonging to me enter than the Civil Service of this or any other country. We are, I say, educating our young people, by schools of art and technical colleges, that they may become our future manufacturers, and it is absolutely necessary, no matter what Government may be in power, that some steps should be taken to establish those industries by some system of encouragement—not by bonus or by endeavouring to establish industries for which the country is not fitted, but by establishing the industries for which the country is fitted. In that connection I abandon the principles of freetrade, and become a protectionist. It is no use telling me that England would never have attained her present position but for freetrade. I deny that entirely. Had England not established a protection policy centuries ago she would never have become the freetrade country she is now. There is another thing in which I think the Government in their desire to encourage the legitimate manufacturing industries of the country might have done something, and that is to have established a reciprocity treaty between this colony and Victoria. There is ample scope for it, and such an arrangement would have been a great relief to the sugar industry of the North; and although hon. members down here, who know very little about the sugar industry, may possibly think differently, it is an industry of vast importance, and it is an industry for which, if the Government had the welfare of the whole colony at heart, they might have done something more than they have done—which is absolutely nothing—to put it in a satisfactory condition. We know that is a fact, and the Premier who is looking at me now knows that when he was in Victoria recently a number of gentlemen met him and asked him to accord his support to the reciprocity movement in that colony. I know what freetraders would tell me. They would say reciprocity means that a pair of boots would cost a sixpence or a shilling more than they do under present circumstances—that a pair of trousers or any other article would cost more with protection than without. But I think those who argue from that point of view must be very short-sighted indeed. I do not manufacture any of the articles I have described; I use them. But I am not going to employ the argument—Why should I pay one, two, or three shillings more for an article I wear for the benefit of a certain class? The welfare of the whole community will benefit me. If my property—my horses, my cattle, my sheep—will increase 5 per cent. in value, in consequence of the general prosperity of the country—if that general prosperity can be brought about by encouraging manufactures and getting a contented, well-to-do population settled round about me—I am quite willing to pay my quota in the increased cost of an article which I use but do not produce. The same thing would be brought about by a reciprocity treaty with Victoria. There might be a slight additional cost on those articles brought into the country, but let them take the 40,000 or 50,000 tons of sugar which we produce; and that means not merely the prosperity of those immediately engaged in that industry—it means at once increase of work to our foundries; it means placing our revenue on the sound footing on which it was based three or four years ago; and it means a revival of that prosperity which we had a few years ago, and which this Government, I regret much to say, have done nothing that lay in their power to encourage. I entirely agree, Mr. Speaker, with the object of the motion brought forward by the hon. member for Maryborough, and I only regret that he did not make it very much more general in its nature. Perhaps, now that I have thrown down the challenge to some hon. members of the House, this debate will take a very much wider scope, and the Government will see, from the tone of the speeches of those who take part in the debate, what the probable tendency of this question will be at the next general election. I believe myself that it will enter very largely into the consideration of the constituencies. Everything is in a most depressed state at the present time, and it is necessary that this question should be properly put before them. I think the Government should watch this debate closely, and if it results, as I think it will, in a wider discussion of the question, that they will see that it is not a question to be dismissed with a few words; that it is not to be dismissed in the off-hand way the Treasurer dismissed it when speaking on the subject the other evening—namely, that he was a

determined freetrader himself, and that he hoped that no Government with which he was ever connected would take the opposite side of the quesiion.

The PREMIER said: Mr. Speaker,—I did not intend to say anything on this motion, the Colonial Treasurer having spoken for the Government in the matter; but there was one point raised by the hon. gentleman who has just sat down upon which I should like to say a word. The hon. gentleman refers to the question of reciprocity with Victoria, and alludes to some overtures made to me when in Victoria on the subject. The hon. member's accuracy is at fault. It is quite true that overtures were verbally made to me by private individuals there. but, so far as I was able to discover, they were not supported by the Government of the day. I certainly considered so. Some gentlemen who are much interested in the matter discussed it with me in a preliminary sort of way; and I have taken the opportunity, on more than one occasion since then, of communicating with the members of the Government in Victoria upon it. Until recently I had no reason to suppose that any proposition of the kind made by this Government would be entertained. Those conversations that I have referred to were merely of a preliminary nature, and no communications have passed in writing. I had until lately no reason to believe that a proposition of that kind would be favourably entertained by the Victorian Government, but it is now receiving the consideration of this Government. It is not necessary to say more on the subject at the present time. I notice that the hon. member for Warrego has given notice of a motion which will raise the whole question, and it will be more convenient to discuss it then. I only rise now to inform hon. members that the matter has not been lost sight of by the Government, but is receiving their most careful consideration.

Mr. BULCOCK said: Mr. Speaker,—I must say that I listened with a considerable degree of pleasure to the speech made by the mover of this motion, although I do not altogether agree with it. There seemed to me to be an indefiniteness about it which was anything but satisfactory, as if something more was meant than was said. I regret that very much, and it is on that account that I feel inclined to make a few remaks upon it this afternoon. The meaning of the motion may be fairly drawn from that hon. member's speech. He refers to the Americans as a far-seeing people, for which reason we ought to follow them in this matter of the tariff. He speaks very highly of the Victorians, and says the Government of that colony is carried on on a proper principle; and then he condemns the Government of New South Wales, calling it a freetrade Government. From this we may fairly infer that he intends the motion to be an expression of opinion as to whether protection should be adopted in this colony or not.

Mr. ANNEAR: No.

Mr. BULCOCK: That was the impression produced on my mind, and since reading the hon. member's speech I could only arrive at the same conclusion. It was further strengthened by a remark made by the hon. member, Mr. Brookes, who plainly said that there was more behind the motion than appeared on the face of it. I object to the principle involved in the motion, because it implies that we ought to give more than the value for certain goods because they are manufactured in the colony. The reason given or implied for this is that at present those goods cannot be manufactured in the colony because our appliances are bad. But if that principle is to be applied to one industry, why not apply it to all? But the principle appears to me to be essentially mischievous. Is there a single member of this House who would conduct his private business on a principle of this kind? Would the mover of the motion (Mr. Annear), or would the hon. member for North Brisbane (Mr. Brookes) who spoke so strongly in favour of it—would they, on going to buy an article and having to choose from two, one manufactured in the colony and the other imported and offered at a lower price, one being just as good as the other—would either of those hon. members give 25 per cent. additional on the colonial-made article, just because it was manufactured in the colony?

An HONOURABLE MEMBER: The hon. member for North Brisbane would.

Mr. BULCOCK: If he would, he is the only Lancashire man who ever did; he would look upon such a thing as being an injustice to his family, and so it would. But, sir, is there to be a different code of morals laid down for us as private individuals, and as trustees? Are we not custodians of the public purse, and are we justified in giving away what belongs to other people for things we would not do if the money was our own? On that principle I certainly object to this kind of motion. And besides that, if the spirit of this motion was carried out it would be subsidising one industry at the expense of all others. The bricklayer, the carpenter, the labourer—even the farm labourer, who gets £40 or £50 a year, would have to contribute his quota towards paying the wages of men who get three and four times as much. That in itself is an injustice. Any attempt to subsidise any one trade in this manner brings it down to the worst form of class legislation. Is there any hon. member of this House who would for a moment think of protecting the manufacture of sewing-machines, or watches, or things of that kind?

An HONOURABLE MEMBER: Yes.

Mr. BULCOCK: Indeed! I very much doubt it. Supposing, for instance, a number of watchmakers came here from Europe and said, "We can make watches equal to any that are made in the world, but our appliances are not so good as they are in Europe and America, and we shall, therefore, require an advance of 25 per cent." I ask is there any hon. member who would say "yes" to that? I do not believe there is.

Mr. LUMLEY HILL: Start it at 10 per cent.

Mr. BULCOCK: Of course, if any hon. gentleman is like one who has already spoken upon the subject, and admitted that he has an interest in the particular industry that he wishes to protect, I can understand that his feelings may be in some way biased, and that he is scarcely able to give that independent and impartial opinion that he would otherwise do. The adoption of the principle would lead to its application to other things. The very same principle might fairly and logically be applied to squatters. Pastoralists might say, "Wool is very low in England; we find our appliances for cleaning it, and so on, not so good as they are there; give us an additional price for our wool in order to enable us to compete with the English market?" What would my hon. friend the member for North Brisbane say then? Has he not spoken against class legislation, and the hon. member for Maryborough did the same. The application of the principle is the same in both cases. It is said, "This is only to be temporary." But that has everything to do with it. If a protective duty is put upon any industry, where is it to stop? It was only to be a mild form when first passed in Victoria in 1865, but in 1871 what was it?

An HONOURABLE MEMBER: They found it was good.

Mr. BULCOCK: I shall show you what it was before I sit down, even in its temporary character. Where did you ever hear or read of any monopolists being tired of bleeding the public? And it will be so in this case. I object to the principle of the motion, too, because it would have a tendency to concentrate capital in an industry protected and likely to pay, and keep it from industries that are not paying so well. The effect of that would be over-production, which would naturally lead to lower wages. This would make the poor men poorer, and, as is the case in all protected countries, the rich man richer. There is a great deal of wealth in Victoria, but there are more poor people there than in any other Australian colony.

Mr. LUMLEY HILL: Question!

Mr. BULCOCK: That is the result of over-production, and it will be a great deal worse now because New South Wales has been obliged, from the state of her exchequer, to put on an *ad valorem* duty of 5 per cent. Who is it that are crying so much about that, sir? The manufacturers of Victoria. And the manufactures of that colony have not kept pace with those of New South Wales since 1870. If we give 25 per cent.——

Mr. KATES: I rise to a point of order, Mr. Speaker. When I was addressing the House last week on this subject I was pulled up by you, sir, for introducing the question of protection in Victoria. I was told that it was not a protection question. I therefore ask, is the hon. member in order in doing the same thing?

The SPEAKER: I think when the hon. member for Darling Downs was interrupted this day week he was speaking of the number of acres of land under cultivation in Victoria. The hon. member for Enoggera, Mr. Bulcock, is simply quoting incidents in illustration of his reasons respecting the motion. I think the hon. member is quite in order in the course he is pursuing.

Mr. W. BROOKES: I also rise to a point of order, Mr. Speaker. I agree with the hon. member for Darling Downs, Mr. Kates. If the hon. member for Enoggera is travelling all over the country and referring to everything made or manufactured, surely he is departing from the subject of the motion. When the hon. member for Darling Downs was called to order he was talking about land; and the hon. member for Enoggera is talking about principles which apply to land as much as to sewing-machines. This motion, I take it, is confined strictly to locomotives.

The SPEAKER: The motion before the House refers to locomotives, rolling-stock, and bridges, and involves a question of manufactures. If, in support of any argument the hon. member chooses to introduce, he wishes to refer to the manufacture of machinery in other colonies in order to show the effect it might have upon the object of the motion, I think he is quite in order in doing so.

Mr. BULCOCK: My only wish was to bring this forward as an illustration of the principle involved in the motion of the hon. member for Maryborough. I do not say anything about his motives.

An HONOURABLE MEMBER: Locomotives!

Mr. BULCOCK: I was about to say, with regard to a proposal of this kind, that if the Government were instructed by this House to pay 25 per cent., or even 20 per cent., higher for locomotives and rolling-stock manufactured here than they would have to pay for the imported article of the same quality, it would be equal to paying one-fifth more for which the colony derived no equivalent. That, again, would be equal to paying one-fifth of the men employed for doing nothing that is of advantage to the colony. And besides that, the principle has the effect—and, from what I know of ironworkers, I believe they are inclined to resent it very much—the effect of making them appear as a kind of recipients of public relief.

Mr. ANNEAR: Nonsense!

Mr. BULCOCK: The question is to what extent we can go in matters of this kind, and in order that I shall not be misconstrued or misinterpreted, with the consent of the House I shall here read a few words as to the extent I think the Government is justified in going in matters of this kind: The only extent, it appears to me, to which any Government is by the principles of common fairness to the general taxpayer justified in giving a higher price for home-made manufactures over imported ones of the same quality is the difference in cost between the goods landed here and the amount it costs—if any—to refit, and put in similar working order to those supplied in the colony. If it costs 10 per cent. to do that, then, in paying that amount, the general taxpayer receives the value of his money. The economic principle involved in this motion is one that is generally condemned by the best writers both in England and in Europe. The mover of the motion stated that John Stuart Mill, the greatest freetrader of his day, was in favour of protection in young countries. John Stuart Mill did not say anything of the kind. John Stuart Mill gave a kind of hypothetical case. He intimated that it might under certain circumstances be economically defensible; but the principle of protection itself was altogether indefensible. Professor Sumner, of Yale, sums up that point in these few words:—

"In this, as in other matters, we cannot argue with certainty from what might have been."

Hon. members who have spoken so far in favour of this kind of policy appear to have gone upon the principle that trade is paid in specie. It is well known that such is not the fact. There is not sufficient money in the world to do it. In the year 1877 the imports into England over the exports amounted to £80,000,000; in 1878, to £63,000,000 over the exports, or £143,000,000. It has been calculated that this, if it had been paid in specie, would have swept away every coin, and all the plate, watches, trinkets, and ornaments, from the gold tankard to the silver pencil-case. Twelve months after that there was as much money in the country as there was before. That is a proof that trade is a kind of barter, and not all done in money, but in kind. I hold in my hand a work by J. H. Farrer on freetrade and fair trade, a gentleman connected with the Board of Trade in London——

Mr. LUMLEY HILL: I rise to a point of order. I have looked up the debate of last Thursday, when the hon. member for Darling Downs was called to order, and I find that he said in reply to your ruling, Mr. Speaker, that this was a question of protection; but hon. members said "No, no": and he had to abandon the course that he chose to adopt—that he thought he was justified in adopting. I really do not see if he was not allowed to diverge into the question of freetrade or protection last Thursday, why the hon. member for Enoggera should be allowed to do so on this Thursday.

The SPEAKER said: It is not the practice to argue a ruling from the chair. The proper course for the hon. member to adopt, if he thinks I have decided wrongly, is to move a

motion that it be disagreed to. I cannot rule otherwise than I have done. I have followed the hon. member for Enoggera closely, and I think he is now diverging from the subject before the House in his remarks; but as no hon. member had called attention to it I did not interfere. I draw his attention now to what is practically the motion before the House—that it relates to manufactures and not to fair trade or freetrade.

Mr. BULCOCK said: I have in my hand the speech made by the hon. member for Maryborough, and he gave as a reason why this motion should pass that motions involving the same principle had been passed in Victoria, and acted upon for some time, and that the result had been very good. It is the principle involved in this motion that I am speaking to, and not so much to protection; but the underlying principle in the motion is what I am combating. That is the reason why I have diverged, if I have done so. I have no wish to do so. But when the mover of the motion mentioned this matter I thought I was justified in following him in the remarks he had made, and showing him that he had drawn wrong inferences. The hon. member for Maryborough pointed to Victoria as an example and proof of the benefits to be derived by this colony from following that course of action. In the *Fortnightly Review* for 1882, vol. 31, page 369, Mr. George Baden Powell has given a kind of analysis or comparison between the progress of New South Wales and Victoria. The hon. member for Maryborough condemned New South Wales on account of her freetrade policy, and defended the policy adopted by Victoria, because it was one of protection—or I will use the words "high tariff" if hon. gentlemen do not like the term "protection." Mr. Powell, who is a writer on economical subjects, and a very good one, says he was a sojourner in Victoria and New South Wales in the year 1870 and the year 1880, and he takes the decade between these two years and compares the results of the respective policies of the two colonies. I have tabulated these results, and with the indulgence of the House I will now give them. The tariff of Victoria was made a moderately high one in 1865 by Sir James McCulloch, and it was made a very high one by Sir Graham Berry in 1871, and has remained so ever since. It must be remembered that the great amount of gold obtained in Victoria in the early part of its existence had a great deal to do with the settling of the colony, and she went by leaps and bounds beyond New South Wales. The yield was so large that the railway system and all the facilities of civilisation were very much more developed there than they were in New South Wales. There are no figures given in the article to which I refer as to the year 1870, but I find that in 1880 the number of people employed in manufactories in Victoria was 28,000, or 3·2 per cent. of the total population. In the same year the number employed in New South Wales was 25,000, or 3·7 per cent. of the total population. This in some measure disposes of the vaunting argument that high tariffs find more employment than lower ones. The next matter mentioned is shipbuilding. In Victoria in 1870 there were 800 tons, and in 1880, 400 tons, a decrease of 400 tons in ten years. In New South Wales in 1870 there were 1,800 tons built, and in 1880, 3,000 tons, so that in that matter the lower tariff colony shows to advantage. It is sometimes said that a very high tariff is a source of revenue; but we shall see by comparison. The Customs revenues of Victoria during the decade I have mentioned remained about stationary, £1,400,000. In New South Wales the revenue in 1870 was £950,000, and in 1880 £1,300,000, which was only £100,000 below Victoria, although the population of the former was less by 130,000. With regard to the export trade, how would the high tariff colonies be? In 1870 the export trade of Victoria was £27,600,000, and in 1880, £30,500,000. In New South Wales in 1870, the export trade was £19,000,000, and it steadily rose till in 1880 it was £29,000,000. The increase in one case was £10,000,000, and in the other scarcely £3,000,000 —£2,900,000. The question may be asked—Ought there not to come off the returns for Victoria from £2,000,000 to £3,000,000 for wool, the produce of New South Wales, and which appears twice in the Victorian figures—once as an import on the Murray, and next as an export from Hobson's Bay? But allowing Victoria that amount, she only increased by one-third, while New South Wales increased by more than one-half. Taking 10 per cent. profit on these increases, New South Wales added to her annual national income £1,000,000, while Victoria only added in the same time £300,000. It is stated that the value in 1870 of articles the produce of manufactures in the colony was in each case 77 per cent. of the total exports. In 1880 it had risen in New South Wales to 83 per cent., while in Victoria it had fallen to 68 per cent. in the decade. Take the imports. The imports in Victoria in 1870 amounted to £12,500,000, and in 1880 to £14,600,000, or 20 per cent. only. In New South Wales in 1870 the imports were £9,000,000, and in 1880 they had reached £14,000,000, or an increase of 60 per cent., so that not only the power but the using of the power to purchase imported goods increased by three times in New South Wales over that of Victoria. Take the returns of the shipping visiting each colony during the decade. In 1870 in Victoria the tonnage was 1,300,000 tons, and in 1880, 2,200,000 tons. In New South Wales in 1870 the tonnage was 1,500,000 tons, and in 1880 it reached 2,600,000 tons. Taking the record of ships coming and going in ballast during the decade, there arrived in Victoria 113,000 tons in ballast, and left in ballast 2,500,000 tons, and in New South Wales there arrived 3,000,000 tons in ballast, and left 117,000 in ballast. Take the record of the population. The increase in population generally depends upon the social condition of the people, and is a proof of the general prosperity or otherwise of the people of a colony. In 1870 in Victoria the population was 730,000, and in 1880 it was 860,000, or an increase of 17 per cent., scarcely as much as might be expected from the natural increase in the time. In New South Wales in 1870 the population was 520,000, and in 1880 it had reached 740,000, or an increase of 48 per cent. I saw by a letter which appeared in the *Telegraph*, signed by the Victorian Government Statist, Mr. Hayter, that he says that the population of New South Wales in June last was only 5,886 below that of Victoria, and if the two colonies go on at the same rate their population will be about equal when the year 1886 ends. Taking the record for rateable property—and we may suppose that where the rateable value of property increases it is an indication of prosperity—we find that during the decade rateable property has doubled in value in New South Wales, while in Victoria it has only increased in value by one-half. The Savings Bank returns are peculiar, and appear to me to prove what all the other figures I have mentioned have proved, that the colony with the low tariff has been far more prosperous than the colony with the high one. In 1870 the amount deposited in Victoria was £1,100,000, and in 1880 it was £1,600,000. In 1870, in New South Wales, the amount deposited was £930,000, and in 1880 it had ncreased to £1,500,000. The number of deposi-

tors in Victoria increased from 38,000 to 76,000 in the decade, and in New South Wales the number of depositors in 1870 was 21,000, and had increased in 1880 to 38,000.

The SPEAKER: I must remind the hon. member that he is travelling far away from the resolution before the House. The resolution before the House is to encourage the manufacture of locomotives, rolling-stock, and ironwork required for bridges within the colony of Queensland, and I can hardly see what relation the shipping and population statistics of the colonies of New South Wales and Victoria can possibly bear to such a resolution as the hon. member for Maryborough has moved.

Mr. BULCOCK: I do not wish to continue, Mr. Speaker, if you think I am not in order in doing so. I only wished to show what has been the effect elsewhere of the principle contained in the hon. member's motion. I do not wish simply to negative the motion, and will therefore move as an amendment that, after the word "Government," the words "due regard at the same time being paid to the rights of the general taxpayer" be added. The motion will then read:—

"That, in the opinion of this House, the time has arrived when, from the number of skilled mechanics in the colony, an effort should be made by the Government, due regard at the same time being paid to the rights of the general taxpayer, to encourage the manufacture within the colony of locomotives and all rolling-stock in future required for our railways, and all ironwork required for our bridges."

Amendment put.

Mr. S. W. BROOKS said: Mr. Speaker,—I have no desire to prolong unduly the debate on this motion, but as in my candidature I declared myself to be a freetrader—some of my protectionist friends, I believe, look upon me as an ultra freetrader—though I am not one, I hope, in the sense of which the hon. member for Mackay spoke, simply because I was born one. I am a freetrader from thorough-going honest conviction; and because I so declared myself, my silence when this motion is before the House might be misconstrued. Here is a motion brought forward which declares that the time has arrived when certain action should be taken by the Government, that action being to encourage the manufacture within the colony of the locomotives and rolling-stock in future required for our railways. It may be admitted at the outset that this motion embodies what may be called a cry—a cry which arises out of the pinch now being felt from the badness of trade, real all-round bad times. Many of my constituents are working men; not a few of them belong to the order of working men who would be affected by this motion, and these men have my thorough sympathy. Any man who would charge me with heartlessness in relation to these men would very much misjudge me. My sympathy goes towards them, and I would give them as much help as is possible, due regard being had, as the hon. member for Enoggera has suggested in his amendment, to the interests of the rest of the community. That I take to be the point which we must chiefly consider. The foundation of the whole matter is, as I have already stated, bad times, hard times, bad trade; and the question to be considered is, how can the incidence of the suffering caused by these bad times be made less? My friend the hon. member for Maryborough comes forward with this motion as a remedy. He says that this will be the heal-all, the panacea, for the terrible distress which is now prevailing—a sure and certain cure for all this trouble. That if the Government will but adopt this motion we shall soon see rosy times, complaining will cease in our streets, and everybody will grow fat and flourishing. That, I believe, is what the hon. member believes. But I fear his remedy will not meet the case. On the face of it this motion looks really harmless. There does not seem to be much in it, judging from the surface; it is not a bold, full-fronted advocacy of protection. The hon. gentleman does not come forward and say that we should put 20 or 25 per cent. on all machinery brought into the colony, and I give him credit for believing that such a motion would not meet with acceptance in this House. The country is not yet ripe, whatever it may be in the future, for the advocacy of full-blown protection—fair, open-fronted protection—so he comes with something that is more insidious, something that looks harmless on the face of it; he asks us to do that which in the abstract we all admit should be done—to give encouragement as far as we can to our neighbours, to those around us. He seeks to induce the House to pass this motion, but under what terminology? "Encouragement to native industry"—that is the term used now. People have got beyond the use of the old bad-looking word "protection"; that does not come to the front so much as it did a few years ago. Now we have this nicely sounding, elegant expression, "encouragement of native industries," or, as I believe they have it in most American productions, "encouragement of home industries." But when all the disguises are stripped off it is still the same old ugly, naked, protection; so that really this motion is like a sugar-coated pill, which the hon. member has brought to the House and asked us to swallow. I feel really amused at the ease with which some hon. members have gulped down this pill. They have taken it without a single grimace, as though it were the simplest thing in the world—something entirely harmless, something of the most ordinary sort. Even the hon. Minister for Works, whom I always understood to be a man with a very constricted throat—almost as constricted as my own—even he took it without a single indication in his face that he was taking anything nasty. He fell into the snare of the hon. member for Maryborough without the slightest difficulty. That, Mr. Speaker, really gave me considerable astonishment, and I can only account for it in this way: Those hon. members who were ever boys—some men, you know, never were boys; they sprang from childhood to manhood at a jump—will remember that when as boys they had to take a nasty dose of medicine, a good deal depended upon the nature of the doctor who administered it. If a cadaverous, lantern-jawed individual came and said "John, you must take the medicine," John's throat began to grow less and less, and he could not get it down; but if some jolly, bluff, hearty fellow, like my friend the member for Maryborough, with lots of what the French call *bonhomie* about him, said "Come along now, you have to take this pill," he took it without any trouble. That is the only way I can explain how it is that some hon. members, from whom I expected better things, swallowed this motion without the slightest difficulty. I must give the Treasurer credit for not having countenanced it; he would not have it; he treated it as we treated the medicine presented by the cadaverous lantern-jawed doctor. Now, I declare that, in my opinion, this motion which the hon. member asks the House to adopt is mere economic quackery—a nostrum that will not work the cure the hon. member says it will work; it will not do what he professes it will do. Let us look this thing squarely in the face for a few minutes. I shall endeavour to be brief and not tread on the toes of those hon. gentlemen who are so fond of raising points of order. This motion makes especial and particular reference to ironworkers; they are selected; it is a discriminating motion,

It shuts out all other lines; it seems to me to be a sort of embodiment of that old doggerel some of us have heard years ago—

"Of all my father's family
I love myself the best;
Let Providence take care of me,
And Jumbo take the rest."

Now, I have friends among the ironworkers whom I respect—workmen and employers too; but I say it is not the correct thing for this motion to be brought before the House for the benefit of the ironworkers alone. If the thing is right, it is right for all. It is not a thing in which discrimination can be tolerated; it must go the whole round or not go at all; therefore I object at the outset to the limitation of this motion to ironworkers, the producers of locomotives and bridges. To go a little further, hon. members said last Thursday that it was a matter of cost altogether. Well, we may argue that right out. Let me in a few words put that matter of cost in a way that it has not yet been put. The country needs locomotives and bridges. We will suppose that the ordinary market value of the thing to the community is £20,000. Put 20 per cent. only upon that, and the price is advanced to £24,000. Well, that does not look much, and when we put it in that way it does not come home to us closely enough. I am going to bring it home a little closer. Let the Minister for Works call for tenders for those goods which are required—£20,000 worth. Suppose he receives tenders from England, and also from the colonies—I am not quite clear if the hon. member for Maryborough would shut out the other Australian colonies from competing. I suppose if the motion is carried it ought fairly to shut them out, so that Sydney and Melbourne tradesmen would not have the right to interfere with local competitors. We shall suppose that the lowest English tender is £20,000, and the lowest colonial tender £24,000. Let the Minister for Works accept the colonial tender, but accept it at the English rate. He must tell the local producer, "Yes, I will accept this £24,000 tender, but I will accept it at £20,000, the lowest figure which the goods would cost in England." Then he must come down to the House and ask it to pass the sum of £4,000 as a bonus to the local producer. That brings the matter home to us. The Minister accepts a tender at the rate at which the work might be done elsewhere, and that is proclaimed to the colony as £20,000; but as £24,000 must be paid, in order to encourage local industry, he says, "I will let the contract at £20,000, and the £4,000 to make up the difference I will square by asking the House to pass that sum by way of a bonus." I ask how many hon. members in this House would agree to such a vote? But I would like to bring the question home a little bit closer, and show, as the hon. member for Enoggera has shown to some extent, the real effect of such a policy as that now proposed. I will put it in another way. You can call it a parable if you like: There is Thomson; he has been in business in Woollongabba for several years as a sort of general storekeeper. His customers have been those who live in the neighbourhood. They have been buying from him for years. Certainly the price they have been paying was a little bit more than the same goods might be got for in Queen street. Still these men, working men most of them, have gone to Thomson for their goods. As time goes on tramways are laid to Woollongabba, and increased facilities are given for getting into town. These facilities are availed of by the wives of Thomson's customers, and they come into Queen street to make their purchases. Thomson's business falls off—falls off considerably—until the poor man begins to feel that an insolvency petition is a thing of the near future. He calls on his friends Jackson, Williamson, Henrickson, and others, and says, "You never come into my store now as you used to do." "Oh no," they reply, "the pickles you charge 1s. 3d. for we can get in Queen street for 9d. or 10d., and lots of other things you sell in your shop we can buy in Queen street for 25 per cent. less than you charge, and as long as that is so we shall go into Queen street." "But," urges Thomson, "you might encourage your own neighbour." He means, of course, that they should encourage local industry. But his former customers answer, "Oh no, we can't do it; we will go into Queen street; we cannot afford to pay you 25 per cent. more out of our wages." Poor Thomson goes into the insolvency court, the creditors get 3s. 6d. in the £1, and there is all-round misery. I think if we look at the matter in that way it will bring it home to us very closely. If this fostering of local industries is tried, we do not know, as the hon. member for Enoggera has said, how long the protection will last nor how far it will extend. Has it not been found in countries where protection has been adopted that the more coddling you do the more coddling has to be done? I ask hon. members to read fairly the literature on the subject—at least as much as they can, for it is getting too big now to read it all—and see whether they will not feel bound to come to the conclusion that the more coddling is done the less able is that coddling to be stopped. How long is this proposed protection to last, and how far is it to extend? It is contended now that contracts for locomotives and machinery should be given to local manufacturers. Then we shall want protecting against Toowoomba producers. I do not see why we should not be protected against them. I notice that a Toowoomba firm has just got a contract for some ironwork. We cannot tolerate that at all. But, really, Mr. Speaker, are we to allow history to teach us anything or not? Shall we go on and say, "We want to try this thing for ourselves"? It seems to me we are something like the girl in the story, which some hon. members will no doubt remember having heard in their young days, who was very fond of going to balls, but when she became a mother and had some children to look after she changed her mind and told her growing-up daughter that it was a very bad habit to acquire. "Well, ma," said the girl, "that may be so, but I want to find it out for myself." That is what some hon. members seem to wish for in this matter; they want to find it out for themselves. The history of protection in places where it has been tried does not show that it is a help to commercial progress. I have been a regular reader of *Bradstreet's News*, which is the first commercial paper in the United States, and, I think, the only conclusion to be gathered from the experience of that country is that the United States has run its head against a wall and hurt itself in so doing. It is the same with regard to Victoria. I have here a clipping from the *Sydney Morning Herald* on the subject, but I am not going to read it to the House. Then we find that the same thing may be said of Canada. I am not going to produce any quotations in support of this. I have some of the Cobden Club literature on the subject, of which there is a good deal, but I shall not offer any extracts from that, as hon. members in this House and some people outside may say that they are published in the interest of freetrade. But I will read a few remarks from a work entitled "Protection or Freetrade—an examination of the tariff question with especial regard to the interests of labour, by Henry George." I am not a Georgian—I feel bound to protect myself by saying that—but he really says some downright good things in his book on this

subject. He says that in considering the question he has endeavoured to ascertain whether protection will better the condition of the working classes, and he has come to the conclusion that "all experience shows that the policy of encouragement, once begun, leads to a scramble, in which it is the strong, not the weak—the unscrupulous, not the deserving—that succeed." That is one bit. Take another—

"That protective tariffs have injured instead of helped American manufactures is shown by the fact that our manufactures are much less than they ought to be, considering our population and development—much less relatively than they were in the beginning of the century. Had we continued the policy of freetrade, our manufactures would have grown up in natural hardihood and vigour, and we should now not only be exporting manufactured goods to Mexico and the West Indies, South America, and Australia—as Ohio is exporting manufactured goods to Kansas, Nebraska, Colorado, and Dakota—but we should be exporting manufactured goods to Great Britain, just as Ohio is to-day exporting manufactured goods to Pennsylvania and New York, where manufactures began before Ohio was settled."

He further says:—

"It is notorious that wages in the protected industries are, if anything, lower than in the unprotected industries, and that, though the protected industries do not employ more than a twentieth of the working population of the United States, there occur in them more strikes, more lockouts, more attempts to reduce wages, than in all other industries."

That is not written by an Englishman, not by a man brought up in freetrade principles, but by Henry George, who is up to the elbows, right up to the lips indeed, in American protection. There he lives right in the heart of it, and he says it is notorious how injurious protection is in its operation. I will not sit down without offering one suggestion. It might be well that the Government should imperatively stop the introduction, at the expense of the country, of artisans belonging to congested trades. I cannot see that that would be an infraction of freetrade principle. It might be made clearly, unmistakably known that certain trades are in a congested state here, and that if artisans of this class come to the colony they do so at considerable peril to themselves. Let that be done, and do not introduce the principle involved in the motion of the hon. member for Maryborough. Let it be clearly known by all hon. members that, as surely as night follows day, just as surely will there be an aggravation of misery and difficulty and distress in this country if we adopt the principle put forward in the motion of the hon. member for Maryborough. I shall support the amendment moved by my hon. friend the member for Enoggera.

Mr. SALKELD said: Mr. Speaker,—I should like to say a few words on this matter, and I hope I shall not be called to order for diverging from the question before the House, when I say that in the past I was always a freetrader, believing freetrade to be good for every community. Of late my views have considerably altered in that respect, and what I have been able to learn and to see with my own eyes during my recent visit to Great Britain has led me to doubt whether the principles of freetrade are the wisest for a new colony like this. This, I know, is a very vexed question, but I would point out that Great Britain was about the most protective country in the world before she got her manufactures thoroughly established. She protected her industries in almost an outrageous manner, committing in some instances great injustice in order to protect the industries, not of Great Britain, but those of England, as distinct from those of the sister kingdom of Ireland. But as soon as her manufacturing supremacy was established, and she wished to export her manufactured goods, she adopted, and very wisely, the policy of freetrade; and I have no doubt whatever that freetrade is the true policy for Great Britain. I was much struck at the Colonial and Indian Exhibition to see the show made by the protective colonies—Canada and Victoria—in skill in manufactures. New South Wales, South Australia, the Cape of Good Hope, Queensland, New Zealand, were comparatively nowhere alongside of them—especially Canada. It quite surprised me. I had no idea that there was such a variety, such an extent, of industries carried on in Canada as I saw exhibited there. I am certainly in favour of this motion of the hon. member for Maryborough, because I very seriously doubt whether we ever can, in a young colony like this, start manufactories here in face of the tremendous competition that would be brought to bear by the English manufacturers, without some extraneous temporary assistance. They not only have the means, but I believe they have the shrewdness even to take advantage of the present motion to start local manufactories for the production of this one article in Queensland, so as to stave off opposition and keep the market in their own hands. That being so, it becomes a matter of serious concern whether Parliament should not step in and enable these industries to be established. This is by no means a new matter. On previous occasions bonuses have been granted for the encouragement of what I may call home industries, and many persons prefer that system because it can be made to terminate at a certain time—when the industry has been established it can be easily withdrawn. It must be admitted, however, that the bonus system has not been very successful hitherto, except, perhaps, in the case of sugar. The bonus for cotton-growing certainly did not do any good, and the industry has failed.

Mr. FOOTE: It has not failed.

Mr. SALKELD: I certainly think it has failed.

Mr. FOOTE: No; the seasons have stopped it for the present.

Mr. SALKELD: I thought it was the price and not the seasons that had caused the industry to fail. However, what I was going to say is that the British manufacturers, with all their appliances, and with the enormous capital they have at command, could swamp any industry which any person might attempt to establish unassisted here. I may say that I do not go in for the whole system of protection, because there are many industries which, however you may protect them—even to the extent of 50 per cent.—could not thrive in a colony like this against outside competition. But there are industries which we might assist to establish which will take root and grow and become permanent.

Mr. MACFARLANE said: Mr. Speaker,—I have not had the advantage of hearing the whole of the debate on this motion; but I may say that, although I am and always have been a freetrader, yet the motion appears to me to be so innocent that I can almost feel a pleasure in supporting it. Something in this direction has already been done by the Government, and a good deal of rolling-stock for our railways is at the present time being made in the colony. I like to see encouragement held out to skilled workmen to come and settle amongst us. I was rather struck with an illustration given by the hon. member for Fortitude Valley, which I think was scarcely a fair one. The hon. member speaks of two tenders being sent in for a work, the lowest of which, sent in by an English firm, amounted to £20,000, and he says that the sum of £4,000, which the Minister for Works would have to pay if he took the local tender, would be a bonus representing the

exact difference between the two at 20 per cent. I think that was not an ingenuous way of putting it, for this reason: It would not be a bonus of £4,000 to the local tenderer at all. The £4,000 would be absorbed by the additional wages paid to workmen in the colony above that paid to workers in the old country. That is how I look at it. Then, again, as to the 20 per cent.—£4,000—it would take all that to bring out the machinery from the old country; so that a £20,000 tender in the old country is the same as a £24,000 tender in the colony, the £4,000 being taken up in freight and other charges. So that, looking at it in that light, as long as the cost here does not exceed the cost of the manufactured article in England, with freight and charges added, I think the Government would be perfectly justified in giving the colonial article the preference. I think they have acted on that principle a good deal in times past, and if the view I took of the deputation that waited upon the Premier lately—a report of which I saw at Adelaide when returning from the old country—be correct, he promised that if goods could be produced here at 10 or even a little more than 10 per cent. above those imported, he would be willing to have the article manufactured here. I think that is going a good way towards meeting the object of the motion. However, I must say that I prefer the amendment. It meets my views better than the motion, because it leaves it to the Government to exercise their judgment as occasion may require. If we can produce any article in the colony—not merely locomotives, rolling-stock, or iron bridges, but any article whatever—I think the Government will always be justified in getting it made here even if it costs a few per cent. more to make it than it will to bring it from the old country. Approving as I do of the amendment rather than the motion, I shall support it.

Mr. ISAMBERT said: Mr. Speaker,—The more we hear of freetrade and protection, the more confusing and obscure the idea becomes. On every side we hear that British interests are to be protected. It matters very little how those industries or interests are protected so long as they are protected. If Great Britain would cease to-day to protect her interests to-morrow they would go to all the winds. It is generally supposed that this colony has been suffering from freetrade, and that we now want protection; but, sir, on looking deeply into the question I believe the boot is on the other leg—that it is rather from protection that this colony has suffered and is still suffering. At first, all legislation was in the pastoral interest. Gentlemen interested in that interest managed to scramble into the House and get the reins of power, and whenever possible they legislated entirely in their own interest. The same holds good as to the commercial interest, the land-grabbing interest, and then follows the sugar interest. Every legislation that has taken place with regard to the sugar interest has been unconstitutional—conceding to that interest privileges which we are not prepared to extend to the rest of the community. We give to the sugar-planters privileges of employing cheap labour which we deny to the general farmer. So, all through we have had a succession of rank protection, though it has not been effected by the imposition of what are called protective duties. If this motion is to be carried in its entirety, there is a danger that we shall be adding another to the protected interests. It is to favour one industry at the expense of the rest; and the reason why many hon. members will be inclined to support the motion is because those engaged in the iron industry are already an influential class likely to affect votes at the general election. I think we ought to guard against the danger I have mentioned, and that what is asked for in this motion ought to be extended to all our industries. The hon. the Colonial Treasurer says, "by legitimate means." So say I, and the chief way in which we can encourage industries is by such a fiscal policy as will put the burdens of good government fairly on the shoulders of the taxpayers. In this colony, owing to the scattered nature of the population over such a large extent of surface, government is more expensive than in densely populated countries; therefore we require a larger amount of taxation, and although the rate of taxation here is perhaps higher than in any other colony, that is in itself no proof that the Government is more extravagant. The machinery of government is necessarily more costly, and cannot be otherwise on account of the great area of the colony. If we were to adopt the principle—the so-called principle of freetrade—that is, to buy in the cheapest market where we can get the goods, and raise a revenue by means of a land tax—how should we fare in a few years? Why, sir, the capitalists who are now directing their attention to India, China, Japan, and other countries where cheap labour prevails in such abundance, will take their capital and a few skilled artisans there and establish industries which will be the means of swamping even Great Britain herself, the stronghold of freetrade, and starve her out of existence; and in a few years we shall see the spectacle that Great Britain is obliged to protect her interests by a fiscal policy in the same way as she now does with her fleet. I predicted two years ago that the policy of the present Government would bring about a deficit, and that that would be the best means of opening the eyes of the Government. I am very glad that it has taken place already. Yesterday the hon. the Colonial Treasurer proposed that the *ad valorem* duty be raised to 7½ per cent., and that will practically accomplish what the hon. member for Maryborough intends to accomplish by his motion. If we consider the amount it costs to bring machinery here, and that the machinery manufactured here is at least intrinsically worth 10 per cent. more than the imported article, being more faithfully constructed, I think that leaves a fair margin for the Government to accomplish what the hon. member for Maryborough has in view. But in order to do this fairly the Government should be required to pass their goods also through the Custom House, and pay, figuratively speaking, the import duty upon them. In calculating the cost, therefore, the Government should be bound to consider what such machinery would cost if they had to pay the *ad valorem* duty. If this is not done private manufacturers are at a disadvantage as compared with the Government. The arguments of the hon. member for Mackay were very telling and to the point; but he committed a very ingenious fallacy which took the fancy of some hon. members when he advocated reciprocity. What does that mean? The hon. gentleman accuses the Government of having ruined the sugar industry. I contend that the Government have done no such thing. I believe the Government have legislated more for the interest of the sugar industry than any previous Government. They saw what wrongs were being perpetrated in the procuring of labour, and were in duty bound to do what they did, and if they had not done it the Imperial Government would have put a stop to it altogether. What is reciprocity? That Victoria should take our sugar free, and we should take its manufactures free into this colony; which means that our manufactures should be sacrificed in order that the sugar-growers might have a better and fairer market. I never

saw protection so advocated under the misnomer of "reciprocity." I am really surprised that the Premier was caught. Now, the hon. junior member for Fortitude Valley tells us that America ran its head against the wall of protection. I will not dispute that fact, but I know also that America ran its head several times against the wall of freetrade, and whenever it did the latter it was swamped with foreign manufactures. It was depleted of its money and its industries failed. They did there just what we are doing here now: they borrowed money for every little trifle of public work, until at last they got so far that they could not even pay the interest upon the borrowed capital, and they could not borrow any more. Then they were forced to adopt a different fiscal policy—that of protecting their own industries—and no sooner did they do so than the country flourished again and times became prosperous. To such an extent did the Treasury overflow with revenue that upon two distinct occasions they were able to pay off the national debt. Whatever the freetraders there may say, they will never allow freetrade, but will always protect their own industries. If the freetraders should ever got the upper hand, there would be a revolution in no time—time and necessity and a hungry stomach would bring that about. Whenever they got too well off, as a certain Government did in this colony, they went in for freetrade and got a deficit. They ruined their own industries and had to borrow again, and again got into debt, and then had to return to protection. The American people found that, although they may have run their heads against the wall in the line of protection, they ran their heads against a far harder wall in the line of freetrade, and found that freetrade had nothing but misery connected with it, and it was not practicable. This so-called freetrade brings our people to the low standard of any cheap manufactures produced in a country by means of cheap labour. I hold that civilised communities that know how to value the taxpaying power will ultimately rule, and this can only be arrived at by looking after the interests of the working bees of the human hive. We recognise the right of every man to live. I shall support the motion of the hon. member for Maryborough, as an appeal to the Government to encourage all the industries of the colony.

Mr. McMASTER said: Mr. Speaker, — I thought at first that I should not speak upon this motion; but from the remarks which have fallen from the hon. member who has just sat down, I think it would not be wise on my part as a freetrader to give a silent vote, if it comes to a division. The hon. gentleman is evidently letting the cat out of the bag. I looked upon the motion at first as being a very harmless one, and one actually couched in such language that the Government were actually carrying out the very spirit of it by their present policy. When the hon. Minister for Works spoke, on the motion being introduced a week ago, he said that he had called for tenders in the colony, and out of the colony, for the bridges up north, and, if I remember exactly, one tender was 30 per cent. above the outside tender and another something like 20 per cent. or 25 per cent.

The MINISTER FOR WORKS: More than that.

Mr. McMASTER: The tenders called within the colony were some 30 per cent. over and above what were sent in by the other colonies. If the Government call for tenders in the colony, and give every opportunity to local manufacturers to compete with the others, I think they are doing all that can be required of them, at present at all events. I do not go in for wholesale protection. The hon. member for Rosewood said that this motion was carried out in the action of the Colonial Treasurer last night in increasing the *ad valorem* duty from 5 per cent. to 7½ per cent. If this motion is to be followed by a motion for protection I shall certainly vote against it. I believe the hon. member will not accept an amendment. He will go to the vote upon this motion, and I believe the Government are prepared to carry out the policy of encouraging all local industry. I was with a deputation of ironworkers that recently waited upon the Chief Secretary, and one of the speakers, a local manufacturer, said that he was prepared to construct locomotives at 10 per cent. advance upon the English price. The Chief Secretary said he was prepared to go even further than 10 per cent., if the local manufacturers could do so. If the Government will call tenders for all these works within the colony and out of the colony it will meet my views. I believe that the Government are alive to the interests of the colony so far as to give the preference to a local over a foreign tender if the difference is not too considerable. But I am not prepared, as a citizen or as a member of this House, to ask the Government to give 25 per cent., or perhaps 50 per cent., over and above to any local tenderer.

An HONOURABLE MEMBER: Nobody wants it.

Mr. McMASTER: An hon. member says "Nobody wants it," and it is just possible that this motion does not want it now, but it is certainly the thin end of the wedge. I think it would be desirable for the House to accept the amendment of the hon. member for Enoggera. It is simply adding two or three words to the motion. I am quite satisfied that the colony as a whole is not prepared to go in for a protective tariff. With the 2½ per cent. proposed to be added last night, I think local industries are fairly protected. All I hope is that the Colonial Treasurer will not require to raise the *ad valorem* duties any higher. While I am very willing to give every encouragement to local industries, which, I believe, ought to have preference, I am not prepared to pay higher prices for the purpose of encouraging a certain class of people by making the general taxpayers support a particular industry. After hearing the speeches made, I shall support the hon. member for Enoggera, and I think the longer this motion is debated the less support it will get, for from the speeches made it would appear to be nothing short of the thin end of the wedge to be driven home for protection.

Mr. GRIMES said: Mr. Speaker,—As I think it desirable the debate should close before tea, and as I understand the mover wishes to say a few words in reply, I will take only a minute or two in discussing the motion. From the first I looked upon this resolution as a very harmless one in itself, and I still think that it might have been allowed to go after the speech of the mover and no harm would have been done. But the debate which has followed the mover's speech has invested it with a great deal of importance. Although the mover disclaimed any idea of raising a debate on the question of freetrade *versus* protection, other members who have taken part in the debate brought it in as a side issue, and now that question is to a certain extent involved in the resolution before us. If the hon. member for Maryborough still disclaims any idea of protection, I would advise him to at once accept the amendment of the hon. member for Enoggera. Then our course would be perfectly clear, and we could go with the hon. member and support the motion. If the hon. member declines to accept the amendment, then however much he may disclaim the idea of this being a question of freetrade *versus* protection,

he will show that that was really his idea in moving the resolution. As the debate has taken the turn it has, I do not feel justified in silently voting upon this matter. I am a freetrader, and I hope this country will be established by its various products, and if that is to be so, the lower we can keep taxation and the cost of living the better position shall we be in to develop the resources of the colony. That is, in a few words, the view I take of the subject, and taking that view, I think it to our advantage as a producing colony to cut down our taxation as much as possible, and also to cut down the cost of the necessities of life. If the resolution goes to a division, as seems likely, I shall vote against the original motion and in favour of the amendment moved by the hon. member for Enoggera.

Mr. MIDGLEY said: Mr. Speaker,—I consider this amendment is intended to deprive the motion of the hon. member for Maryborough of whatever point and urgency and importance it was intended to have. As I thoroughly believe in the motion, I shall certainly vote for it, nor can I contentedly sit still without saying a word in its favour. The question for us is: What is best for Queensland—the colony which we have in trust? We have ourselves for the most part prospered and succeeded in Queensland, and perhaps have cause to be thankful that we came to this land; and we are apt in our own prosperity and success to forget the responsibility of the heritage we have in trust for a much larger number of people. I believe in beefsteak and good strong substantial fare in the abstract. It is a grand thing, but I do not believe it is good for infants; and if you try to nourish a little baby on beefsteak you will make sorry progress with it. I believe that where population is wanted, where there is room for population and their industry, and where there is a possibility of getting a living—that is the place where there ought to be protection, and the country where there is too great a population and no room for them is the place to go begging for freetrade. The hon. member for Maryborough in his motion says the time has arrived when we ought to do certain things, and gives as the reason, because we have a number of skilled mechanics in the colony. We have, and we have already proved that they are able to make first-class, as well as mostly all kinds of rolling-stock. But we have not one-tenth of the number of skilled mechanics in the colony that we ought to have by this time; and if by forced action of this sort we can bring a larger number of skilled mechanics into the colony, we shall confer a blessing upon ourselves and upon the colony. I understand that a firm in this colony has offered to construct engines at an advance of 10 per cent. on English prices. I think that offer should be seized and made use of at once. The objection is that by accepting such an offer we would establish a monopoly. That is a mere bugbear. Many a good thing has been secured by in the first instance encouraging a monopoly. We are now encouraging a monopoly on the other side of the ocean, where men are starving upon the miserable wages they can obtain. Let us encourage a monopoly of our own. I will call the attention of the House to this fact: It is now proposed to alter our tariff, and there will be in future a duty of 7½ per cent. on machinery. This 7½ per cent., or 5 per cent. as it was before, is never levied upon machinery imported on behalf of the Government. The duty is lost in that case, but what do we gain? We gain a number of men working in our midst as taxpayers and consumers giving a demand for the resources of our rural districts, and though we should lose this 7½ per cent. duty upon machinery imported for Government works, we should have these men paying as taxpayers of the colony, and contributing very considerably to its revenue. The time has not only arrived, Mr. Speaker, because of the few skilled mechanics we have in the colony, but because of the growth of our mechanical requirements as we get our vast lines of railway constructed. If ever there was a time for the establishment on a firm basis of an industry of this kind, now is the time. I have come very slowly to the conclusion that the time has arrived when we want in Queensland an extension of the protective system. I am confident we shall never have the large increase which we want in our population unless this system is resorted to. I should like to see the motion of the hon. member for Maryborough carried, and carried as a motion that means something, commits the Government to something, and commits the country to something definite in this direction.

Mr. W. BROOKES said: Mr. Speaker,—I only want to apply an antidote to all the book-learning that has been exhibited. For the benefit of the junior member for Enoggera and the senior member for the Valley, I will trouble the House by reading an extract, which had an immense weight to my mind when I read it. It is the last few sentences of a book called "Political Economy," by Greeley:—

"Finally, the great truth, so forcibly set forth by Mr. Clay in 1832, that protection has been to us"—

that is, America—

"a sheet anchor of prosperity, a mainspring of progress, has not been and can never be explained away. Our years of signal disaster and depression have been those in which our ports were most easily flooded with foreign goods—those which intervened betwixt the recognition of our independence and the enactment of the tariff of 1879—those which followed the close of our last war with Great Britain, and were signalised by immense importations of her fabrics—those of 1837-42, when the compromise of 1833 began to be seriously felt in the reduction of duties on imports; and those of 1854-57, when the Polk-Walker tariff of 1846 had had time to take full effect. No similarly sweeping revulsions and prostrations ever took place—I think none could take place—under the sway of efficient protection. Said Mr. Clay in 1832, after premising that the seven years preceding the passage of the tariff of 1824 had been the most disastrous, while the seven following the passage of that Act had been the most prosperous that our country had ever known, 'This transformation of the condition of the country from gloom and distress to brightness and prosperity has been mainly the work of American legislation, fostering American industry, instead of allowing it to be controlled by foreign legislation, cherishing foreign industry.'"

That is all I have to say, Mr. Speaker.

Mr. BUCKLAND said: Mr. Speaker,—I shall not occupy the time of the House more than a minute or two; but after the reference made by the hon. member for North Brisbane to Horace Greeley on protection in America, I should like to read a few lines from a journal known as *Engineering*. Hon. members will recollect that lately the Government of New South Wales called for tenders for the erection of a large bridge over the River Hawkesbury. Several tenders were received, and the successful tenderers were an American firm—I do not know the name. The extract I am about to read is from *Engineering* for 28th May, 1886, and it shows that the American firm who obtained the contract are getting nearly all the material made in Great Britain. It is headed "Large Contract for Steel":—

"A considerable amount of astonishment, if not of annoyance, was some time ago created in steel-trade circles by the knowledge that an American firm had obtained the contract for the Hawkesbury bridge, New South Wales. Matters, however, have taken quite a strange and unexpected turn. Within the past few days some 2,000 tons of the contract have been placed by the representatives of the American house with

the Steel Company of Scotland, and it is expected that the whole quantity will come, if it has not already done so, to this district. It is believed that the Steel Company will get at least one-half, and a firm in Motherwell, it is thought, will take the balance. * * * Surely if an American house can manage to execute a contract in New South Wales with Scotch steel, a British firm should be able to do so. A further statement has been made to the effect that the actual execution of the girder work will also be done in Glasgow. Messrs. Arrol and Company, Tay and Forth Bridge contractors, being likely to get the sub-contract."

I saw that in *Engineering* to-day, and I thought it was worth referring to, more especially after the remarks of the hon. member for North Brisbane. At the same time, Mr. Speaker, I am a freetrader, as I have always been. While wishing to give encouragement to the local industries that may have been established in Queensland, I am more in favour of the amendment of the hon. member for Enoggera than the original motion of the hon. member for Maryborough.

Mr. KELLETT said: Mr. Speaker,—I was not here when the amendment was moved, but I have heard two or three of the speeches made since. It seems to me that the resolution proposed by the hon. member for Maryborough is one that it is very advisable for this House to give an opinion upon. Of course, it leaves the question an entirely open one in the hands of the Government; but I think this amendment makes a fool of it altogether—neither one thing nor the other. Of course, we know the motion comes to nothing unless the Government of the day feel satisfied that the opinion of the House and of the country is in favour of certain work being done in the colony. I myself have always been of opinion that a certain amount of protection or bonus to industries is advisable for a young colony. I will only go that length. It has proved beneficial in the past, and I think we could make it more beneficial in the future by fostering it more.

The SPEAKER said: In accordance with the sessional order, the business under discussion when the House adjourned at 6 o'clock stands adjourned until after the consideration of Government business.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER said: I have to inform the House that I have received a message from the Legislative Council, returning the Pacific Islanders Act of 1880 Amendment Bill with amendments.

On the motion of the PREMIER, the message was ordered to be taken into consideration tomorrow.

The SPEAKER: I have further to inform the House that I have received a message from the Legislative Council, returning the Pearl-shell and Bêche-de-mer Fishery Act Amendment Bill without amendment.

EMPLOYERS LIABILITY BILL—COMMITTEE.

On the Order of the Day being read, the House resolved itself into Committee of the Whole to further consider this Bill in detail.

On clause 4, as follows:—

"When after the commencement of this Act personal injury is caused to a workman—

(1) By reason of any defect or unfitness in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer; or

(2) By reason of the negligence of any person in the service of the employer who has any superintendence entrusted to him, whilst in the exercise of such superintendence; or

(3) By reason of the negligence of any person in the service of the employer to whose orders or directions the workman at the time of the injury was bound to conform, and did conform, if such injury resulted from his having so conformed; or

(4) By reason of the act or omission of any person in the service of the employer done or made in obedience to the rules or by-laws of the employer, or in obedience to particular instructions given by any person delegated with the authority of the employer in that behalf; or

(5) By reason of the negligence of any person in the service of the employer who has the charge or control of any signal, points, locomotive engine, or train upon a railway;

the workman, or in case the injury results in death the legal personal representatives of the workman, and any persons entitled in case of death, shall have the same right of compensation and remedies against the employer as if the workman had not been a workman of nor in the service of the employer, nor engaged in his work"—

which it was proposed to amend by omitting the 2nd subsection—

Mr. SHERIDAN said when the House adjourned at the time when the Bill was under discussion previously, he was in the act of rising up to repel some unfeeling, and he considered unwarranted, charges made by the hon. member for Fassifern against the A.S.N. Company. It should be remembered that the A.S.N. Company in their own defence, and taking into consideration their exceedingly valuable property which ran the risk, selected the best men they could possibly secure to command their ships. It was generally admitted that Captain Walker, who commanded the "Cahors," was one of the oldest servants in their employ, and that his ability was never doubted. It was also admitted that Captain Webber, who commanded the "Ly-ee-Moon," was a man whose skill warranted the company in placing him in the position he held, and he (Mr. Sheridan) thought it was a cruel hardship to suppose for one moment that the company should be held responsible for any loss or injury sustained by the passengers or their relatives in the disasters which befell those vessels. It was now nearly half-a-century since the company commenced to explore, he might say, the coast of Queensland, and they had been of immense assistance to the Australian colonies at large, and to speak of them in a harsh and cruel manner he considered was very unjust. He hoped that nothing the hon. member for Fassifern had said—though no doubt he believed what he said was correct—would cause the Committee to entertain a bit worse opinion of the company than they had done previously. The company had always been popular and would continue so.

Mr. ALAND said he rose to a point of order. He wished to know whether the hon. member for Maryborough was confining himself to the matter before the Committee — whether the defence of the A.S.N. Company was before the Committee?

The CHAIRMAN said he was bound to say that there was nothing concerning the A.S.N. Company in the clause before the Committee.

Mr. SHERIDAN said he had the temerity to disagree with the Chairman in that matter. If reference was made to the speech of the hon. member for Fassifern, it would be found that the hon. member dragged the A.S.N. Company through the mire, and he thought that any member of the Committee was entirely justified in defending the company. Moreover, hon. members were now in committee, and had a large margin over which they could travel, and he did not think he was transgressing the rules of the Committee by taking the part of the A.S.N. Company. However, he was coming to this point: that he thought the bringing of sailors under that provision should

be done with very great caution indeed. He was of opinion that it would operate very much against the interests of sailors, inasmuch as owners of steamers and ships would take right good care not to employ as a sailor any man who was not sober, steady, and well skilled in his profession, so that many sailors who did not come up to that standard—and they were rather an improvident people — would not be able to obtain employment. Very great caution, therefore, should be exercised before the Bill was made to apply to sailors.

The CHAIRMAN said he did not wish to interrupt the hon. gentleman, but it was his duty to point out that notice had been given of a new clause dealing with the subject which the hon. member was discussing.

Mr. SHERIDAN: In that case I will wait until the clause is introduced.

Mr. LUMLEY HILL said he moved that the clause be amended by striking out subsection 2, and he had been subjected thereupon to a good deal of harsh criticism in the Press, which he did not really pay much attention to. But he wished to take the opportunity of stating that the exception he took to the Bill was actually in the interest of employés more than of employers of labour. He did not wish to see them handicap themselves, or see people in this country making laws which would obstruct and hinder the progress and prosperity of the colony. They wanted money here as well as men; they wanted money to develop their resources and capital to be invested in manufactures if they were to go ahead, and the more they got the better it would be for the working classes, and the less restrictions and legal difficulties there were the easier it would be to get the capital. He contended that to draw an analogy between the relations of labour and capital in the old country was utterly out of place; the relations were by no means analogous. As he looked around him in that Committee, he hardly saw a member who had not been an employé. He himself had been an employé, and had worked for weekly wages in the colony. The relations between employés and employers were very different from and closer to one another here than in the old country. On large companies, like the A.S.N. Company and others, the Bill would not perhaps have much effect; they would probably insure all their workmen, and pay a third of the cost of doing so. It was the men who were just struggling, who were working with their workmen, that the Bill would embarrass—men who were just making a start, who were emerging from the chrysalis state of a workman to that of an employer of labour. Those were the men whom it would handicap, and might utterly ruin if they got involved in a costly lawsuit. In large mining companies there was a special fund to provide against accidents. The employers recognised the obligation which lay upon them to provide for any of their employés in case of accident. If a man was injured in a mine his wife and family were looked after, and his wages were paid until he got right again. The same mutual good relations existed in that part of the bush where most of his experience was gained. If a man got injured by an accident, or fell ill, he was doctored and looked after as well as possible, and his wages went on all the same. The Bill would be likely to jeopardise the mutual good relations which existed throughout the country between man and master. Every employé had the opportunity, if he had the ambition, to become an employer himself; it was only a question of a few years of industry, economy, and self-denial. Therefore he held that, if they passed a Bill of that sort without removing some of its obnoxious clauses, they were only hindering the progress of the employés themselves, encumbering the Statute-book, and making food for the lawyers. He might say here that he had no idea of embarrassing the Government by stonewalling the Bill, but was ready to go to a division now, and accept the expression of opinion of the majority, whatever that might be. He was actuated by no selfish motives in the matter; he did not look at it from his own point of view as an employer of labour, but for the good of the majority of the people of the country; and it would be a great pity if a Bill of that kind was allowed to pass without being thoroughly debated from every possible point of view. It was a matter which concerned every individual in the colony, and ought not to be put through in a hasty and slip-shod manner.

Mr. HAMILTON said that although he would not like the clause struck out he would like it slightly altered. An employé should be liable for any accident occuring to a servant through the employer's negligence, but he did not think it just or right that an employer should be liable for an accident for which he was not responsible; the 2nd subsection made him liable for the negligence of any person in his service who had any superintendence entrusted to him. Take the case of an engineer in a claim, who had certain superintendence entrusted to him—namely, the superintendence of the winding-gear. Suppose the manager of the claim went down the shaft during the time the engineer was entrusted with that superintendence, and the manager came to grief through the neglect or carelessness of the engineer whom he himself had engaged, it would certainly be unfair to make the employer liable in a case of that kind, but he would be under the subsection as it stood.

Mr. S. W. BROOKS said he intended to support the clause as it stood, because if that subsection were negatived the whole Bill might as well be thrown aside. Indeed, if any of those subsections were removed the Bill would be useless. If the explanation given by the Chief Secretary the other day were borne in mind, and if the clause were read, as it might be without the middle portion of it which might be considered parenthetical, it would be seen that the clause really read and meant as follows:—

> "When after the commencement of this Act personal injury is caused to a workman, he shall have the same right of compensation and remedies against the employer as if the workman had not been a workman of nor in the service of the employer, nor engaged in his work."

He would give an illustration which would put the question in a very clear light. There were at present two large buildings being constructed in Queen street, one for the Brisbane Newspaper Company and the other for the Australian Mutual Provident Society. Suppose the foreman or manager for Mr. Petrie, who was in charge of the Australian Mutual Provident Society's building, through some carelessness put up a derrick or shearlegs in such a manner that it fell, injuring in its fall half-a-dozen people. Of that half-dozen four were ordinary folks, like members of Parliament, one was a workman employed by Mr. Midson, at the building over the way, and the sixth was an employé of Mr. Petrie himself. The four ordinary people had their remedy against Mr. Petrie. Mr. Midson's man had his remedy, but Mr. Petrie's own servant had no remedy—that was under the law as it now stood. All the Bill proposed to do was to provide that the sixth man should have his remedy equally with the other five. That seemed to be a case close at home, one that they could readily grasp, and one that brought the matter clearly enough before them to show what was intended by the

Bill. He considered that the sixth man injured should have his remedy as well as the other five, and therefore he should support the Bill.

Mr. FERGUSON said he quite agreed with the remarks of the hon. member who had just sat down, and if the amendment was carried the Bill was not worth the paper it was written on. Take the case of a corporation. If a foreman of works neglected to fence in properly a pit, any member of the public falling into it and breaking a limb could get damages; but if the employé of the corporation fell in and hurt himself he had no remedy. If a superintendent of a building erected a scaffolding with old damaged poles, or perished ropes which would not carry the weight expected of them, surely the employer ought to be responsible for any accident when practices of that kind were adopted for the purpose of saving the expense of buying new materials. The Bill was as fair as it could be, and if the amendment was carried it was not worth while proceeding with it any further.

Mr. GRIMES said the cases referred to by the two previous speakers were amply provided for under the 1st paragraph of clause 4. The amendment was simply to cut out paragraph 2. The 1st paragraph provided that—

"By reason of any defect or unfitness in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer."

Now, if any accident occurred to the individuals mentioned by the hon. members for Fortitude Valley and Rockhampton, they had their remedy under that clause.

The PREMIER it was useless to have an admirable plant if there was a careless man to look after it? An accident could happen with the careless use of good plant as well as with the careful use of defective plant.

Mr. LUMLEY HILL said he wished to point out that an employer might, for instance, have the best of men with the best of certificates in the capacity of an engine-driver. He might be able to rely upon him as thoroughly as it was possible for one man to rely upon another, but in a moment of accident or carelessness the man who was so well trusted might fail. He might have a fit, and that would be through no fault of himself or his employer. An employer could not be constantly watching every man in his employment. There was where the hardship came in. Through the negligence or accident of a man whom the employer had thoroughly trusted and to whom he paid high wages, that employer might be liable to be involved in a heavy lawsuit and incomprehensible liabilities. He certainly agreed with the hon. member for Rockhampton that an employer should be liable for damages if, through his economy and nearness, he neglected to provide proper appliances, but not in a case where he had taken every precaution to guard against accident.

Mr. FERGUSON said a man might have in his employ a competent inspector, but still he might be negligent. Competency and negligence did not go together, but if anything happened through the inspector's drunkenness, that was the very reason that the workmen should be protected.

Mr. LUMLEY HILL said the man in charge might have a fit, or he might suddenly lose his head. No employer could insure against every man being always on his guard, always wakeful, and always on the lookout for accidents. Those men who were working at hazardous occupations were paid higher wages than farm labourers, and therefore it should be the duty of the Government to encourage them to insure themselves against accident. As a matter of fact the great majority of them did.

Mr. McMASTER said some hon. members forgot that it was explained by the Chief Secretary that the Bill only equalised the protection afforded to any member of the public, inasmuch as he was protected, and all the Bill aimed at was the protection of the servants of a contractor. At the present time, if a servant of a contractor was injured he had no remedy, although others injured by the same accident would have a remedy. He was glad to see that the sailors were to be brought into the Bill, because he looked upon sailors and farmers as the bone and sinew of our industries. Sailors went out to sea and carried on the commerce of the colony, and the farmer settled down and produced the wealth of the colony. The hon. member for Maryborough spoke in strong terms about the good qualities of the A.S.N. Company. He was not going to discuss that question, but he wished to show that the sailor might be at the mercy of a faithful and good servant. It came out in the evidence taken in connection with the accident by which so many sailors lost their lives on the "Ly-ee-Moon," that though the captain was an able and worthy seaman he was guilty of great negligence.

The CHAIRMAN said he must point out that the hon. gentleman's remarks had reference to an amendment not now before the Committee.

Mr. McMASTER said he would again refer to sailors when that amendment was proposed. If subsection 2 of clause 4 were taken out the Bill might as well be thrown aside. Only this morning a contractor told him that some time ago he told two faithful men to erect a scaffold, using only the best materials. They erected the scaffold, but happened to be short of one piece of good substantial wood, and put in an inferior piece. The consequence was that the scaffold gave way and five men were injured, three of whom had to be taken to the hospital. Men engaged in such work were shifted about from one building to another, and had no time or opportunity to examine scaffolding and see whether it was substantial or not, and it was only fair that they should be protected from the carelessness of persons who might be in charge. There was an apparent hardship on the employer. If one of his drivers, contrary to instructions, let go the reins of his horse and went into a public-house for a glass of beer, it would be hard if he should have to bear the expense of any injury caused through the horse running away. It was hard that he should have to pay for the injury caused by the carelessness of his driver; but that was the law now, and the Bill did not increase the hardship any further than that if he did not provide his driver with proper reins and harness he would be made responsible for any accident that might happen to his servant.

Mr. ADAMS said it was his intention at first to have supported the clause, but the arguments he had just heard had altered his opinion. If two men in whom their employer had full confidence erected a scaffold in such a way that it broke down and caused injury to some workmen, he did not see why the employer should be responsible. As he pointed out the other night, he knew of a gentlemen who wanted an engine-driver, but would not engage one till satisfied that the man was competent. A man came to him with a bundle of testimonials nearly as large as a family bible, and after working a short time was found to be incapable. If the employer had not known something about an engine himself there would, no doubt, have been an accident there. It was not every employer who was a skilful mechanic; and if he could not depend on testimonials, how could he decide

whether a man was competent or not? Therefore he considered it was absurd that an employer should be made responsible for the acts of a man engaged either by himself or his superintendent, when there was every reason to believe that the man was competent.

Question—That the words proposed to be omitted stand part of the question—put and passed.

Question—That the clause, as amended, stand part of the Bill—put; and the Committee divided.

Mr. LUMLEY HILL said he did not hear the amendment put.

The CHAIRMAN said he put the question deliberately, and gave hon. members ample opportunity of calling for a division.

Mr. SALKELD said he could not hear what the question was when it was put by the Chairman.

Mr. FOOTE said the division ought to have been taken on the amendment.

Mr. LUMLEY HILL said he did not hear the Chairman put the amendment.

Mr. ALAND said he thought the member for Cook must have heard the question put, but did not know whether to say "Aye" or "No."

Mr. KELLETT said he believed that when it was stated by hon. members that they did not understand the question, it was usual to put it again. He remembered questions having been put again by the Chairman.

The PREMIER: It can be done.

The CHAIRMAN said: The hon. member was engaged in reading a book, and he (the Chairman) deliberately waited on putting the amendment, and actually put the clause as amended before the hon. member paid the slightest attention.

Mr. LUMLEY HILL said he would move, if he were in order in so doing, that the question be referred to the Speaker. Other hon. members besides himself were checked and had protested—lifted up their voices against being treated in that way; and if that was going to be the practice there would be a good deal of trouble before the session was over, and the Chairman would find his position not so very comfortable.

HONOURABLE MEMBERS: Oh! Oh!

Mr. LUMLEY HILL: He should like to have had a fair and square division taken upon the question. He was perfectly satisfied that his amendment would be defeated, and he should have accepted his defeat philosophically. He did not accept it philosophically now.

An HONOURABLE MEMBER: It is your own fault.

Mr. LUMLEY HILL: It is not.

The PREMIER: You shall have another opportunity.

Mr. LUMLEY HILL: There are other members who were checked as well as myself.

Mr. SALKELD said if the hon. member for Cook was reading a book when the amendment was put, he (Mr. Salkeld) was not. He was listening to catch the question, but could not hear what was put to the Committee. It was not because the hon. member for Cook did not know whether to say "Aye" or "No" that the difficulty had arisen, but because he could not hear what question was put to the Committee. He had known cases of that kind before, and on all previous occasions the question was put again. He thought it only right that hon. members should have an opportunity of deciding the question fairly.

The CHAIRMAN said the Committee was now in division, which had been deliberately called for, and he could not do anything else but take the division.

Mr. FOOTE said he also must protest. The division now being taken was not upon the question at issue.

Mr. LUMLEY HILL: We are "mixed."

Mr. HAMILTON said he distinctly heard the Chairman put the question, although he was sitting further away from him than any other member of the Committee.

Mr. GRIMES said he thought the Chairman put the question in a rather lower tone than usual, and spoke in a very hurried manner. He certainly had not heard distinctly what the question was.

Mr. KATES said he thought the Chairman appeared rather in a hurry to get the question through, and, in his opinion, the suggestion of the hon. member for Stanley was a very fair one—that the question should be put again.

The PREMIER said he would undertake to say that an opportunity would be given to have the question fairly decided.

Mr. DONALDSON said he had intended to support the amendment of the hon. member for Cook, and was perfectly prepared to accept defeat if they divided on the amendment. He was not watching the Chairman at the time he put the amendment, but thought the hon. member for Cook was watching him when the question was called, otherwise he should have called his attention to it.

Mr. LUMLEY HILL: This is no division!

Division recorded as follows:—

AYES, 35.

Sir S. W. Griffith, Messrs. Rutledge, Miles, Dickson, Dutton, Moreton, Chubb, Kellett, Sheridan, Macrossan, Grimes, Salkeld, Kates, McMaster, Murphy, Wakefield, Buckland, White, Hamilton, Norton, Smyth, Isambert, Bulcock, Aland, S. W. Brooks, Nelson, W. Brookes, Midgley, Brown, Ferguson, Macfarlane, Lissner, Lalor, Horwitz, and Philp.

NOES, 7.

Messrs. Lumley Hill, Foote, McWhannell, Donaldson, Pattison, Adams, and Black.

Resolved in the affirmative.

The PREMIER said no doubt there was a misapprehension with respect to the amendment of the hon. member for Cook (Mr. Hill). His (the Premier's) only desire, and the desire of the Government, was to get a fair expression of opinion of the members of the Committee on the question before them. He did not think the Chairman was to blame in the slightest degree. He himself was looking at the hon. member for Cook in amusement when the amendment was put, and wondering why he did not call for a division. However, it was not worth while discussing how the misunderstanding had arisen. He thought it better to start again from where they were five minutes ago. With that view he would propose that they should formally pass the remaining clauses of the Bill, and report it with amendments. He would then at once move that the Speaker leave the chair, and that the Bill be recommitted for the further consideration of all clauses from clause 4 to the end. That would leave them exactly where they were; the hon. member could again move his amendment, and they would be able to get a fair decision upon it. He thought that would commend itself to hon. members.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER moved that clause 5, as read, stand part of the Bill.

Mr. NORTON said he was not prepared to object to the proposal of the Premier, but at the same time he wished to point out that it was an exceptional case.

The PREMIER: Yes, it is.

Mr. NORTON said he therefore thought that the Premier, in moving that the Speaker leave the chair and the House go into committee again, should put the question in such a manner as to mark that it was an exceptional case, because otherwise it might be used as a precedent in cases which were not exceptional.

The PREMIER said the report of the proceedings would show that it was quite an exceptional case.

Clause put and passed.

The remaining clauses of the Bill were passed as printed.

The House resumed, and the CHAIRMAN reported the Bill with amendments.

The PREMIER moved that the Speaker leave the chair, and the Bill be recommitted for the purpose of further considering clauses 4 to 11 inclusive.

Mr. NORTON said: Mr. Speaker,—I think it is only right, and I was under that impression, that the Premier should refer to the conditions under which the Bill is to be recommitted.

The PREMIER said: Mr. Speaker,—The hon. member suggests that I should give reasons why the Bill should be recommitted. In committee an amendment was proposed in clause 4; but by an accident, the nature of which it is not necessary to explain, a division was not called for when the question was put from the Chair, and the attention of the Chair was not called to it until a division had been called upon the whole clause, and it was too late to retrace our steps. In order, therefore, that a division may be taken upon the amendment that was moved, it was thought desirable, formally, to proceed with the rest of the Bill, and resume the consideration of it from where the misapprehension occurred. At the same time, I must say that I do not think any blame can be attached to the Chairman.

Mr. NORTON said: Mr. Speaker,—I do not wish to oppose the motion of the hon. the Premier; but, at the same time, I must state that I myself have seen many cases of a similar kind, where members have been under a misapprehension when a division was taken, and when no such concession has been made. Therefore the case is a most exceptional one, and my own opinion is that it may be used as a precedent at some time when it may be most inconvenient.

Mr. LUMLEY HILL said: Mr. Speaker,—I am very much obliged to the Chief Secretary for the course which he has pointed out. I cannot conceive because things have gone wrong before, and no one has ever seen the way to rectify them, or pointed out how they could have been corrected, why when light is thrown upon them, and we can see how to correct what was an obvious injustice, we should not gladly accept it. I myself am very pleased indeed to accept it, and it will entirely remove any unpleasantness that might have existed in my mind, or in that of any other member, who certainly did not follow the Chairman's action. I would explain that I was reading the book to keep myself from speaking any more on the subject.

The PREMIER: Go back to it now.

Mr. LUMLEY HILL: I am exceedingly glad to accept this solution of the difficulty, and shall be perfectly satisfied with the result of the division whatever it is. I like to see a fair division.

Mr. KATES said: Mr. Speaker,—I voted for the clause in committee because it was not my wish to throw it out.

The PREMIER: You will have another opportunity.

Mr. KATES: I do not wish to appear inconsistent when the question comes before the Committee again, and when the second part of clause 4 is under discussion I shall vote for the amendment.

Question put and passed, and the House went into Committee.

Question—That clause 4, as amended, stand part of the Bill—put.

Mr. LUMLEY HILL said that for reasons already stated he would move that subsection 2 be omitted.

Mr. GRIMES said with regard to the vote he gave in the last division, he might say that he was not in favour of the whole clause. He believed in the liability of an employer in cases where his own carelessness and neglect was concerned, and he did not wish to see the first part of it thrown out. But it was only fair to employers that they should have their protection, and he could not agree to the second paragraph, which said that they should be liable for the laches of those who were employés. Therefore, he should vote for the amendment cutting out that part, although he voted previously for the whole clause.

Mr. FOOTE said he wished to explain his position. He voted with the "Noes" because they were very much in a minority. He did not wish to stop the clause. They were trying to set right that which was wrong. By continued application matters had been brought right, and he should vote for the amendment.

Mr. BROWN said he did not think that the employer should in all cases be held liable while the man who was entrusted with the superintendence was not to be punished in any way. He should be told, perhaps, that employers had their own remedy against a superintendent; but that remedy might be worthless. If the Premier could see his way to make the superintendent liable first, and if he had not sufficient means to satisfy the claim to make the employer liable, then he thought the clause should go through. He did not think anyone could object to that.

Question—That the words proposed to be omitted stand part of the clause—put, and the Committee divided:—

AYES, 24.

Sir S. W. Griffith, Messrs. Miles, Rutledge, Dickson, Dutton, Moreton, Norton, W. Brookes, Aland, Bulcock, S. W. Brooks, Isambert, White, Buckland, Wakefield, McMaster, Salkeld, Chubb, Midgley, Ferguson, Lissner, Philp, Sheridan, and Hamilton.

NOES, 18.

Messrs. Lumley Hill, Black, Adams, Grimes, Jessop, Donaldson, Kellett, Pattison, Foote, Kates, Smyth, Mellor, McWhannell, Macfarlane, Horwitz, Murphy, Bailey, and Brown.

Question resolved in the affirmative.

Clause, as amended, put and passed.

On clause 5, as follows:—

"A workman shall not be entitled under this Act to any right of compensation or remedy against the employer in any of the following cases, that is to say—

(1) Under subsection one of the last preceding section, unless the defect therein mentioned arose from, or had not been discovered or remedied owing to, the negligence of the employer, or of some person in the service of the employer, and entrusted by him with the duty of seeing that the ways, works, machinery, or plant were in proper condition;

(2) Under subsection four of that section, unless the injury resulted from some impropriety or defect in the rules, by-laws, or instructions therein mentioned; provided that where a rule or by-law has been approved or has been accepted as a proper rule or by-law by a Minister of the Crown authorised to give such approval or acceptance under or by virtue of any Act of Parliament, it shall not be deemed for the purposes of this Act to be an improper or defective rule or by-law;

(3) In any case where the workman knew of the defect or negligence which caused his injury, and failed within a reasonable time to give, or cause to be given, information thereof to the employer or some person superior to himself in the service of the employer, unless the employer or such superior already knew of the defect or negligence, and the workman was aware of such knowledge."

The PREMIER said that on the second reading of the Bill a good deal was said about the freedom from liability of the employer if the accident was caused by the workman's own negligence. That that was already the law there could be no question, but it was suggested that it would be better to state it clearly in the Bill. That, he thought, might perhaps be desirable. He therefore moved the insertion of a new paragraph to read—

If the workman caused or contributed to the injury by his own negligence or unfitness for work.

Unfitness for work would include intoxication. He did not mean hon. members to think that the insertion of the words would make the slightest legal difference in the effect of the clause.

Mr. SHERIDAN asked the Premier if the amendment would include every description of workman ?

The PREMIER: It includes every description of workman affected by the Bill, and I think that includes nearly all except seamen.

Amendment agreed to; and clause, as amended, put and passed.

The PREMIER said he had a new clause to propose of which he had given notice, providing compensation for seamen in certain cases. The new clause read thus:—

When a personal injury is caused to a seaman or other person employed upon a ship or boat by reason of any of the things mentioned in the first and third subsections of the last preceding section but one, then such seaman or other person or his legal personal representatives or other persons entitled in case of his death shall have the same right of compensation against his employer as a workman or his legal personal representatives or such other persons would have in like cases against his employer under the provisions of this Act.

The effect of that would be that if a seaman, in the course of his employment, was injured by reason of any defect or unfitness in the plant or tackling of the ship, or by reason of the negligence of any person to whose orders he was bound to conform, then he would have the same remedy as any other workman. It might be observed that in the report of the select committee appointed to inquire into the working of the Employers Liability Act in England it was recommended that the provision should only take effect with respect to home ports. In England a law of that kind applicable to ships would apply wherever the ship was, because the laws of the Imperial Parliament applied to British ships all over the world, but laws made here would only apply to ships while they were in Queensland waters, so there would be no necessity to insert such a proviso.

Mr. BROWN said he cordially agreed with the remarks of the Chief Secretary, so far as regarded personal injuries to seamen resulting from causes mentioned in the 1st subsection; but he did not think the owner should be liable for injuries which a sailor incurred through obeying the orders of the captain. The captain was to a certain extent appointed by the Government—the owners could not appoint whom they chose, but had to make a selection from a list of men authorised by the Government. He (Mr. Brown) could not see why, if the captain gave an indiscreet order, he should go scot-free, and the owner be made liable. He thought the clause wanted a little amendment.

Mr. NORTON said it appeared to him that the clause was more comprehensive than it was intended to be. So far as he could see, it would give a right to seamen in case of wreck, which was not given to passengers. In the case of the "Ly-ee-Moon," for instance, the wreck occurred through the orders of the officer in charge. The passengers were not entitled to recover, but under the clause he thought the seamen would be entitled to recover. Now, the object of the Bill was not to give workmen more rights than other people, but the same rights.

The PREMIER said the 3rd subsection of the 4th clause made the employer liable for an injury caused—

"By reason of the negligence of any person in the service of the employer to whose orders or directions the workman at the time of the injury was bound to conform, and did conform, if such injury resulted from his having so conformed."

That was to say, if an officer of the ship directed a seaman to do a thing which was so extremely perilous that the direction was an improper or careless one, then the employer would be liable. Suppose, for instance, a seaman was ordered aloft when no reasonably careful man would have given such an order. He remembered a case at sea when the ship was sailing close-hauled in a very strong gale of wind with heavy sea; something sprung on the bowsprit, and the chief officer directed the whole watch to go out on the bowsprit, which was under water every minute. It was a wonder that nobody was drowned. That was a case of what he would consider improper conduct on the part of the officer.

Mr. BROWN said the order might have been necessary to save the ship.

The PREMIER: No; the proper thing would have been to put her off a point or two, as the captain did after making the men go out. The clause would apply to a case of that sort.

Mr. NORTON said it appeared to him that under the clause, in a case like that of the "Ly-ee-Moon," where the captain gave an order to the man at the wheel which resulted in running the ship ashore, the sailors would have the right to recover.

Mr. McMASTER said he thought the passengers should be protected in such a case as well as the seamen.

The PREMIER: So they are.

Mr. McMASTER: Not in this clause.

The PREMIER: This Bill has nothing to do with passengers.

Mr. McMASTER said the "Ly-ee-Moon" passengers were not protected. The captain had given a course which ran the ship on the rocks under a lighthouse; and it came out in evidence that he had disobeyed the orders of his company. It was a well-known fact that the captains were almost compelled to make quick passages or run the risk of losing their positions. Competition was so keen that a captain who was behind an hour or two on a trip was looked upon as neglecting his employers' interests. Hence the captains hugged the shore, and the consequence was that both seamen and passengers

were in danger of losing their lives, as several had done in the "Ly-ee-Moon." It came out in the evidence that the company had instructed their captains to keep two miles from any known danger. Surely the captain knew of the danger in that case, and yet, instead of keeping two miles away, he gave a course which landed the vessel on the rocks. In a case like that the passengers or their widows and orphans should have a right of compensation against the shipowners. If an employer on land was liable for the action of his superintendent or servant, a shipowner should be liable for the acts of a captain, and he did think that provision should be made in that clause placing passengers on equal ground with sailors.

The PREMIER said it was not a Bill dealing with the liability of shipowners to passengers. The question was simply how far it was desirable to extend the principle of the Bill to seamen. It certainly was not desired by the seamen themselves that the whole principle of the Bill should be applied to them. He had had a communication from the Seamen's Union on the subject, and in it they stated that it appeared—

"Some hon. members are likely to raise objections which may possibly debar seamen from being included in the Employers Liability Bill now in committee, and, judging from the tone of the papers, those objections will relate to accidents likely to occur through the inclemency of weather, and which the seamen would never think of making their employers responsible for; but we are of opinion, and consider it only just, that shipowners should be responsible for all accidents incurred through negligence, defective tackle, and machinery, the same as employers of other classes of labour, and that by including us in the Bill it will also be a check on the better fitting out of ships, on which depends the safety of the passengers as well as the seamen."

That struck him as a very reasonable proposition, and on that he framed the clause before the Committee. It might be that it went rather further than they desired. It was altogether a tentative matter, and it had occurred to him that possibly they might amend the clause in favour of exempting employers from liability for the action of the officers of a ship. A jury might, after hearing all the circumstances, think a thing was negligence which was done on the spur of the moment, and that a man with better knowledge and a cooler head would have done better. If it was the opinion of hon. members that the clause should be amended in that direction it would be necessary to alter the wording, and let it read that a shipowner should be liable when an accident happened by reason of any defect or unfitness in the condition of the vessel. He would not, however, move any amendment until he had heard the opinions of hon. members.

Mr. BROWN said he cordially agreed with the suggestion of the Premier. It occurred to him a little time ago that a captain of a ship might in very trying circumstances not do what would be most prudent. He had to do what seemed best at the moment, and anyone suddenly placed in a position of danger might fail to do what the jury, considering the matter afterwards, would consider a prudent thing under such circumstances. Captains were liable to make mistakes sometimes, and they acted for the best under very trying circumstances. He thought the clause wanted a little amendment in the direction indicated by the Premier.

Mr. MIDGLEY said he should be sorry to see any exceptions made, if seamen were included in that provision, which did not apply to servants on land. He did not see any reason why they should make any exception. They ought not to confuse negligence with a mistake of judgment. He did not think if a captain gave a mistaken order, that that could by any stretch of language or any kind of interpretation be called negligence.

The PREMIER: Yes; it can.

Mr. MIDGLEY: Not at all. If the captain was awake, sober, at his post, doing his duty, and he gave an order which turned out to be a mistaken one, that could not by any stretch of language be construed into negligence.

The PREMIER: It is.

Mr. MIDGLEY: Not at all. Negligence and a mistake of judgment were two very different things. He thought that it would be a pity to destroy the usefulness of that Bill as it affected seamen. They were, generally speaking, he believed, the worst paid lot of men in any class of employment; they had the worst kind of habitations to dwell in, and were exposed to all kinds of danger—some of them inseparable from their calling, and others arising from the very thing which they were trying to guard against. If a man was incapable through drink when he ought to have had all his faculties clear and in active operation, that might be considered negligence.

The PREMIER said Acts of Parliament were construed by lawyers, and there was no donbt that all the things which the hon. member referred to were negligence. So far as related to the liability of shipowners in dealings between themselves and their customers—passengers and those who sent goods on board their ship—if a master gave a mistaken order in a hurry, and lost the goods, the shipowner would have to pay for them unless he protected himself by his bill of lading. There was no doubt at all about its being negligence.

Mr. MIDGLEY said legal negligence was very different from negligence in ordinary day life, and he should not like, as an employer on land or sea, to have that interpretation of negligence attached to any actions of his.

Mr. SHERIDAN said that, of course, captains occasionally got drunk, but if drunkenness was proved against a captain he lost his certificate; it was immediately cancelled, so that there was a severe punishment attached to drunkenness.

The PREMIER said he thought, on the whole, it would be safer to limit the clause to cases of defects or unfitness in the condition of the ship, and he would therefore move the omission of the words, "of the things mentioned in the first and third subsections of the last preceding section but one," with the view of inserting, "defect or unfitness in the condition of the spars, tackling, machinery, or other apparel or furniture of the ship or boat."

Mr. NORTON asked whether the amendment covered the exceptions made by the select committee of the House of Commons on the subject?

The PREMIER said he thought it did.

Mr. NORTON said that in that case he quite approved of the amendment.

Amendment put and passed; and clause, as amended, passed.

On clause 6, as follows:—

"The amount of compensation recoverable under this Act shall not exceed a sum equivalent to three times the estimated earnings for one year of a person in the same grade employed in the like employment and in the locality in which the workman is employed at the time of the injury."

The PREMIER said he did not know that any complaints had been made in England with regard to the limitation. The terms of the clause in the English Act were somewhat different from those, and gave the employer the benefit of any

strike or slackness of work there might have been during the previous three years. Under it also, if the industry had been in existence for only one year, apparently not more than one year's wages could be given. The limitation to three years seemed fair enough, and he did not propose to move any amendment in the clause.

Mr. FOOTE said the limitation seemed to him too high, and he would move as an amendment that the words "three times" be omitted, with the view of inserting the word "twice."

Mr. MIDGLEY said that when the Bill was being read a second time he stated that he considered clause 6 to be the most defective clause in it, and he thought so still. He failed to see why any limit should be fixed in a Bill of that kind.

An HONOURABLE MEMBER: But what about the employers?

Mr. MIDGLEY said he was not thinking about the employers. The Bill was one dealing with the protection of the employed.

The PREMIER: You must consider both.

Mr. MIDGLEY said what they had to consider was, what would be fair redress to a man who had been injured, or to his wife and family if he had lost his life? Why should it not be left to those who had the settlement of matters of that kind—a jury or a judge—to decide what the compensation should be? It would then give an opportunity of taking into account what kind of negligence there had been, and to what extent those who were liable ought to be made to pay. There might be very culpable negligence for which those who were guilty ought to be made to pay severely. In other cases, where there was comparatively little to blame, the amount of compensation might be made accordingly. Three years' earnings might be a very small consideration to pay to a man's family, the head of which had lost his life through the negligence of his employer. The Act would be for the benefit chiefly of the poorer workmen—not the overseers and managers—men earning from 30s. to £2 a week. Taking it at the highest of those figures, it would only amount to £312, which would be very poor compensation under certain circumstances, when the employer was perhaps well able to pay more, and on account of his negligence ought to be made to pay more. Why the limitation should be laid down he failed to see. Let each case be decided on its merits, according to the amount of the negligence and the employer's ability to pay.

Mr. NORTON said the reasons for imposing a limit were obvious, especially when they called to mind the decisions that juries had sometimes given in cases where compensation had been sought. In his opinion a limit should be fixed in all cases where money could be recovered. The defect was not in the limit imposed by the Bill, but in there not being a limit inserted in all other Acts of the kind. Whether the proposed limitation was a proper one or not was a matter for discussion, but there certainly should be some limit put. He might point out that he thought the limit of two years' wages rather small, because it was a maximum.

The PREMIER said he would refer to another clause to illustrate the point. A great deal of alarm had been felt in consequence of the unreasonable awards sometimes made by juries. No doubt they had sometimes been very unreasonable, and it had been suggested to him that the objection might be removed if the assessment of damages was left to the judge without a jury. In England the provision was that the cases must be brought in a county court. One object of that was, no doubt, to reduce the expense. The expense of cases in a county court was much less than of cases which were heard in the Supreme Court of Justice, just as the proceedings in the district court here were much less expensive than proceedings in the Supreme Court. In the county court in England there were no juries, and he did not know what weight that had had when the Act was passed, but the provision was made that the judge might call in one or two assessors. There was no advantage that he saw to be gained by that. The cases should either be tried before a judge alone, or a judge and jury. As the clause stood either party might demand a jury, but it might be desirable to provide that the case should be tried befere a judge alone. There was some reason in that, because questions of law would be mixed up with the whole of the circumstances, and the question would be whether the facts came within the particular rule under which an employer was liable, because he was still not liable in some cases. As to the amendment under consideration, he did not think that three years' wages was excessive. Supposing a man was killed through the fault of the employer entirely, why should his widow or children not get as much as three years' wages? It was not very much. He thought it would be better to leave the clause as it stood. He was surprised at the lowness of the maximum rather than at its largeness. He might say the maximum was much objected to by workmen.

Mr. MIDGLEY said if he could obtain assistance he should certainly move an amendment on the clause. That was the first time he had had the audacity to do anything of the kind, but he should make the attempt. Take the case of a farm labourer who got £30 a year. Some of those men got a great deal less than £30 a year.

HONOURABLE MEMBERS: No.

Mr. MIDGLEY said they did. He knew them, and it was not, therefore, a matter of conjecture.

An HONOURABLE MEMBER: With rations?

Mr. MIDGLEY said, of course. They had better be in Russia if they did not get rations as well, but some of them had risen to be members of the Legislature of Queensland in its higher branch. The very best men they had in the colony, the men whom they found the most difficulty in getting, and whom they could least afford to lose, might be killed through the culpable negligence of an employer, and three times the wages of one of those men would be nothing. Three times £40 was nothing at all. Why should they fix such a limit? That was a Bill which would be of use and that would be availed of a great deal, and it would be found to get at a class of men who, if they had their own way, would not keep a man in existence after he had ceased to be of use to him. He had known men to grudge a man injured in felling a tree his wages for a week or two, much less pay him any compensation, and it would get at men of that sort. He would ask the Premier to give him his assistance, and he would propose an amendment to that effect.

The PREMIER said the hon. member's object would be gained by negativing the clause.

Mr. MIDGLEY: Quite so; that will leave it open.

Mr. GRIMES said, as a set-off to what had fallen from the hon. member for Fassifern, he might mention that employers of labour were sometimes very poor men. They were often nothing less than farm labourers themselves who had taken a step up, and for them to be compelled to pay three years' earnings to an injured man would very likely mean ruin. They ought to take that into consideration too. It was not

always men of capital who employed labour, and it was possible that the employer might be a working man himself, who was running the same risk as the employé in felling a tree or anything of that kind. As he had said, an accident might befall an employé, and the employer be ruined through the compensation he would have to pay.

Mr. NORTON said the hon. member's argument was to the effect that if a man happened to be poor he ought not to be liable; but if he were wealthy he ought to be liable.

Mr. GRIMES: We are on the question of compensation now.

Mr. NORTON said that if a man because he happened to be poor was not to be liable, then the Bill would be of no value whatever. The object was to make employers more careful, and he was certain the more stringent the clauses were made the greater precautions would employers take to guard against accident.

Mr. SALKELD said he thought the limit mentioned in the clause—three times a year's wages—almost too low. He would rather make it four or five times a year's earnings, and adopt the suggestion of the Premier as well—to have the matter tried before a district court judge without a jury. There was no doubt that juries sometimes gave excessive damages in cases of that kind. They did not weigh all the circumstances of the case, and were carried away by a feeling of sympathy, especially if they were aware that the parties being sued were well able to pay. He thought if the maximum were altered to five times the annual earnings, and leave the district court judge to try the cases, no injustice would arise. He begged to move as a further amendment the omission of the word "three" with a view of inserting the word "five."

The CHAIRMAN said the amendment now before the Committee was to omit the words "three times" with a view of inserting the word "twice."

Mr. KATES said he thought the last amendment was going a little too far, and he was half inclined to agree with the amendment of the hon. member for Bundamba. It was true that some employés only earned £30 a year, but in many instances the workman was better off than the master; and in some cases as much as £3 or £4 a day was paid. Divers received wages to that amount, and if an accident befell a man in such a position the master would be liable to pay £4,500.

Mr. FOOTE said he thought the amendment he proposed was a very reasonable one. Of course it would not apply to accidents through which persons were killed; but they did not come under the Bill.

The PREMIER: Yes.

Mr. FOOTE said that in that case he felt disposed to withdraw his amendment. Before doing so he would remark in reference to a man getting killed while felling timber, as mentioned by the hon. member for Fassifern, that it would be exceedingly difficult to prove that the death was caused by the negligence of the employer. The hon. member appeared to have had a large experience in connection with the manner in which employers treated their men; but during an experience of more than thirty-six years none of the instances mentioned had come under his (Mr. Foote's) notice. With the consent of the Committee, he would withdraw his amendment.

Amendment, by leave, withdrawn.

Mr. SALKELD moved that the word "three" be omitted with the view of inserting the word "five." That would fix the maximum, but would not bind those who had to determine the amount of damages to give that amount. In many cases twice the year's earnings would be sufficient compensation, but there had been cases of gross negligence through which persons had lost their lives, and in those cases even five times the yearly earnings would not be sufficient. He admitted, however, that there ought to be a limit, in order that no injustice might be done to employers.

Mr. McMASTER said he thought the member for Fassifern had quoted an extreme case when he spoke of a farm labourer receiving only £30 a year. There was the board, however, to be taken into account, and that was worth £40 a year, so that the total earnings would be about £70 a year. He had known farmers who had to sell a horse or a cow before they got their crops to market, in order to pay their men's wages, and it would be a great hardship to them if the amount of compensation were left open for a jury to decide. From what he had seen and read of juries, he believed that if the amount were limited they would give the full extent of damages, and if left an open question they would give a sum of money ruinous to the employer.

Mr. MACFARLANE said he was inclined to agree with the hon. member for Fassifern that the amount of compensation should not be limited by the clause. Suppose two men were killed in a railway accident, one having £100 a year and the other £300 a year. According to the clause as it stood, one man's representatives would have £300 and the representatives of the other £900. The former might leave a widow and ten or eleven children and the latter might leave only a widow; so that the clause would act very unfairly so far as the relatives of those two persons were concerned. There seemed to be some doubt in the minds of hon. members in reference to a remark made by the hon. member for Fassifern as to the wages of farm labourers, but he could confirm what that hon. member had said. Within the last week he had conversed with a young man who came out to Australia, and was now going to New Zealand for three years at £16 a year. He hoped Queensland would never get so low as that, but he knew of young men in Queensland working for £25 a year and rations at the present time. As the clause now stood, the representatives of a labourer in that position would be entitled to a very small sum, and he thought it better to leave it to the judge to determine the amount according to the circumstances.

Mr. BROWN said that hon. members who spoke against the clause seemed to assume that all employers were wealthy men, but such was not the case. A large number of farmers employed only one or two men, and were not in a position to pay damages to a large amount. There was no doubt that men engaged in farming were not exposed to any particular risk, and he did not think it right that the employers should have to pay more than three times a man's yearly earnings. If a man got £30 a year and his board, his earnings would probably be assessed at £80 a year, and if he met with an accident resulting in his death his representatives would get £240, and that would be quite enough for a small employer to pay two or three times. The clause was very well as it stood, and if the Chief Secretary would only amend clause 9 so as to provide that the compensation limited by clause 6 should be assessed by a district court judge without a jury, and without any necessity for an appeal to the Supreme Court, everyone ought to be satisfied.

Mr. MIDGLEY said he was aware that there were poor farmers, and that it would be very difficult, perhaps impossible, for them to pay the damages that might be assessed in matters of that kind; but that argument applied equally against imposing any penalty at all. They might be just as willing and as able to pay a year's wages for services not rendered as to pay the other amount. What he objected to was putting a limit on the amount. Let them leave that to be settled by the persons who had the case in hand. He would point out to the Committee that they were putting a mere monetary, mercenary estimate on a man's life. They were saying by the Bill as it stood that the value of a man's life to himself and his family could not possibly be imagined to be worth more than three years' wages—the wages he happened to be earning just at that time. Why, a man might be earning ten times as much at another period of his life, and at the time of the accident he might have a larger family dependent upon him. Why should they insert a limit in a Bill of that kind? The remarks of the hon. member for Ipswich only confirmed what he had said. He did not want to do anything that would harass men who were employers. He knew that without employers there would be no employés; but it was going out of their way in a Bill of that character, which was supposed to deal out justice, to insert a limit. The judge and jury trying the case should take into consideration the position of the man who was guilty of negligence, and had to pay, as well as all other circumstances connected with it.

Mr. BROWN said if an employé wanted to be in a position to recover more than what was provided by the clause he could do it by taking out an accident policy himself. There was no reason why employers should be bound to pay a larger sum than that stated.

Mr. FOOTE said in regard to the case cited by the hon. member for Ipswich, Mr. Macfarlane, where a person was engaged at £16 a year to go to New Zealand, he would point out that New Zealand at the present time was one of the worst places in the whole of Australasia for the employment of labour, and people were leaving it as fast as they possibly could. There were plenty of persons here paying farm labourers as high as 30s. and 35s. a week. In fact farm labourers who were competent to do their duty could always get a fair equivalent for their services; but there were a great many new chums who came here who were thoroughly incapable. He did not know where they came from—it must be from the cities. Some of them did not know how to handle a plough, to dig, to mow, to hoe, or in fact to do anything; and they must submit to a lower rate of wages until they were taught how to work. When they knew how to work they were sure of getting higher wages.

Mr. ADAMS said he knew very well that if employers of labour in the country could get men for £30 a year very little would be heard about black labour. It was impossible to secure men in the country districts at less than £1 a week. With reference to the clause he thought it absolutely necessary that there should be a limit, and that therefore it should remain as it was. If the limit was made too high they might drive many men into the insolvency court, and it would be of no benefit to the working men after all.

Mr. MIDGLEY asked whether, if the amendment were lost, he should be in order in proposing the omission of the clause?

HONOURABLE MEMBERS: Yes.

Question—That the word proposed to be omitted stand part of the clause—put, and the Committee divided:—

AYES, 35.

Sir S. W. Griffith, Messrs. Rutledge, Dickson, Dutton, Moreton, Kellett, Sheridan, Miles, Donaldson, Foote, W. Brookes, Buckland, White, Isambert, Smyth, Adams, S. W. Brooks, Bulcock, Wakefield, McMaster, Mellor, Kates, Murphy, Grimes, Nelson, Annear, Philp, Brown, Wallace, Macfarlane, Ferguson, Lissner, Bailey, Chubb, and Horwitz.

NOES, 2.

Messrs. Midgley and Salkeld.

Resolved in the affirmative.

Mr. NORTON said it appeared to him that the clause was made more difficult by the estimated earnings of the afflicted person being brought in. In the English Act, if he were not mistaken, the three years applied to the previous three years.

The PREMIER: Yes, "those three years."

Mr. NORTON said he thought they might make the earnings depend upon the earnings of the man himself.

The PREMIER said the man might only have been employed for a week. He had used words which, he thought, would be of general application, and the clause laid down a rule that could always be applied. The man himself might not have been there, and therefore he said "persons of the same grade." Take the case of a diver, for instance, who was employed perhaps only fifty days in a year, what would be the earnings of a diver? He thought, on the whole, it was better as it was.

Mr. MIDGLEY said the last division was a failure. He thought the Premier would like to see the clause left out, and he would point out that the representatives of the people—the Liberal side of the Committee—were really saying that if a man was only earning £20, at the end of his life he was only worth £60. That was not the value of the life of a sheep, or a good bullock, or a good horse. He moved, as a further amendment, the omission of the clause.

Question—That clause 6 stand part of the Bill—put, and the Committee divided.

There being no tellers for the "Noes," the question was resolved in the affirmative.

On clause 7, as follows:—

"An action for the recovery under this Act of compensation for an injury shall not be maintainable unless notice that injury has been sustained is given within six weeks, and the action is commenced within six months, from the occurrence of the accident causing the injury, or, in case of death, within twelve months from the time of death: Provided that in case of death the want of such notice shall be no bar to the maintenance of the action if the judge is of opinion that there was reasonable excuse for such want of notice."

The PREMIER said it had been suggested that a longer time should be given for notice. He moved the omission of the words "six weeks" with a view of inserting the words "three months."

Mr. S. W. BROOKS said he had already stated that he thought six weeks too short a time, especially in a case where a man received injury to his nervous system. He intended to suggest, before the alteration was moved by the Premier, that the words "six weeks" might be allowed to stand by leaving out the words "in case of death." In the majority of cases, of course, six weeks would be long enough—such as injuries from defective scaffolding or faulty machinery, it would not want six weeks to settle that, but in the case of a nervous shock a longer time might be necessary.

Mr. MIDGLEY said the amendment proposed touched the question he was about to ask. He supposed it would apply to seamen engaged in vessels engaged in the Polynesian trade. An accident might occur through negligence on one of those vessels at the commencement of a voyage, and the aggrieved party would have to wait for the return of the vessel before he could give notice. In such a case six weeks would not be a long enough time, and three months even might not give sufficient time. There was a proviso attached to the clause in case of death, but none in case of accident.

The PREMIER said that with respect to seamen no action would lie unless the accident took place in Queensland waters, because they could not make laws for what took place outside their own waters, so that an extension of time would have no effect in such a case. The object was, of course, that an employer might have an opportunity of investigating a case while the facts were fresh. If a man said after the lapse of six months that he was injured and claimed compensation, the witnesses might be all gone, and the employer would have no means of investigating the matter. That was the object of making the time short, and though he thought the shorter the time allowed the better, still six weeks might be too short a time in many parts of the colony. In case of death it was different; a poor widow or children would have to give the notice in such a case.

Amendment agreed to.

Mr. S. W. BROOKS moved the omission of the words "in case of death" in the 6th line of the clause.

Amendment agreed to; and clause, as amended, put and passed.

Clause 8 passed as printed.

The PREMIER proposed the following new clause to follow clause 8:—

When at the time of the happening of an injury to a workman for which he might recover compensation under this Act the workman is insured against accident under a policy of insurance, then if the employer has contributed not less than one *third* part of the premium payable in respect of the then current period of such policy, so far as it relates to the workman, the amount receivable by the workman under such policy shall be deducted from any compensation which would otherwise be payable to the workman under this Act.

It was a common thing for employers to take out policies for their workmen, and he thought the practice was likely to become much more common if the Bill were passed. He understood that the policies were not usually taken out for each workman separately. The system was that of a sort of open policy.

Clause put and passed.

On clause 9, as follows:—

"Every action for recovery of compensation under this Act shall be brought in a district court, but may, upon the application of either the plaintiff or defendant, be removed into the Supreme Court in like manner and upon the same conditions as other actions commenced in a district court may by law be removed."

The PREMIER said he had some amendments to propose which he thought would be useful. It was necessary to provide for cases where the district courts had no jurisdiction, as for example where the defendant was a person or corporation out of the colony. In such a case district courts had no jurisdiction, nor did he know of any means of giving them jurisdiction. He proposed to omit all the words from "but may" to the end of the clause, with the view of inserting the following words—"unless the defendant is a person or corporation not amenable to the jurisdiction of any district court in the colony. A district court shall have jurisdiction to hear and determine any such action whether the amount sought to be recovered does or does not exceed £200. Every such action shall be tried by a judge without a jury."

Mr. S. W. BROOKS said he thought the amendment was a good one in some respects, at any rate so far as it did away with the power of removing a case from the district to the Supreme Court, but he was not sure about the wisdom of leaving the trial in the hands of one judge. He had expressed his opinion earlier in the session about one-judge actions, and it was just possible that it might lead to hardship and difficulty. There was a feeling outside that the Bill might open the way to vexatious litigation. He was desirous that it should go through as an even-handed measure—fair to master and man alike. He thought it would meet the case more fully to leave the decision in the hands of arbitrators, rather than of a single district court judge. They had to remember who the district court judges were or might be. There were district court judges and district court judges. Sometimes an experienced judge who had sat for years might have to leave the colony, as was the case just now in the southern district court, and the deputy district court judge might be a young barrister entirely inexperienced, put in the position for reasons they knew nothing of. Then in his hands would be left this important matter to decide without a jury.

The PREMIER said as the law at present stood anybody who chose could go to arbitration. They had not yet arrived at that stage which some countries had reached where provision was made for referring all matters to courts of conciliation before beginning litigation. He did not know whether theirs was a higher state of civilisation or not, but in that respect he thought they were superior to this colony. He hoped some day to have something to do with introducing a similar system into this country. But, as he had said, anybody could go to arbitration now. He thought, however, it would be a mistake to compel anyone to go to arbitration, and he doubted whether the award of arbitrators was likely to be much fairer than the award of a district court judge, or whether the expense would be less in the former case than the latter. Several hon. members had stated that the Bill would afford food for the lawyers. Well, he wished them joy of all the pickings they would get under that Bill. Actions would have to be brought in the district court, where the fees were extremely low.

Amendment agreed to; and clause, as amended, put and passed.

On clause 10—"Mode of serving notice of inquiry"—

The PREMIER moved that the word "notice" in the last line be omitted with the view of inserting the word "letter."

Mr. SALKELD asked if the Bill applied to Government employés?

The PREMIER said, as a matter of fact, it did not apply to Government employés, because there was no law in force in this country under which an action could be brought against the Crown for negligence or any wrong; but it applied to persons in the employment of the Commissioner for Railways, and those were practically all the persons in Government service engaged in employments of danger except perhaps those working on dredges. But there was no law in force under which an action could be

brought against the Crown for a wrong, and the provisions of any law of that kind would require very great consideration before they were adopted.

Mr. SALKELD : The Bill will not apply to the employés in the Harbours and Rivers Department ?

The PREMIER : No.

Mr. MIDGLEY : Can railway employés bring an action against the Commissioner for Railways?

The PREMIER : They cannot now, but they can under this Bill.

Amendment agreed to; and clause, as amended, put and passed.

On clause 11, as follows :—

"The provisions of this Act shall apply to all workmen : And any contract or agreement between an employer and a workman which, if it was valid, would have the effect of disentitling the workman to the benefit of the provisions of this Act shall, to that extent, be absolutely void and inoperative"—

The PREMIER said he did not see what was the use of the 1st line, and moved that all the words from the beginning of the clause to the word "and" in the 2nd line be omitted.

Amendment agreed to.

The clause was further amended by the substitution of the word "were" for the word "was," in the phrase "if it was valid."

Mr. SMYTH asked whether, in the event of an accident happening to a man on a goldfield, the provisions of the Mines Regulation Act or of the present measure would take precedence?

The PREMIER said the two Acts would work on entirely different lines.

Mr. SMYTH said that under the Mines Regulation Act, if a man was injured in a mine the employer was not held responsible if he could prove that he had taken every precaution, and that the man had not been injured through any neglect on the part of the owner. What he wanted to know was whether the provisions of that Act would be overridden by those of the Bill now before the Committee—would the latter ignore the former?

The PREMIER said the Employers Liability Bill gave a right of civil action against the employer for injuries sustained by a workman under the circumstances described. The Mines Regulation Act punished persons for negligence by fining them. There would be no conflict whatever between the two. The Mines Regulation Act said that a person guilty of an offence against the Act was liable to a penalty specified, and that the whole or any part of that penalty might be awarded to the persons injured or to their representatives, such award to be in addition to the right of action. The Bill now before them provided that if a man had obtained an award under that Act he should not recover it over again ; the amount so received would be deducted from the amount recovered under the Employers Liability Act ; or, if he first obtained an award under that Act, he would not be allowed to go for an additional penalty under the Mines Regulation Act.

Clause, as amended, put and passed.

The House resumed, and the CHAIRMAN reported the Bill to the House with further amendments.

The report was adopted, and the third reading of the Bill made an Order of the Day for to-morrow.

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, said to-morrow was private members' day, and he understood that the hon. member for Townsville (Mr. Macrossan) intended to go on with his motion about Separation. There was also other private business on the paper.

Mr. NORTON asked what business it was intended to go on with on Tuesday ?

The PREMIER replied that he should not be able to say until to-morrow.

The House adjourned at seven minutes past 10 o'clock.