

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 16 AUGUST 1889

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LEGISLATIVE ASSEMBLY.

Friday, 16 August, 1889.

Question.—Church of England (Diocese of Brisbane)
 Property Bill.—Civil Service Bill—third reading.—
 Motion for Adjournment—case of John Rackley—
 boring for water at Croydon.—Eight Hours Bill—
 committee—re-committal.—Adjournment.

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

QUESTION.

Mr. PALMER asked the Colonial Treasurer—
 In view of the present scarcity of surface water at
 Cannooewal, what assistance can be given to the local
 board to assist in discovering artesian water for that
 locality?

The COLONIAL TREASURER (Hon. W.
 Pattison) replied—

After inspection and report, if a loan is applied for by
 the local authority, the matter will receive considera-
 tion.

CHURCH OF ENGLAND (DIOCESE OF
BRISBANE) PROPERTY BILL.

Mr. GROOM moved—

1. That the Church of England (Diocese of Brisbane)
 Property Bill be referred for the consideration and
 report of a select committee.

2. That such committee have power to send for
 persons and papers, and leave to sit during any adjourn-
 ment of the House, and that it consist of the following
 members :—Mr. Murphy, Mr. Luya, Mr. Tozer, Mr.
 Morgan, and the mover.

Question put and passed.

CIVIL SERVICE BILL.

THIRD READING.

On the motion of the PREMIER (Hon. B. D.
 Morehead), this Bill was read a third time, passed,
 and ordered to be transmitted to the Legislative
 Council for their concurrence, by message in the
 usual form.

MOTION FOR ADJOURNMENT.

CASE OF JOHN RACKLEY.—BORING FOR WATER
AT CROYDON.

Mr. MACFARLANE said : Mr. Speaker,—
 I wish to bring a matter before the House, and to
 put myself in order I will conclude with a
 motion. The matter I wish to bring forward is
 the case of John Rackley, a prisoner at St.
 Helena, who was sentenced by the Supreme
 Court Judge, Sir Charles Lilley, in the month of
 July, 1885, to twenty years' penal servitude for
 arson. Now, Sir, admitting that the prisoner was
 guilty of the crime laid to his charge, is twenty years
 a fair sentence for the crime committed? At the
 time this sentence was passed it was generally sup-
 posed by the people of Ipswich and of other places
 that it was of an outrageous nature. I do not
 blame the judge, or think that he would give an
 unrighteous judgment, but under the circum-
 stances these people thought that twenty years
 was too severe a sentence. If the man attempted
 to burn down a public building or a house or
 factory where a number of people were em-
 ployed, I do not think any sentence would be
 severe enough for such a wretch as that, but we
 must come to the particulars of the case and ask
 ourselves why the judge gave such a severe
 sentence. I shall try to answer that, and I
 think the House will agree with me that the
 sentence was one of a very severe nature.
 Now, in the first place, this house was
 isolated. It was almost in the bush, having a
 little cottage near it on the west side and the
 other three sides being open. Then, again, it was
 almost empty of furniture. The man had left

the district to come to Brisbane to commence work. He was removing the furniture, and part had been removed when the fire took place. Someone has said that his object in burning the premises was to get the insurance, but I can inform the House that he could have had no such object as the house was mortgaged to the building society, and if it had been burned the building society and not Rackley would have been entitled to the money. The man therefore had no object in burning the house further than that the furniture was insured for a small amount. I have taken some considerable interest in this case, from the time the sentence was passed almost up to the present time. I have brought the matter before members of the present and other Governments, but I have got no redress, and that is why I bring it before the House this afternoon. It has gone abroad that this person attempted to destroy his wife when the fire took place, but to show that this could not have taken place I will quote from the *Queensland Times*, published at that time. This is evidence given when the fire took place—

"Henry Bennett, a labourer, residing at New York, deposed that in October last the accused was living in a house next to him; remembered a fire breaking out in his house about the first of that month, between 9 and 10 o'clock at night; witness was in bed at the time, and his wife called out that Rackley's house was on fire; got up, went outside and heard the accused calling out, "Fire, fire!" went to the house and saw the accused standing in the passage; asked him where the fire was, and he said in the back skillion."

I want to draw attention to the fact that Rackley was the very first man to call attention to this bogus fire that took place in the month of March. Now, when the trial took place on the 9th March, we find that—

"Bella Anderson, a single girl, deposed that she was in the employ of the accused as domestic servant on the 1st October, and had been for four or five months previous; went to her mother's house on the night of the 1st October, about 8 o'clock, leaving the accused at home; there was no fire in the house, and no lights excepting a kerosene lamp in the front room, which accused was using; returned in about an hour, and saw that there had been a fire at the house; the accused told her to tie up and carry into Mrs. Roberts's the clothes that had been washed that day, and she did so. . . . Mrs. Rackley had them all away with her except those which were in the wash."

I read that to show that Mrs. Rackley was not in the house at the time, but was away from home; and I read it to correct the report that an attempt was made by the man to burn his wife. I will read from the evidence of William Edward Roberts, a coachbuilder, who stated—

"That on the morning of the 6th of February he was awakened shortly before 2 o'clock, and saw the prisoner's house on fire; the main building was then in flames; next noticed the fire coming through the roof; after the roof had fallen in noticed a bluish flame similar to that produced by kerosene; the house had been empty since the previous Monday; also saw a bluish flame near the kitchen chimney."

It is stated here :—

"The prisoner then made a long statement. He got in through the window for the simple reason that he could not enter elsewhere, his wife having gone on a visit to a friend's place while he was working in Brisbane. She took the key with her, so he was compelled to get in the best way he could. He could not see how he should benefit by the fire, as the policies were in possession of the Ipswich Building Society, and if the society had built him a new house, what would he have gained? He himself had admitted that he had been in the house on the morning of the second fire. It was a voluntary admission. No one had seen him there. Why should he admit such a thing if he were guilty of the offence? An attempt had also been made to connect him criminally with the first fire; but the witnesses had sworn that he was the first to give the alarm, and he would scarcely have done so had he desired that the house should be burnt down."

The reason, and I believe the sole reason, why John Rackley got such a severe sentence was because there had been a considerable number of fires both in Brisbane and Ipswich just previous to this particular time, and I believe the judge had said that if he got a clear case of the kind against anyone he would give him a very severe sentence. So that I am inclined to think the judge made Rackley suffer, not so much for his own acts as for the acts of others against whom a clear case of arson could not be made out. We know that Rackley had no interest in the insurance on the house, and there must have been some reason other than that for his act, and if we look for any other we shall only find that there was a very small amount of furniture in the house. The house was insured for £245, and the building society to whom it was mortgaged valued it at £180, as they do not advance more than two-thirds of the real value of a building. It seems, therefore, clear that Rackley had no interest in setting the place on fire. I will not go further into that; but I say that if it is granted that he did set it on fire, then he received an unrighteous judgment, from the feeling of the judge at that time to make an example of anyone against whom a clear case was made out. I believe that the judges do the very best they can to do justice to everyone, but in this particular case I think an injustice was done, and that twenty years was an outrageous sentence for the crime committed. Anyone who has a house in the bush can burn it down if he chooses, so long as no one is injured, and no damage is done to anyone in the neighbourhood, and it is not done to try to get the insurance money. I have shown that Rackley could not get the insurance money, that no one was injured, and no damage done to anyone by his act; and I therefore think his case is one that should be taken into consideration by the Government, with a view of mitigating the sentence passed upon him. He has already served four years, and has a wife and children. His wife has not been a burden to the State, but has worked with her own hands, and done all she could to support her children. The man Rackley I know, from reports I have had about him, is thoroughly repentant—if that goes for anything in this House—and, besides that, I have provided the Premier with testimonials as to his character from about twenty persons in the town in which he was born in England. The young man was respectably connected, and this was his first offence. I want to refer now to the reply given to my colleague yesterday in reference to other persons punished for arson. I find from that that there are eight cases given, and in the first case the sentence was seven years; in the second, seven years; in the third and fourth, three years; in the fifth—that was Rackley's case—twenty years, or nearly equal to the accumulated sentences of the previous four; in the sixth, two years; and in the seventh and eighth, three years. I take it upon me to say that of all those persons punished for arson Rackley was the least guilty, though I do not know the particular cases. I say so because of the isolation of the building burned, and because no one suffered or could have suffered by its being burned. The severity of the sentence is due simply to the fact that Rackley aggravated the judge. He was very impertinent to the judge, and he suffered for his impertinence, as the judge gave him a severe sentence to uphold the dignity of the Bench, and not so much to do justice to the prisoner. I hope the matter will again be taken into consideration by the Ministry, and that Rackley may be let out as a probationer. Others have been let out as probationers after a few years' detention, and I do not see why this man should not be treated in the same way. It will

be better for the State, as well as for the man himself, and if he has to serve twenty years he will be no good to himself or to the State. He is a young man yet, and if he is let out I have no doubt he may become a useful member of society; the State will have got rid of him, and he will be able to work for himself. I beg to move the adjournment of the House.

The PREMIER said: Mr. Speaker,—I distinctly decline to discuss this question at the present stage upon a motion for the adjournment of the House. The House is not seized of the facts of the case and circumstances surrounding it, and I do not see how we can give an expression of opinion upon it on the statement made by the hon. member for Ipswich. It appears to me that the late Government, having declined to let Rackley out, and the refusal of the present Government up to the present time to let him out, are proofs that there must be some good and sufficient reasons for keeping him in. I believe myself that even the members of the Ministry are not all cognisant of the circumstances of this case, and the House is certainly not in a position to give a proper decision or judgment upon it. It seems to me it is hardly fair for the hon. member to bring this forward as a motion of surprise, and expect it to be debated in the dark, unless, of course, he thinks it desirable to waste the time of the House.

Mr. BARLOW said: Mr. Speaker,—I feel so deeply in this matter that I am sure the House will excuse my offering a few remarks upon the subject. It is not my intention on the present occasion to make any attack upon the judges. I think nothing could be worse, from a constitutional point of view, than to constitute this House a court of appeal, as to the facts of any case and as to whether any man is found guilty justly or unjustly. If a man is found guilty by a jury of his countrymen after the proper formalities presented by law he must be held to be guilty, but the Constitution places in the hands of the Ministry of the day, who are really the Crown, the power of mitigating any sentence that may have been imposed by those persons—the judges—who represent the public. I believe I shall be able to show to the House that there was a great hardship involved in this case. I am very well aware that, as stated by the hon. gentleman at the head of the Government, the preceding Ministry took no action in the case of this man, although they were requested to do so. But I would point out that at the time representations were made to the late Government Rackley had served only a very short period of the sentence imposed on him, and, therefore, the case was hardly ripe for discussion. I myself took a strong interest in the matter, and endeavoured to induce the parliamentary representatives of the town, of whom I was not one then, to make a representation to the Government that this man's sentence should be commuted to a certain fixed term, so that the awful period of twenty years might not be before him, and that he might have some shorter day fixed when he could hope to be allowed again to become a member of society. I do not defend all the Liberal party did. I do not say that they did right in refusing this request; I think they did wrong; but that is no reason why the present Government should do wrong also. The Premier and myself differ in political matters as far as it is possible for two persons to differ; but I believe that we have some things in common—that we both have a sense of justice and a detestation of anything mean and contemptible. I think the unfortunate man whose case I am now discussing was the victim of circumstances, which

brought down upon him an avalanche of punishment that was totally disproportioned to the offence of which he was found guilty. I would point out, in the first place, that the man was undefended at his trial, and that he was tried for one of the most serious felonies known to the law, short of a capital felony. If he had been tried for a capital felony counsel would have been assigned to him for his defence.

Mr. TOZER: No.

Mr. BARLOW: The hon. member for Wide Bay says "No;" but I believe that either by grace of the court, or by some other process, an undefended prisoner tried for his life is usually assigned counsel to assist him. But this man was tried for an offence which was only second to a capital felony, and he had no assistance whatever—no one to advise him—no one to plead for him. I do not hesitate to say that if he had been defended by able counsel there is every probability that he would have been acquitted. I am not going into the question of the supposed animus of the judge against him; that is altogether hearsay. But there can be no doubt that during his trial the prisoner behaved in a most unseemly manner. Finding himself in the meshes of the law, instead of submitting to the law as any reasonable man would have done, he undoubtedly assumed an impertinent attitude, which was wholly out of place in a court of justice. I am sure, however, that with myself and with the majority of the members of this House, that would go for nothing. I do not believe that any member of this House, if placed in the position of the judge, would be influenced by that behaviour or increase the sentence one day in consequence of his impertinence. I should be extremely sorry if the judge who occupied so high a position would do so. I may say that the man was no friend of mine; the only occasion on which I ever spoke to him was once when I went on business into the establishment where he was engaged as an assistant, and I must say that his behaviour to me was anything but courteous. But that does not weigh with me. I merely mention the circumstance to show hon. members that he was not a friend of mine. That was the only occasion on which I ever spoke to him, and I very rarely saw him. There can be no doubt that he twice tried to burn down the house in which he lived at New York, near Ipswich. With regard to the offence of setting fire to a building which is in contiguity to other buildings, I would remind hon. members that this house, as my hon. colleague has said, was detached, and at a very considerable distance from any other house in the locality. What benefit would the man have derived from setting fire to the house? The policy of insurance was in the hands of the building society, and, as every hon. member knows, if an insurance society has any doubt about the *bona fides* of a person whose house has been destroyed by fire, they have the power to reinstate the building, and are not obliged to pay cash. In this case, a reinstatement of the building would probably have been made in such a way that the prisoner would not have fingered 1s. of the cash which would have been payable on account of the insurance. The building was insured for £245, and the amount at which it was valued by the building society was £180. It was not likely then that any fire insurance company would pay £245 for the loss of a building which they knew was worth only £180. Nothing of the sort; they would reinstate the property, and that could have been done for £180, and have been done well. Therefore, the only interest that Rackley could have in this fire was the very slender interest derived from the insurance on his furniture. I quite admit that

the man was both a rogue and a fool—a rogue for what he did, and a fool for the way in which he went about it. The whole proceedings were more those of a maniac than of a man in the full possession of his senses. I hold that the principle of making examples of persons who commit offences is not justice. The principle of bringing down upon the head of a prisoner the whole concentrated force of the evil deeds of others is not justice. My idea of justice is that every crime should, as far as possible, be punished in proportion to its particular turpitude; that a particular sentence should be assigned to each crime; and if that principle had been adopted in this case, possibly the sentence would have been different. But to come down on one offender with the whole force of the law is nothing more nor less than an admission that, under ordinary circumstances, the law is badly administered, or not sufficient for the purpose for which it was made. I would invite the attention of hon. members to the fact that, in the United Kingdom, the question of sentences has been very frequently before the British public. We know that judges do give the most erratic and extraordinary sentences. There is no fixed punishment for any crime. That is so well known that some prisoners, and some lawyers who have to defend prisoners, try to so arrange the trial that the prisoner shall come before some particular judge, who is known to come down lightly upon men convicted of offences. If it were decent or proper to do so, I could give instances. The question has been raised in England whether some other method of apportioning sentences should not be adopted. Some distinguished lawyers have proposed that the jury, in addition to finding the man guilty, should also apportion the sentence. It has also been suggested that sentences should be fixed by a committee of judges, and it has further been proposed that the principle of French jurisprudence should be adopted, by which every offence against the law has its own particular degree, there being murder of the first degree, of the second degree, and so on for other crimes. I think I have said sufficient to show that this system of coming down upon a man with the full force of the law for something other people have done is certainly not justice. I question whether the judges or hon. members of this House have any idea of what a sentence of twenty years' imprisonment means. It is all very well for us to talk about a man having received a sentence of twenty years; but does anyone really realise what it means? The average duration of a human life being sixty years, and, excepting childhood, which reduces the amount to forty-five years, a sentence of twenty years means, in fact, nearly half of the average human life. Such was the sentence passed upon this unfortunate man, whose case I feel bound to bring before this House. I find by the records of this House, which are open to all, that the first four sentences which were passed total up twenty years. The first sentence was seven years, the second was seven years, and the third and fourth were three years each, the four making twenty years; while this unfortunate man who stands fifth on the list, received the whole burden of the sentences which were considered appropriate to the punishment of four crimes. Now, it would seem, if judges had imposed this fearful sentence in consequence of their desire to stop crime, and they found that crime was not stopped, that the next sentence would be thirty years, and if that did not stop crime, the one after it would be forty years. That is the only logical deduction that can be drawn from that very heavy sentence. What do we find? The sixth on the list was sentenced to two years' imprisonment in Bris-

bane Gaol, and the sentence was suspended under the Offenders' Probation Act; the seventh received three years' penal servitude, and the judge intimated that he would recommend that the Offenders' Probation Act be extended in that case. These are facts that appeal to the common sense and the humanity of the House. I feel sure the Premier is not the man who, because he has said a thing, and has, perhaps, said it without a full consideration of the facts, will not go back and do substantial justice to this unfortunate man. I do not know what more can be said. The man cannot receive the benefit of the Offenders' Probation Act, because the sentence exceeds three years, and therefore nothing can be done but to extend the mercy of the Crown towards him. It was stated the other day—and I am not permitted to refer to a previous debate, but it is well known to hon. members—that this man had tried to burn his wife. Nothing more unfounded or cruel could be conceived. At the time of the first fire the wife was away, and as the evidence will show, she had taken a considerable portion of the movable effects, such as bed linen and baby linen, away with her. There was evidence to show she had gone away to friends in Brisbane, and no one was in the house but Rackley himself. On the second occasion the house was entirely untenanted, and had been so since the previous Monday. The prisoner was asked why he got in by the window, and the answer he gave was that the place was empty. His honour the judge, if he is correctly reported, gave what, to my mind, appears a very singular decision. In the report of the trial that took place at Ipswich the prisoner stated he had got into the house through the back window, for the simple reason that his wife having gone on a visit to a friend's place while he was working in Brisbane, she took the key with her, so he was obliged to get in the best way he could. In regard to the first fire, as has been very ably pointed out by my hon. colleague, Rackley was the first man to give the alarm, and his honour the judge in summing up told the jury, if he is correctly reported, that even supposing the building society had built him another house he would probably have received the balance of the insurance money. An insurance company must be extraordinarily soft if it reinstated the property and handed over the balance of the face value of the policy to the man who was insured, and whom there was reason to believe had burnt the house down. I do not know of such an insurance company in Brisbane, and I do not think such insurance companies exist. If his honour was correctly reported, he must have given a curious direction to the jury. At the time that this unfortunate man was imprisoned I felt very keenly indeed on the subject, and I not only spoke to the members who were then supporting the Government, but I communicated with a very influential and able member of the Opposition on the subject, and did all I possibly could to obtain a remission of what I considered to be a very uncalled-for and very cruel sentence. Now, if I have spoken warmly upon the matter, I hope the House will excuse me; I spoke warmly because I feel warmly, and I cannot stand by, even as a private member of society, and see what I believe to be a great injustice committed, and I cannot see such a thing perpetrated while I have the power of speaking in this House. I hope the Premier will reconsider the subject, take it into his earnest consideration, and see if he cannot do something for the unfortunate man whose cause I have so feebly endeavoured to plead.

The MINISTER FOR LANDS (Hon. M. H. Black) said: Mr. Speaker,—I think it is rather unfair of the hon. member for Ipswich, Mr. Macfarlane, to spring this matter upon us

so suddenly. I cannot possibly accuse the hon. member for Ipswich of having any sympathy with crime, and a crime certainly of a somewhat serious nature, as disclosed by the hon. gentleman who has last spoken. The man who has been sentenced appears to have been guilty, according to him, of this offence upon two different occasions.

Mr. BARLOW: One occasion.

The MINISTER FOR LANDS: On two separate occasions. On two occasions he attempted to burn down his house, and now this House is asked to express some sort of opinion upon the case, upon information which we have only obtained by hearsay. The hon. gentleman has intimated to this House what I think was a very likely reason why the sentence was so severe—namely, that he had tried to burn his wife.

Mr. BARLOW: She was away.

The MINISTER FOR LANDS: The prisoner believed she was there. The hon. member has brought a case before the House, of the facts of which we are not thoroughly seized. If he will move for a select committee to inquire into the whole thing, the House will be able to obtain some sort of sound information on the subject. What do we really know about it? I am sure it is not for this House to impugn the action of the judge upon that occasion, and in his discretion he thought fit to inflict a very severe penalty. It is undoubtedly a very severe penalty, and this House can only assume that the judge must have had some sufficient reason for inflicting it. I think it is extremely injudicious of the hon. member to move the adjournment of the House, as that action may prejudice the minds of hon. members on a subject on which, if they had fuller and more ample information, they might be inclined to consider from a different point of view. Hon. members all know perfectly well what the object of this adjournment is. The hon. member wishes to kill a little time until the leader of the Opposition can get here to go on with his Eight Hours Bill. It is just as well for the House to understand that; and knowing that, it would be far better for us to adjourn for an hour than to waste the time of the House by this unnecessary and, I must say, most frivolous discussion. I have no sympathy with crime, nor do I suppose the hon. members for Ipswich have; but it is extraordinary that they take the present occasion to show their sympathy with an Ipswich criminal, which I do not believe they would extend to a criminal from any other part of the colony.

Mr. DRAKE said: Mr. Speaker,—I must admit, to some extent, that I agree with the remarks of the Chief Secretary and the Minister for Lands. It is a very difficult matter for the House to discuss any questions without being first thoroughly seized of the facts. Possibly the only way in which the facts of this case could be brought before the House would be by means of a select committee. But the Chief Secretary and the Minister for Lands should remember that the first attempt made to prejudice this question in the eyes of hon. members came from their side of the House. There was not the slightest necessity when the hon. member for Ipswich, Mr. Barlow, mentioned this matter on a former occasion, for any hon. member on that side to interpolate a remark about this man having made an attempt to burn the house with his wife in it, and that in itself is a sufficient justification for the hon. member for Ipswich to take the first opportunity to set the hon. members right to a certain extent. I believe the remark was made by the hon. member for Rockhampton North, but I speak

subject to correction. An accusation of that kind having been made, even though Rackley was at the time a prisoner at St. Helena, is a sufficient justification for the hon. member for Ipswich to take the first opportunity to come to the House and show that the evidence pointed to no such conclusion. I am in the same position as other hon. members with regard to my ignorance of the facts. I do not remember the trial, nor have I read the evidence; but I say that when a statement of that kind is recklessly made from the other side of the House, an hon. member on this side is justified in showing that the evidence points to no such conclusion. As to whether the facts of the case warranted the sentence, of course I do not know; but this conclusion can be drawn from the facts given by the Chief Secretary in answer to the hon. member, Mr. Barlow. Two or three times in the House I have taken occasion to point out that those very heavy penalties which are provided for by Acts of Parliament, and the heavy sentences that are given by judges, defeat their own object. I mentioned that in connection with the Rabbit Bill, and I say that these very heavy sentences act as a strong inducement to juries not to find verdicts of guilty. They will not find verdicts of guilty if they are to be followed up by such extremely heavy sentences. These answers given by the Chief Secretary would be much more useful if we had information in our possession as to the respective dates of these eight sentences, and some evidence also as to the facts of all the cases, so that we could know whether the offenders were all equally guilty. No. 5, hon. members will notice, was sentenced to twenty years' penal servitude, and that is followed by the lightest sentence that has been given—two years' hard labour. If the sentence of twenty years' penal servitude was given as a warning to others and to deter them from committing that crime, I should imagine, unless there was a great lapse of time between the two cases, that the man who, after that warning, committed a similar crime, would expect to be punished very severely indeed. And yet we find that the sentence is the lightest that has been given; and since then no sentence of anything like twenty years has been pronounced against anyone found guilty of this offence. If those who know the facts and have read the evidence in this particular case consider that it is too harsh a sentence, I hope they will move for a select committee, so that on their report being brought up it may be discussed with a full knowledge of the details.

BORING FOR WATER AT CROYDON.

Mr. HODGKINSON said: Mr. Speaker,—I am not acquainted with the merits of this case, and, therefore, I shall keep silent upon it; but I will take advantage of the motion for adjournment to bring before the House the present position of the Government with regard to putting down water bores in the different districts of the colony. The subject is one the discussion of which will have, at any rate, more fruitful results than the last one, for it is one of the very greatest importance to the Northern portion of the colony. As to the case brought forward by the hon. member for Ipswich, we know perfectly well that, as stated by the hon. member for Enoggera, those extremely heavy sentences simply divert sympathy from the court to the prisoner. We have a lively instance of that in a very celebrated trial that has just occurred at home—that of Mrs. Maybrick, for poisoning her husband. So strongly is public opinion adverse to the verdict in that case that no fewer than a quarter of a million people have signed petitions for the reprieve of the prisoner, and it is said that she has had no less than seven

offers of marriage; and she has got a certificate from a celebrated analyst—who may possibly be one of the seven—that the unfortunate husband died from gastritis, and not from arsenical poisoning. Returning now to the water question, I want to know upon what basis the Government propose to expend the money they are devoting to the very useful purpose of developing the subterranean aqueous reservoirs of the colony? I should like to know, for instance, why Croydon should not have a bore. Let us see what is being done elsewhere? I read in an evening paper of August 16—a paper to which I am disposed to attach great weight, because it has been a very warm supporter of the present Government—the following:—

“Our Laidley correspondent writes under date 13th instant:—The bore keeps pegging away, and there is no sign of water yet. I believe they will soon be down 1000 feet. Opinions are freely expressed here that it is a great waste of money to put down a bore for water within a mile of one of the finest lagoons in the colony.”

I do not know anything more about Laidley than that it is one of the few really charming agricultural districts of the colony, and I am certain it is well supplied with water—far better than Croydon. Then, again, I find there is a bore in the North Rockhampton district, near to which there is a running creek. I find that there is a bore to be put down at Pialba. I am not going to depreciate Pialba; I believe the people there are anxious for a railway, for a bore, for a sanatorium, and for an aquarium, and, probably, competition with Southport. But I ask, in all sincerity, how is it that these places get these bores? No indication has been given to this House that they are going to give any guarantee to the Government; and yet when my colleague and I applied for a bore for Croydon, we could get nothing but answers that simply signified “hope deferred.” I am sorry the Hon. the Colonial Treasurer is not present, but his absence does not make any difference to me, because I am not going to say one word to annoy or hurt his feelings. I have been treated by him in the most courteous manner possible for the head of a department to treat a suppliant; but there is an hon. gentleman sitting opposite to me who is interested in Croydon, and who knows that I do not attempt to exaggerate when I state that the cause of the present depression in Croydon—the sole cause of that depression, and the sole cause of the difficulties that have arisen between the employers of labour there and the miners—is the fact that the development of the resources of the field are retarded by want of water. And yet there is no portion of the Northern districts where water could be got at such little expense and with such certainty. The level of the chief mineral district of Croydon is only about eighty feet above the sea level, and the strata, I beg leave to state—and I submit that I do know something about the geological configuration of the district—the strata are extremely favourable for water. I confess to the Treasurer that it is impossible to use the mildest word of censure to him after reading the report which had been supplied to him by the permanent head of that department. It is a very able report, one of the most intelligent instances of what I may term circumlocution—of leaving a Minister totally unfettered in his decision—that I ever read in my life, and I intend to have it placed on record in the journals of this House. In the first place, I may explain that during the short period I had the honour of occupying the position of Minister for Mines and Works, knowing the requirements of the district, I instructed the hydraulic engineer to send a boring plant to Croydon. He had not one here of the character I believed

would be adapted to the nature of the country, and was compelled to do the best he could. However, a boring plant was sent up, but with it was sent a most imperfect assortment of implements—diamonds, borts, and so on; the man in charge of the machinery was utterly ignorant of his duties; and the consequence was the whole thing was a failure, a perfect waste of money. I then instructed the hydraulic engineer to call for tenders for putting a bore down in the Croydon district. At that time, as the Hon. the Minister for Lands and his colleagues know, there were two firms in Queensland in possession of boring plant, and they declined to take a contract unless at least 4,000 feet was guaranteed at £4 per foot. That was such an absurdly disproportionate ratio in comparison with bores put down in other parts of the colony that I did not feel myself justified in recommending the expenditure of so much public money. I preferred waiting until the success of the bores in the pastoral districts had been sufficiently established to increase the number of gentlemen purchasing plants for boring purposes, so that we might get the work done at a more reasonable rate. Much as I was attached to the Croydon district, I did not allow that attachment to induce me to expend public money rashly. But I was then, as I am now, perfectly convinced that the goldfields of this colony, as one of our greatest factors in the production of wealth, are as much entitled to bores as any other districts. Of course we all know and admit that the great pastoral stock routes must be provided with water in some way or another, either by the erection of dams—which are a very expensive, and a very unsatisfactory means of conserving water in a country like this, where evaporation is so great and where they have to be almost re-excavated after a season or two—or by boring for artesian water. I think the Government struck the keynote in going in for the use of boring plant, and while I do not ask for the extension of greater favour to the Croydon district—although it has special claims, owing to its natural aridity and the importance of its chief industry—than to any other district, still I do ask the Government to remember that by the expenditure of a couple of thousand pounds, which will be guaranteed by the local board, they will make a difference in the position of that goldfield which must be as gratifying to them as it will be to the residents of it. This report, which the gentleman in charge of the department has placed in the hands of the Minister, is such that if such a report were given to me I should, perhaps, adopt a similar course to that taken by the hon. gentleman. It is headed—

“Memorandum for the Hon. the Colonial Treasurer on the application of the Chairman of the Croydon Divisional Board for a bore.”

There have been repeated applications with regard to this bore. I had the honour of introducing the chairman of the board to the Minister in charge of the department, and, as I have already said, I was received with the greatest courtesy, and I thought the matter was all settled until this unhappy correspondence was sent to me a few days ago.

“Undoubtedly the drifts at Croydon are more or less water-bearing”—

That is a most valuable piece of information. I do not know what else they could be. At any rate we are here told in definite official language, against which criticism is unavailing, that the drifts are or are not water-bearing. I think any intelligent person, any boy attending the Normal School, could make use of the same expression with reference to any portion of the earth's surface.

"But I am far from sanguine that a 'satisfactory' volume of deep-seated overflowing artesian water would be tapped there."

He says he is not sanguine, but it is we who are sanguine. We want the assistance of the Government to prove that our sanguine hopes are not lessened by results. Who was sanguine of obtaining water in the pastoral districts until the water itself sprang up in answer to the bore? It was an experiment—a bold, wise experiment—in the interests of the country at large, and it has proved a great success. It has added enormously to the value of the pastoral properties upon which these bores have been put down, and it has added still greater to the value of the country to the west of those properties, where the conditions are such that we may reasonably expect at least similar results. Is the fact that it is an experiment any reason why Croydon should not have a bore, or because it is a mineral field instead of a pastoral field? I am perfectly certain that if Croydon was situated on the divide between the Diamantina and the north-eastern watershed, there would be more than one bore put down there. I am sure the hon. member for Barcoo knows that, so far from attempting to impede bores being put down in pastoral districts, if I had my way there would be a very much larger amount spent in that direction than there is at present; because we know that whatever adds to the prosperity of the pastoral interest adds to the resources of the colony, and encourages the development of other industries. Therefore, I say let us have some measure of justice meted out to us. I am not accusing the Government of partiality. I admit that there are difficulties in regard to Croydon; I fully recognise the fact that the demand for artesian water is not confined to Croydon. There is an enormous extent of pastoral country between Croydon and the Diamantina, some of the most valuable pastoral country that this country possesses, on that great tableland. If once we initiate boring, and give Croydon the first bore, as the district most in want of it, after we have once commenced that there is nothing to prevent the Government from making contracts at a fair price, by calling for tenders for a sufficient number of feet. Let the Government call for 16,000 feet if they like. They need not put it all down in any one locality. If it is not found desirable to put down a bore at Croydon only, then the Minister can do as I did, and say he cannot justify the expenditure of so much money in sending a plant to that remote quarter of the world, in order to sink 4,000 feet at an exorbitant price. But there is no need to do that, because he can sink half-a-dozen bores in different places, and surely that quarter of the colony has as much right to a boring plant as any other. Everyone must admit that its claims are equal to those of Pinalba, Laidley, or North Rockhampton. Those places are not suffering from want of water as the people of Croydon are suffering. If hon. members read the bills of mortality at Croydon for the last three years, they will see that a large percentage of the deaths are owing to the impure water the people have had to consume. Nothing is so essential to the preservation of life as a good supply of water; and in addition to that, if a careful selection is made of a site for one bore—and there is every right to expect that a bore there would give at least half the amount of water that is obtained from the Barcoodine bore—instead of three-fifths of the machines at Croydon being idle now, at least three-fifths of them would be working, because a selection could be made that would enable the water to be carried by gravitation from the bore over a very large section of the field. In fact, it could be

carried everywhere, with the exception, perhaps of Tabletop, and almost every machine on Croydon could be supplied. Now, to come back to this document. It goes on to say:—

"A reference to the geological map of the colony, on which I have located Croydon as accurately as I can, shows that the field is near the junction of the non-water bearing granites, porphyry, and the slates and schists, and the cretaceous formation, under the latter of which artesian water has been tapped; but, assuming that overflowing water is found in the locality, no estimate could be made of its quality, volume, and pressure, which are extremely variable."

There is a report. This gentleman states that he cannot make an estimate as to the "quality, volume, and pressure" of water. Why that cannot be done in any part of the world until the water rises. This is a document to furnish excuses for making delays. What man knows anything about the geological formations below the greatest depths which have been sunk? This gentleman does not know as much as I do about the geological formation—he has not had one-tenth part of my experience—and I know nothing about it.

THE COLONIAL TREASURER: Hear, hear!

MR. HODGKINSON: I know no more about it than does the hon. gentleman about how the Mount Morgan case is going to be decided until the jury have brought in their verdict. Then the report goes on to say:—

"A single bore at Croydon would assuredly be costly, as the expense of building and providing a boring plant, together with removing it and the casing to and from the site for the bore, would probably be not less than £2,200. Valuing the plant upon its return, at say £1,000, the net amount to be distributed over the bore, in addition to tendered rates, would be not less than £1,200."

Here we see the same text throughout—he presumes that the Minister is going to send a borer to Croydon for the purpose of putting down one bore, and that the borer is then going to be brought back again at great expense to the colony. I am perfectly certain that there are not sufficient borers in the colony to supply all the demands made upon the Minister in this matter, but if one is sent to Croydon it will find sufficient occupation without inflicting a tax of 1s. upon the country. Let the Colonial Treasurer send a borer to Croydon and the local bodies will give a guarantee, which has not been given in any other instance, that they will pay the cost of the work. We do not ask for one moment to be treated better than any other portion of the colony, but we do claim that the mineral districts of the colony have a right to a share in any State development, consistent with true financial policy, to the same extent as any other district. If the pastoral districts can get these bores put down, and if Blackall, Barcoodine, Pinalba, Laidley, and North Rockhampton get bores, why should Croydon not get one also? Is there any reason against it—any sound, practical, or commercial reason? I have been trying for twelve months to get this great developing agency on the goldfield, and I have shown what is almost unnecessary in this House—that the district is suffering, both in its health and in its commercial interests and development, simply from the want of a proper supply of water. The willingness of the local body to pay for any advance made by the Colonial Treasurer in putting down this bore is beyond a doubt, because the possession of a water supply is a most remunerative thing. There would be no difficulty in collecting the rates, because they can cut off the water at once if it is not paid for. I would also point out to the hon. gentleman that in addition to the direct benefits there would be a great many additional benefits. There would be an accession to the population; there would be a greater

production of gold, which means that the revenue would be increased; and there would be a still further development of the country. I trust I shall not have to refer to this subject again. If there is one thing I do not like, it is to have to badger Ministers to get what I want. I do not like having to harass them in the discharge of their duties, by asking them for anything I should not ask for; but if any hon. member can give me a sound reason why Croydon should not have the boon conferred upon it which has been conferred on many other parts of the colony, then I shall be prepared to maintain silence, but not till then.

The COLONIAL TREASURER said: Mr. Speaker,—I think it was scarcely courteous on the part of the senior member for Burke, although this is a private members' day, to bring up this question to-day, when he knew that I was engaged in a most important case. If the hon. gentleman had informed me that he intended to deal with this matter to-day I might have had time, perhaps, to have gone into it a little more fully than I can go now. The object of the hon. gentleman has doubtless been to occupy the time of the House till the arrival of his leader. The hon. gentleman has been talking against time, and I may inform him that he has achieved his object, as the leader of the Opposition has arrived. I shall refer to one or two remarks which fell from the hon. member for Burke. The hon. gentleman knows full well that I am willing to give the same consideration to granting an artesian water supply to Croydon that I would give to any other district. The hon. gentleman has read from the report of the hydraulic engineer showing—

Mr. HODGKINSON: Showing nothing.

The COLONIAL TREASURER: The hon. gentleman has put his construction upon it, and he will allow me to put my construction upon it. At all events I shall give some reason why I should have acted as I did, outside of the report of the hydraulic engineer. I think there are fair reasons set forth in the report of the hydraulic engineer. The senior member for Burke appears to throw doubt upon the competency of that gentleman.

Mr. HODGKINSON: No, no! I dispute any man's competency to state what is below ground.

The COLONIAL TREASURER: If the hon. member will listen to me I will explain matters to him. The hydraulic engineer is a skilled officer, and I rely upon his report after examination. Upon that report I will now proceed further. I have already informed the Croydon board that I am perfectly willing to allow a bore to be put down on altered terms. The hon. member knows there are certain conditions upon which municipal councils and divisional boards can get the Government to assist in the search for artesian water, but there are special circumstances why I must depart from the well-known rule in this case. If the hon. member for Burke will refer to the Auditor-General's report on the working of the Croydon Divisional Board he will find that one-half of the rates received have been divided as salary between the chairman and clerk, and the remaining portion—a very small balance—has been embezzled by the clerk. That is a very unpleasant statement to make, and I quote from memory from the Auditor-General's report. Therefore, before I can pledge the country to a loan to such a body I want some assurance that a better state of matters prevails. The chairman of the board draws £300 a year, if I remember rightly. I am not certain of the amount, but I think that is so. At

all events the report of the Auditor-General shows that the board are not competent to manage the affairs of the district. Although I am willing to assist every district, and would like to assist Croydon as much as any other district in the matter of a water supply, still I want some assurance that I shall be able to say to my colleagues that divisional board matters are on a better footing there, and that I can recommend them to entrust the board with the expenditure of a certain sum of money. I can tell the senior member for Burke that until I have some such assurance I will not entrust the Croydon Divisional Board with the expenditure of a single shilling, and I will take care to know how any endowment they are entitled to is expended, so far as the law allows me. The hon. member has said that there is no reason why the Croydon board should be treated differently to any other divisional board. I think that the reasons which the Auditor-General has given will be sufficient to satisfy hon. members that there are some reasons to justify me in pausing before I entrust them with the expenditure of such a sum of money, and look to them for repayment in the future.

Mr. HUNTER said: Mr. Speaker,—The latter part of the hon. member's speech seems to show that because a certain clerk embezzled money in Croydon, and a certain chairman of the divisional board was paid for his services, Northern Queensland should not have the advantage of bores being put down for the purpose of obtaining artesian water. Whether the work is done under the supervision and control of the divisional board or not is a perfectly secondary consideration. Ever since Croydon has been discovered the great drawback has been want of water. It is a place which has been craving for assistance from the Government in that matter for a longer time than any district in the colony. But, in the face of the water there failing, and of the Government seeing that the population had dwindled down from 8,000 to 2,000, for want of water, they could still see their way to put down at the racecourse, in Brisbane, a bore for the purpose of obtaining water, although Brisbane has an ample supply, as well as the other places mentioned by my hon. colleague. I do not wish to take up much time, but I must say that the Government cannot shut their eyes to the fact that abundance of water can be obtained at Croydon by boring.

The POSTMASTER-GENERAL (Hon. J. Donaldson): What proof have you of that?

Mr. HUNTER: It has been proved in every instance where deep sinking has taken place. At the present time the Croydon Crushing Company's battery of fifteen head has been supplied with water obtained from the shaft, and the telegrams in last week's papers showed that in two days the water rose in the shaft four inches; that does not seem as if there was no water in the ground. Bores have been put down in the Southern and Western parts of Queensland where rain falls at least more than once a year; but here we have a district, where rain very rarely falls more than once a year, which is entirely ignored. Croydon is not the only part in the far North asking for a water supply. The Etheridge district has for years been asking for it, and the people have been supplied from the company's dam. The water is not very wholesome; but still the whole population depend upon it, and some time ago they wrote asking me whether something could not be done for them. As for the hydraulic engineer's report, how long was he in the Croydon district, and how much of it did he see? It is not possible by taking a sharp run round the country on horseback for any man to judge whether a water supply can be

obtained or not. Besides, he visited the district at a very unfavourable time of the year. When I first came to Brisbane, one of the first things I did was to visit the Minister for Mines and Works and ask him if a water supply could be obtained for Croydon, and the answer I got was the same answer as that given now, "If the miners want water, let them sink for it, as I have had to do." But, because the hon. gentleman had to sink for water when he was a miner, that is no reason why a district like Croydon should suffer, and be made to dig for its own water. I maintain that if a bore had been put down, and water obtained, instead of there being 2,000 people on the field at the present time, there would have been 8,000 or 10,000, because it is for want of water that the place is at a standstill. Before I sit down, I must say that I do not think it would be desirable for the Government to call for tenders for one bore at Croydon. It would cost too much to put down one bore, and if tenders for several bores were called, the sinking would be very much cheaper, and as good results could be obtained as have been obtained in other districts. I am sorry the Hon. the Colonial Treasurer referred to the matter of the embezzlement of money by the clerk of the Croydon board, because he has been tried, found not guilty, and it is hardly fair to refer to the matter when he has been acquitted by the court.

The COLONIAL TREASURER: I can only say—

The SPEAKER: The hon. member has spoken.

The COLONIAL TREASURER: By way of explanation I wish to state that I made no statement against the accused. I simply referred to the Auditor-General's statement.

Mr. MACFARLANE, in reply, said: Mr. Speaker,—I wish to say a few words in reply to the statements made upon the question on which I moved the adjournment of the House. The Minister for Lands, in the few remarks he made, used words something like these: "The two members for Ipswich would not do on behalf of any man from any other part of the colony what they have done for Rackley."

The MINISTER FOR LANDS: I referred to your sympathy with crime.

Mr. MACFARLANE: The hon. gentleman cannot accuse me of any sympathy with crime. I stated that a sentence of three years for arson might be a just sentence, but that the sentence given in Rackley's case was an unjust sentence. One or two speakers have recommended an inquiry into the matter, and it has been said that I have wasted the time of the House in bringing it forward. When the hon. member for Barcoo brings forward any of his frequent motions for adjournment, no one accuses him of wasting the time of the House. He discusses all sorts of subjects on motions for the adjournment, but of course, in his opinion, for the benefit of the country. If this man Rackley feels that he has been wronged by the sentence passed upon him, he has every right to appeal to the member representing the town in which he lived to bring his case forward for consideration. With regard to an inquiry I do not see any reason for it, as no other report could be made to this House from it than that that was not a righteous sentence. I still hope that the Colonial Secretary will take the matter into consideration, and I will go further, and say I am sure that if the judge who gave the sentence is referred to now, after what has passed, he will hold that the prisoner's detention so far has served the purpose for which his punishment was inflicted, and he will very likely be in favour of

the man being let out. I have nothing further to add, but that I hope the matter will not be lost sight of on behalf of the prisoner.

Question put and negatived.

EIGHT HOURS BILL.

COMMITTEE.

On the Order of the Day being read, the House went into committee to further consider this Bill in detail.

On clause 3, as follows:—

"Whenever in any contract of hiring, whether verbal or in writing, reference is made to a day's labour, or it is stipulated that the rate of payment for labour shall be calculated at a fixed price for a day's labour, or calculated by reference to a day's labour, such day's labour shall be taken to be labour for eight hours, and shall also, unless otherwise expressed, be taken to be labour between the hours of eight in the morning and six in the evening."

The MINISTER FOR MINES AND WORKS (Hon. J. M. Macrossan) said the hon. gentleman in charge of the Bill should, at least, have had the courtesy to have had the amendments in the Bill printed, so that they might know what they were doing. The Bill now appeared just as it did before it had been considered in Committee at all. At least one very important amendment had been made in clause 2 by the insertion of the word clerical, but it did not appear in the Bill.

The Hon. Sir S. W. GRIFFITH said he had yet to learn that it was the practice for a private member in charge of a Bill, to provide fresh copies of it with the amendments made in it shown. He had never heard of such a thing being done before in all his experience. He knew that what he had had to do when he came into the House that afternoon, was to get a list of the amendments that had been made from the Chairman of Committees. They might have been printed, but he had never heard of such a thing being done.

The MINISTER FOR MINES AND WORKS: The hon gentleman knows that it can be done.

The Hon. Sir S. W. GRIFFITH said he had never heard of such a thing being done in all his experience, and he did not see why he should be charged with want of courtesy for not doing a thing which had never been done since he had been a member of the House. Clause 2 had been amended so as to read—

"In this Act—

The term 'workman' means any person employed in manual or clerical labour: which term includes any kind of work except as herein expressly excepted, but does not include the work of sailors when the ship or vessel is under way or on a voyage, or the work of domestic servants, or the work of persons employed in ships or vessels to do similar work to that of domestic servants."

With reference to the 3rd clause it had been suggested, when the Bill was before the Committee on a previous occasion, that there might be some means of evading its provisions by entering into a contract by which the rate of payment should not be calculated by reference to a day's labour. There might be something in that, and in order to meet the objection he moved that after the word "labour," in the 4th line, there be inserted the words "or shall be calculated by the day, such day shall be taken to be a day of eight hours and." Later on he proposed to omit the words "between the hours of eight in the morning and six in the evening." Objection had been taken to those words and he did not think they were of any importance.

The MINISTER FOR MINES AND WORKS said the omission of the words "between the hours of eight in the morning and six

in the evening" was a very wise amendment. People should be allowed to work eight hours at whatever time might be best. Since the Bill was before the Committee on the previous occasion something had arisen in connection with the eight hours' question which the hon. gentleman should understand thoroughly. Of course he agreed with the amendment which the hon. gentleman said he would move, because it would apply more especially to miners, who worked at all hours of the twenty-four when there were three shifts. The hon. gentleman would recollect that in the Mines Regulation Bill there was a clause which regulated the hours of labour in mines, and stated that eight hours should be a day's labour, and that anything beyond that should be paid for as overtime. When that clause went to the other Chamber a prominent member of that Committee connected with mining took exception to it, though he did not know that the hon. member took exception to the clause when it was in that Committee. The hon. member referred to addressed a letter to the Hon. P. Macpherson, in which he stated that—

"Connected with our conversation about the usual hours worked by gold miners, when on wages, I can inform you that I have never known men to work forty-eight hours a week. The regular number of hours worked weekly is forty-five; on some goldfields forty-four. You will see the reason for this custom. Miners must have, at least once every shift, what is known as 'crib' time. When working three shifts it is only, therefore, possible to labour seven and a-half hours a day, or forty-five hours a week, and this is the practice. When working two shifts, the day shift sometimes goes on at 8 and leaves at 5, that is nine hours; out of which they cease for one hour, but they do not keep this up longer than five days, as on Saturday they work only from 8 till 12 or 1. This gives them forty-five hours, they working half an hour extra for five days to get half a day on Saturday. The night shift of two shifts work only seven and a-half hours. Working one shift only the men labour only forty-five hours, so that the custom, or present practice, really is eight hours per day inclusive of meal hours, and not exclusive."

What he (the Minister for Mines and Works) wished to draw attention to was that eight hours a day meant eight hours every Saturday as well as Friday, or Monday, or any other day of the week. How was the hon. gentleman going to regulate the eight hours as applied to miners? At present he (the Minister for Mines and Works) knew that miners on Charters Towers worked only forty-four hours a week, and they were told by the gentleman who wrote the letter he had just quoted, and who was as good an authority on mining matters as any member of that Committee, that on Gympie they worked forty-five hours. On both those fields the miners worked three shifts, and did not therefore work eight hours, as "crib," or meal time, was taken out of the eight hours. The Bill said that eight hours a day was to be a day's work, so that unless miners had the power to compel employers to pay them at the same rate as they had been paid for a week of forty-four hours, the Bill would actually make them work forty-eight hours for the same wage as they now received for forty-four hours, which they would scarcely be content to do. As far as the miners were concerned, therefore, the Bill would crystallise the idea of an eight-hours' shift in the wrong direction. Would the hon. gentleman take that into consideration, and frame an amendment to meet the difficulty which had arisen since the Bill was last before the Committee? The Legislative Council threw out the clause in the Mines Regulation Bill on that particular ground—namely, that by establishing eight hours as a day's labour in mines, they were actually increasing instead of decreasing the hours of labour.

The Hon. Sir S. W. GRIFFITH said he was much obliged to the hon. gentleman for

calling his attention to the matter, which was one that ought to be corrected. The intention of the Bill was to make eight hours an ordinary maximum day's labour, not to make it the minimum. He would remedy that by modifying the clause.

Question—That the words proposed to be inserted be so inserted—put and passed.

The Hon. Sir S. W. GRIFFITH said he proposed the omission of all the words after the word "hours" on the fifth line, with a view of inserting the following:—

Unless in any case a shorter period than eight hours is, by the usage or practice of the trade or business in connection with which the labour is performed, the ordinary duration of a day's labour.

Amendment agreed to.

The MINISTER FOR LANDS said he wished the hon. gentleman would give them a little further information regarding the clause. It seemed only to refer to contracts for day labour. Was labour engaged by the week or by the month to be included.

The Hon. Sir S. W. GRIFFITH said the clause did not refer to that at all; the next clause dealt with labour engaged otherwise than by the day.

The MINISTER FOR LANDS said it appeared to him that the clause would materially affect the Civil servants. At present their hours were from 9 till 4 o'clock—seven hours per day. It appeared that the Bill would not have the effect the hon. gentleman imagined it would. The Civil servants at present worked thirty-five hours per week for five days of the week, and three hours on Saturdays, altogether thirty-eight hours. Now they were passing a Bill which declared forty-eight hours per week to be a legal day's work—ten hours more than Civil servants worked at present. One would naturally suppose, in passing a measure like that, that it devolved upon the Government to carry it into effect. The Government would have to take steps to see that at all events their own officers should conform to the principles enunciated in the Bill and at once see that Civil servants worked ten hours per week longer than they did at present. Was it intended that that was to be the effect of the Bill? The clause stated that the term "workman" should mean any person employed in manual or clerical work, and that would at once include the whole of the Civil servants of the colony engaged in the offices. He would like some information upon the point.

The Hon. Sir S. W. GRIFFITH said the clause only dealt with hiring by the day. When a man was engaged by the day, it was to be understood that eight hours was to be the duration of a day's labour, unless according to the usage or practice of the trade or business, the men worked for a shorter period. The 4th clause dealt with the cases of persons engaged otherwise than by the day. If a person wanted a man to work more than eight hours per day, special arrangements would have to be made, but there was nothing in the clause relating to persons who worked less than eight hours per day. Mechanics, artisans, and ordinary labourers were employed at so much a day. To those who were not, the clause would not apply.

Clause, as amended, put and passed.

On clause 4, as follows:—

"Whenever in any contract of hiring provision is intended to be made for the work of any workman being continued for more than eight hours in any one day, it shall be necessary that a special stipulation be made with regard thereto, and that a special rate of payment for all time beyond the first eight hours be fixed by the contract."

The HON. SIR S. W. GRIFFITH said that if it was intended to include domestic servants, as he understood some hon. members desired to do, it would be necessary to amend the clause.

The MINISTER FOR MINES AND WORKS: I think there is a general desire to include them.

The HON. SIR S. W. GRIFFITH: I do not; except by those who do not believe in the Bill and want to prevent its becoming law.

The MINISTER FOR MINES AND WORKS: We are accustomed to that kind of language.

The HON. SIR S. W. GRIFFITH said there had been a good deal of that kind of language used in all parts of the colony during the last month. In any case he should have no objection to add a proviso to the effect that any claim in respect to wages beyond the time of eight hours, must be made within three days after the expiration of the week in which they were earned. If there was any overtime the claim for it ought to be made promptly, and not allowed to stand over for a month or six months. If domestic servants were to be included, it would be necessary to insert the proviso to make the clause work at all.

The PREMIER said the clause should certainly go further than it did with regard to contracting outside the Bill. With regard to domestic servants, it would be necessary to have a timekeeper to put down the number of hours they were at work. Special contracts would have to be made for them.

Mr. O'SULLIVAN: You will destroy the Bill if you include domestic servants.

The PREMIER said everyone must see that, although domestic servants might be included, it would be impossible, without a timekeeper, to know how long they worked; to see whether they were lying down on their beds sleeping, or going out for half-an-hour with their young man, and many other things. A contract would have to be made with that special class of employes—he would not call them servants, because the term might offend the hon. member for Bundanba.

Mr. COWLEY said it would be advisable to amend the clause by omitting all the words after "thereto." In the country all men were engaged by the month, at so much per month, and it was customary to pay them for wet days. They had afterwards to make up for the loss of time occasioned by wet days, which were of very frequent occurrence in the North. He moved as an amendment that all the words after the word "thereto" be omitted from the clause.

The HON. SIR S. W. GRIFFITH said that of course the amendment meant that there should be no overtime. If it was intended that a man should work more than eight hours a day, let a stipulation be made providing for a special rate of wages.

The PREMIER: Or a stipulation that eight hours be turned into ten.

The HON. SIR S. W. GRIFFITH said he thought the clause as it stood was much better, especially with the proviso he had mentioned that the charge for overtime must be made within three days after the expiration of the week in which such overtime was made.

The PREMIER said a deputation waited upon him the other day in reference to the subject, and amongst them was the representative of the Wharf Labourers' Union, Mr. Mabbott, a very intelligent person, who stated that he had no intention of working only eight hours a day. He said he would work ten hours or twelve hours if it suited him, and he was paid for it. Those

men were paid so much an hour, and their representative said that he did not mean to stop at eight hours a day. He (the Premier) thought it would be better if the amendment of the hon. member for Herbert was agreed to.

Mr. SALKELD said if the clause passed as it stood he would like to know how it would affect agricultural labourers. If an employer who employed two or three men had to keep a timekeeper to see how many hours they worked each day, the scheme would be impracticable. It might do in works where a large number of men were employed, but it would never work in cases such as he had mentioned, and would lead to continual disputes. If the amendment of the hon. member for Herbert was carried he understood that men working for a certain time should have a certain wage.

The HON. SIR S. W. GRIFFITH said all that difficulty had arisen from a majority of the Committee insisting upon including servants in husbandry. He had objected to that inclusion, because he saw that it would be impracticable to apply the provisions of the Bill to them; but a majority of the Committee persisted in including them, and now that was urged as a reason for contending that the Bill was bad.

Mr. COWLEY said the hon. member was hardly right, because the provision applied to others. For instance, in working sugar mills, the engineer, sugar boilers, and all hands were engaged for the season; they had to work while the mill was going, and they thoroughly understood that. Their employers could not say they would engage them for four or five months at 10s. a day of eight hours, and therefore it would be much better to strike out the words he had mentioned. The employer now simply stipulated that men should work for the season at so much per month; the men did not care whether they commenced work at 6 o'clock in the morning, or at dinner time, and kept on until late in the evening. They must go on as long as the mill worked; they knew that, and at the end of their time, in consideration of working that way, they got a holiday of a fortnight or so. There was always a consideration of that kind allowed.

Mr. HUNTER said he held in his hand a Bill introduced into that House in 1874 by Mr. Buzacott, one of the proprietors of the *Courier*, to regulate the hours of labour. That Bill was strongly supported by the present Minister of Mines and Works, who, in doing so, said he did not see how farm labourers could be included in it. But what he (Mr. Hunter) wanted to point out was that the 3rd clause of that Bill distinctly provided that eight hours should be a day's labour, and that every hour worked over eight should be paid at the rate of one-eighth of the day's pay.

Mr. DALRYMPLE said he could not agree with hon. members generally in discussing the Bill seriously. Objections had been made by various members that it would operate as a restriction upon the employment of labour in certain respects; but they must not forget that if the Bill passed, the result, so far as labour in the country was concerned, would be that it would be in precisely the same condition as if the Bill had not been passed at all; because the only way by which the Bill would ever alter the relations at present existing between employers and employed was by making it compulsory. As long as it was not made compulsory the only result of passing it would be that one more Act would be added to the statute book. Everybody at present made such agreements as they were able to make, as much as possible in their own favour, whether it was the master or the man whom

he employed. The Bill did not give the labourer any advantage whatever, and nothing had astonished him more than to find that the representatives of the working classes had treated the Bill as if it were a really serious matter. The hon. the leader of the Opposition, in introducing the Bill, said he did not expect any immediate results from it, but that it was paving the way for some different state of things in future. The hon. gentleman said he introduced it in order to crystallise public opinion, and he did not appear to expect that it would make any practical difference whatever in the existing condition of things. So long as the Bill was merely permissive, so long would the results be the same as they had been in the United States of America, which, so far as he knew, was the only country in which such a measure had been introduced, and where it was generally admitted that it had been a failure. That being the case, he did not anticipate any other result from the passing of the Bill. It did not matter, so far as he could see, what regulations were made—whether they included domestic servants, who he certainly thought should be included, and butchers and chemists, doctors and everybody else, it would be practically inoperative so long as it was permissive. If the leader of the Opposition was desirous of crystallising public opinion and of establishing eight hours as a day's labour, the more persons he included in the Bill the more strongly would it tend to crystallise public opinion. But since the Bill was not compulsory, it seemed to him that it was not worth while to point out difficulties, as the hon. member for Herbert had done, for the simple reason that those difficulties would not exist, because every person who employed labour would make it a *sine qua non* that an agreement was drawn up; and the only result that he could see from the passing of the Bill would be that perhaps a hundred thousand agreements would be printed by somebody and circulated in the country, and that those agreements would always be used in future. He did not object to the clause or to the Bill either, because it would have no practical effect. If the Bill became law it would be simply a declaration that in the opinion of Parliament the eight hours' limitation should exist where practicable, and that being so it should include every living soul in the community.

The HON. SIR S. W. GRIFFITH said the arguments used in reference to the utility of the Bill by a person who did not believe in the attainment of the desired object were not entitled to as much weight as the arguments of persons who desired to attain that object, and thought the Bill was a step towards its attainment. The hon. member for Mackay evidently had no sympathy with the object sought to be attained, and no appreciation for any effort made to attain it; but the working people of Queensland, and throughout the world, believed the object was worthy of the best efforts that could be made to attain it, and that the measure under consideration was an important step towards its attainment. If the prophecies of the hon. member for Mackay did not come true, and the measure proved to be a benefit to those for whose benefit it was intended, not only would his prophecies be wrong but his wishes would be defeated.

MR. DALRYMPLE said he objected to the statement that he had a want of sympathy with any class of the community, and he thought it would have become the hon. gentleman better, instead of imputing to him a want of sympathy, to have answered his arguments. He said that if it was possible to limit the hours of labour and make people better off in any way, it was their bounden duty to do so; but he did not see

how the Bill was going to attain that object. That was vitally different from saying that he did not believe the object was a desirable one.

MR. GANNON said the proof of the pudding was in the eating of it, and there was no doubt that the workers generally were in favour of the measure. The thousands of workmen who turned out the other day to show their appreciation of the Bill certainly considered that it was going to assist them very much indeed; and he hoped it would pass through without the proposed alteration.

MR. BUCKLAND said he wished to bring under the notice of the Committee a class of men working from thirteen to seventeen hours a day—namely, the butchers. He noticed in that day's *Observer* a letter signed "Butcher, and an Eighty-four Hours per Week Man." The writer said:—

"I should like to put before the public a few facts connected with the men who, I am sorry to say, do not seem to have been invited to attend, or in any way recognised by the shop assistants, or the eight-hours agitationists at all. I refer, sir, to the butchers. Now the shortest hours that anyone in the trade works are not fewer than seventeen hours on Saturday and thirteen every other day in the week. The question is, who is responsible for this? It is not the employers, because they would not be under the amount of expense that they are now, through not having to light their shops with gas or kerosene so much as they have at present; neither is it the upper class of people, because they get their meat delivered, and do not trouble the shopkeepers at all. No, sir, I say without hesitation that those responsible are the men who enjoy the eight-hours' system themselves whom the butchers have to work for as early as 4 o'clock in the morning. They are helping the shop assistants and why do they leave out the butchers. If they gave their wives instructions to buy their meat between certain hours, then the butcher's shop would not wish to keep open after, say, 5 o'clock at night, and say, 7 o'clock on Saturday nights. I may also state that the meat which the housewife gets has to be delivered to the shops the day before, so that they could all get their meat to-day for to-morrow morning just as easily."

He wished to know from the hon. member in charge of the Bill what position the butchers would occupy under the clause, because he did not think they were provided for at all.

The HON. SIR S. W. GRIFFITH said the butchers were provided for in the same way as anybody else. If a butcher wanted a man to work more than eight hours a day he must make a bargain to that effect, and specify the rate of payment for all the time worked after the first eight hours, which might be at the same rate as the first eight hours, or otherwise. The Bill did not profess to make it compulsory to work only eight hours, but it provided that there must be some special arrangement in regard to the time worked beyond eight hours. With regard to the words now under consideration, it was important that they should be retained, because no matter what bargain was made with respect to overtime, the very fact of having to make a bargain for overtime when men were wanted to work more than eight hours would very soon produce a very important change in public opinion, and the necessity for having to make a special bargain about extra pay would further accentuate the matter.

MR. COWLEY said that even admitting all that the hon. gentleman had said, the desired object would be attained just as well by striking out the words. If an employer offered a man £10 or £12 per month on condition that he worked the number of hours he was wanted to work, and both parties were agreeable, why should anyone object? It would simplify matters very much to strike out the words, and he should press the amendment.

Mr. SAYERS said it seemed peculiar that all the arguments against the Bill came from the other side.

Mr. COWLEY: What about the hon. member for Fassifern?

Mr. SAYERS said that hon. member only objected to amendments that had been put in by members on the other side. The hon. member for Herbert and others complained about the inclusion of the servants of husbandry, but they were the individuals who had, according to the division list, voted against leaving them out of the Bill. A great many hon. members who were thoroughly in favour of the Bill had seen the difficulty that would arise, but on division it had been carried that that class of labourers should be allowed to remain in. Arguments had been brought forward to prove that if the Bill would give shorter hours it would also give shorter pay, but that he disputed. They found that in Brisbane the shops which had the shortest hours paid their employes the best, and the same would be found to be the case in all the towns in the colony. It had been stated that the Bill would do no good with regard to butchers, but he believed it would. In the town he came from the butchers kept open at one time till 8 o'clock at night, and as long as one butcher would not close earlier all the rest had been compelled to keep open till that hour. Since then they had come to terms, and the butchers' employes were now allowed two hours off every day except Saturday, and it had proved a great boon. If the Bill passed they would find that by-and-by the butchers would only work eight hours, the same as any other class of labour. It might be hard to adopt that principle, because custom went a long way; but in time all the trades and professions would adopt the principle of the Bill, and people would gradually get used to it. Instead of shops keeping open till 11 o'clock at night—and those who did that were generally the poorest-paying shops to the employes—they would only keep open till 5 or 6 o'clock. The same amount of business would be done as formerly; but the employes would not be kept hanging about all day when they could do the work in a shorter time. The 3rd clause would do a great deal to assist that. It had been said that the Bill would do no good, but within the last fortnight or three weeks all over the colony, wherever there were large numbers of men employed, they had held meetings in support of the Bill, and that should in itself convince any person that those men knew what they wanted. He thought there were as sensible men among them as there were in that Committee, and they had a right to speak out, and let the Committee know whether the Bill was good or bad. If they condemned the Bill, that would be quite right. They knew as well as hon. members of the Committee what was good for themselves and their fellow-workmen. He thought the Committee should listen to them, and not try and throw obstacles in the way of making the measure workable. For years and years it had been the endeavour of people to pass a Bill dealing with the matter, but it was most difficult. If they were to include every form of labour, from domestic servants upwards, they would never get along with the Bill. The step proposed was one in the right direction, and in a few years, when people were educated to see the benefits derived they would be able to bring other classes of the community in, and eventually they would get the whole. He hoped there would be no opposition to the Bill. Some hon. members seemed to think that it would do no good at all, but they should take the words of those most interested. It had been said also by the Minister for Lands that the Civil servants who now worked seven hours would be compelled

to work eight, but that was not so, as the Bill only interfered with people who worked more than eight hours a day. He hoped hon. members would let the Bill go through without trying to insert amendments that would not effect the good purpose intended to be gained.

Mr. TOZER said he could not quite consistently support the words "special rate of payment for all time beyond the first eight hours." He had been endeavouring for the last fortnight to try and get some light on the question, and had made some inquiries as to what was being done. He had his own ideas on the Bill at first. They were based on practical results. He saw that all the trade unions had banded together, that on the goldfields men never worked more than eight hours, and that they did quite as much work in seven and a-half hours as ever they did in nine. He went to Maryborough and saw them working eight hours, and then he thought "this is a system above all others that we should legalise." The Committee should go in for the eight hours' system thoroughly, and in the Mines Regulation Bill he tried to get that principle recognised, and that the men should not be allowed to work more than eight hours. Since then he had tried to find out from the labouring men what they thought of the question. One hon. member had said that persons had been asked to support the measure. The hon. member for Toombul stated that, but the reasons for supporting the Bill as given in the newspaper reports were very different.

"The working men themselves were much to blame through their selfishness. They would work ten hours or more rather than that other men should come in and share the work. It was against such as these that they must legislate. Unionism had obtained eight hours for skilled men, but could not help the unskilled labourer, and they must by public action, secure this legislation for themselves."

It was clear that what was wanted was the same thing that he endeavoured to legislate on in connection with a compulsory eight hours' day. Then he came to another thing which puzzled him more than ever. In the *National Review* Mr. Broadhurst, M.P., was credited with these words:—

"They never had a subject before them fraught with a greater amount of good and evil to the trade of the country than the eight hours' question. He implored them to discuss it calmly and apart from all passion and prejudice; for what they decided in Congress would have great effect for a long time to come, on themselves and those who came after them, in the labour organisation of the country. Should they ask the Government to do what they could do for themselves? They were told that an Eight Hours Bill would relieve depression, but the great evil to-day was overtime. Let them abolish that. There were men present who dared not support a resolution condemning overtime for fear of offending their constituents who worked overtime. It was a mockery, a delusion, a wretched hypocrisy, to ask for the eight hours at the hands of Parliament when they defeated the short hours' system daily, merely to obtain a few extra shillings on a Saturday night. He appealed to the Congress to hesitate before it committed itself to a system which sapped the very foundations of independence, and sent labour to Parliament like a pauper for his weekly dole. Mr. Drummond (London) supported the view expressed by Mr. Broadhurst. Mr. W. Pickard (Wigan) believed that if they asked the miners to support an Eight Hours Bill they would not do so. Such a Bill would mean the handicapping of capital in the face of the hours worked by artisans upon the Continent. He did not believe in handicapping capital unfairly, any more than he believed in labour being tyrannised over. They should extend trades unions abroad before asking the British Parliament to pass an Eight Hours Bill."

He read that to show that outside men should not blame members of Parliament for trying to get at the truth when the men who advocated eight hours labour, themselves differed so much. He had endeavoured to try and solve the question, and what he had read was worthy of the consideration

of members. Why he had read that extract was because the time was coming when an Eight Hours Bill in its entirety would be passed. From his knowledge of mining, he had tried to get the House to consent to the proposition in connection with one skilled class of labour. The House did not see its way to that yet; but the Bill before them would have the practical effect of "extending trade unions abroad." He believed that the Bill before them would have the effect merely of extending trade unions in Queensland beyond those skilled classes who had been able hitherto to protect themselves. That was all the effect it would have. If then it was found to be an advance on all grounds, it would pave the way for the consideration of an Eight Hours Bill in its true sense. Under those circumstances he wished to ask the leader of the Opposition whether he did not think the words "that a special rate of payment be fixed for all time beyond the first eight hours be fixed by contract," would be productive of harm, because there were so many persons included in the Bill now that the hon. member originally contemplated would not be included in it. In his (Mr. Tozer's) electorate there were a great many Germans engaged in farming and they would have no opportunity of seeing the Act, and would work on as they had done before. There were 300 or 400 there engaged in agricultural pursuits, and many engaged in the timber industry, and they would go on as they had done before on verbal agreements. Probably many newchums would come in and be engaged with them and they would work eight and twelve hours a day and there would be no written contract. The clause said that whenever it was intended that men should work for more than eight hours there should be a special contract, and further, that a special rate of payment for all time beyond the first eight hours should be fixed by the contract. What chance would those men to whom he referred have of fixing a special rate of payment? The effect of the clause in his district would be that those industrious men engaged in those industries which were difficult to carry on now, would be at the mercy of men who, when they left, and left discontented, would go to a lawyer, and be told that they were entitled to a special rate of payment for all time beyond the first eight hours, and that as it was not fixed by contract they would be entitled to make a further charge. The result would be that employers would be unnecessarily brought to court, unless they were sufficiently wise to have a written contract. What would be the effect of a written contract? He remembered the time here when the owners of stations had written contracts made out for their shepherds, and had a clause in them by which the shepherd made himself responsible for all the sheep placed in his charge. Men who were looking for work readily signed those contracts. The effect of the clause would be that there would be thousands of agreement forms printed with a blank space in them, and if there was a special rate of payment to be made, the employer would fix it against the labourer. If they were to work overtime, it might be specified that they would get a special rate of time and a-half. So far they had gone right; but when that contract of hiring was included, it should be made so plain and clear that persons might enter into it verbally. The last part of the clause would prevent men making verbal contracts, because it would place one man at the mercy of another. A man might go to his employer and say, "You agreed to give 5s. an hour if I worked more than eight hours," and another might come up and say, "Yes, you did; I heard you say so." The result would be that employers would

be at the mercy of men who urged the special rate of payment. He would ask the leader of the Opposition whether, in view of all the circumstances, he could not see his way to omit those words providing for a special rate of payment?

Mr. GLASSEY said he did not agree with the hon. member for Wide Bay with respect to the words fixing a special rate of payment to persons who worked more than eight hours per day. The hon. member must be aware that wherever combinations of working men existed and wherever they were in a position to enforce it, that was now the recognised rule, at least in most cases. But where men were not organised they were obliged to accept almost any conditions proposed by the employer for the sake of obtaining work and the means of earning a livelihood. In the case of most of the organised trades where they worked beyond a limited time, generally fixed at eight hours per day, they obtained by their standing rules more than the usual rate of wages for working beyond that time. Therefore if the clause was carried as it was it would be simply legalising to some extent what was now a recognised rule of most organised bodies. When the Mines Regulation Bill was going through committee he had endeavoured to carry a clause limiting the hours of labour to eight per day, and making it compulsory for miners to work no more except in cases of emergency; and in such cases he proposed that the miners should be paid an extra rate of 25 per cent. beyond what they were paid for working the eight hours only. He had done that in order to bring the miner on a level with the organised skilled labour of the country, and he thought that was only right. He had said in support of his clause that if the labourer had to sacrifice the time he ought to have for recreation, improvement, and the cultivation of his mind, and that too for the benefit of his employer to a considerable extent, then the person who benefited most by that should pay an extra rate. He went further now, and said that if the amendment proposed by the hon. member for Herbert was carried, it would take away one of the strongest weapons they had for the protection of labour. They did not want overtime. No doubt it was practised, and there were some men who liked it, just as Mr. Broadhurst had said, for the sake of a few extra shillings on the Saturday night; but it was not a general rule in his experience of workmen. They generally considered it a pernicious practice, and they did not want it. If the workers of the colony were polled to-morrow on that question he made bold to say an overwhelming majority of them would go dead against overtime.

Mr. AGNEW: Not if they voted by ballot.

Mr. GLASSEY: Yes; if they voted by ballot.

Mr. AGNEW: Nonsense!

Mr. GLASSEY said that he was sure that if a vote of the workers of the colony could be taken upon the subject—and he was ready to bear his share of the expense of such a poll, whatever it might be—an overwhelming majority would be strongly and sternly opposed to overtime. Reference had been made to Mr. Broadhurst, who was undoubtedly a man of very great ability, and he (Mr. Glassey) had on two or three occasions attended public meetings and conferences with him. He knew his ability and value, but they must bear in mind that Mr. Broadhurst had had a few years ago a little taste of office, and that he spoke now with considerable reservation, expecting that the time would come when he would again perhaps enjoy the sweets of office.

The PREMIER: Is that what you are seeking?

Mr. GLASSEY said he wanted neither place nor office under the party at present in power, or the party which might succeed them. He had always been able to earn his livelihood without any office of that kind, and he would continue to do what little he could, though that might not be much, in the interests of his fellow labourers, whether his efforts were appreciated or not. Mr. Broadhurst was not at the present time in touch with the great labour movement of the old country, and to many things advocated by the labouring classes he was opposed. For many years that gentleman had been opposed to the opening of museums and picture galleries on Sundays, for the recreation and enjoyment of those persons who had to work every other day in the week except on that day, and had spoken and voted against it in the House of Commons. Mr. Broadhurst hob-nobbed too much with royalty to be in close touch with the masses. He (Mr. Glassey) did not wish to say a single disparaging word of the present monarch, or of the monarch who was likely to be; but he knew that Mr. Broadhurst had been hob-nobbing for a considerable time with the heir-apparent. Mr. Broadhurst was a capital man in many respects; but those were weaknesses which could not be overlooked. But to return to the question under discussion: The Premier had referred to the remarks made by Mr. Mabbott, who formed one of the deputation that waited upon the hon. gentleman. He (Mr. Glassey) wished that some members of that Committee would show the same steadiness and reliability on all occasions as Mr. Mabbott had shown. He thought the hon. gentleman must be mistaken in his view, or must have misapprehended what Mr. Mabbott said with respect to the body he represented being desirous to work more than eight hours a day, except in cases of emergency. That man would be extremely foolish who would not work under such circumstances because he had already worked his eight hours. Wharf labourers had to load and discharge vessels when they came to port, and it would be neither wise, prudent, proper, nor just that when the eight hours were up they should stop work, which might detain the vessel to a very inconvenient time. They would do nothing of the sort; hence the necessity for making some stipulation that in the event of their being asked to work overtime they should get extra pay. Those men did very hard work, as he knew, having done a little of it himself, and eight hours was a fair day's work for them. There were nearly 2,000 wharf labourers in Queensland, and he said that if they refused to work longer than eight hours, supposing that eight hours were legalised as a day's work, in order to despatch a vessel in case of need they would be doing a wrong thing. But eight hours was sufficiently long for a wharf labourer or anybody else to work, and if they worked longer they should be paid for the extra time at a higher rate. He could speak with special knowledge with respect to wharf labourers, because coal-miners, seamen, and wharf labourers were more closely allied in organisation than any other class of workers in the colony, as they formed what was termed the maritime council, and he was in constant communication with them; and he affirmed without fear of contradiction—although there might be a difference of opinion in isolated instances, as there was in all associated bodies of men—that there was no subject that had so closely engaged the attention of the labouring classes generally, not only in Queensland, but in Australasia, than that of legalising eight hours as a day's labour. That had been demonstrated by the various trade congresses which had been held in the colonies from time to time. He by no means agreed with the Bill as it at present stood, but it was a step in the right direction. It had been

demonstrated again and again that wharf labourers, seamen, and maritime workers generally, and other trades throughout Australasia, were practically unanimous in their desire to have eight hours legalised as a day's labour, and the same feeling existed in Europe. The very day after the Bill now under discussion was last before the Committee the following cablegram on the subject they were discussing appeared in the *Courier* :—

"London, July 19.

"The International Trades Congress at Paris has approved of the principle that eight hours shall be the maximum duration of a day's labour. The congress demands international legislation in this respect."

There they were informed that the International Trades Congress at Paris, representing the combined workers of every country in Europe, wanted the duration of a day's labour legalised in a reasonable way. He knew what a reasonable day was, and he knew what a very unreasonable day was, as he had had some very bitter experience in his early life on that subject. On no question in connection with labour at the present time was there such a unanimous opinion as on the legislation of eight hours as a day's labour. Overtime had always been an injury to the worker, and would continue to be, and he certainly would vote against it, and so would the great mass of workers, where it could be avoided. Of course there were circumstances which would crop up when overtime would be necessary, and in those cases the men would have a right to demand overtime pay. There was a letter which he wished to refer to, which appeared in that evening's *Observer*, and he would venture to say it was never written by a butcher, as it purported to be, or by a man working for a butcher. The facts as regarded butchers were these: They had invariably been invited to attend any public meetings to shorten the hours of labour for shop assistants. On the 5th August a very large meeting was held in the Town Hall upon that very question, and it was decided that the principle of eight hours labour per day should be legalised. The butchers had called a meeting of their own on that evening, and they adjourned it so that they might attend that demonstration, and their secretary sat on the platform upon that occasion. Therefore he did not think the writer of that letter in the *Observer* had been very well informed. Doubtless he merely wished to say something which would retard the passage of the measure before them if possible. In regard to some miners in the old country being opposed to an Eight Hours Labour Bill, he would give the reason, as stated by Mr. Pickard, why some miners were opposed to eight hours' work, and he (Mr. Glassey) would quote an authority which would be accepted by the Committee as one much higher than himself in regard to labour matters—although he had not, perhaps, had so much practical experience—and that was Lord Brassey, who was only a plain "Mr." at the time he made these remarks. Lord Brassey was dealing with the question of shorter hours, and was quoting as an authority Sir George Elliott, M.P., who won his way from the position of a coal miner to that of an eminent mining engineer. He said :—

"Miners work on the average twelve hours a day in South Wales, and only seven hours in the north of England; and yet Mr. G. Elliott, M.P., has found that the cost of getting coals in Aboardare is 25 per cent. more than it is in Northumberland."

The measure that came before the British Parliament proposed eight hours pure and simple, or in other words it put one hour a day more upon the Northern miners. In the county of Durham there were nearly 100,000 miners, and in Northumberland there were nearly 20,000, and

of course those men did not favour a Bill of that kind, inasmuch as it would lengthen their hours of labour. But the great bulk of miners in Great Britain worked more than eight hours, and if the measure had been put to the vote amongst miners an overwhelming majority of them, from his own knowledge, would have unquestionably voted for the eight hours' principle. In regard to the amendment of the hon. member for Herbert, as the hon. member for Charters Towers, Mr. Sayers, had said, if that hon. member could see the danger that was likely to arise by including in the Bill agricultural labourers, why did he not vote on a previous occasion for their exclusion? He thought agricultural labourers should be included in the Bill, as they were the persons most requiring protection, and it would be a great mistake to exclude them. The amendment, if carried, would take away one of the strongest weapons of the workmen. A great deal had been said as to whether any man would support a motion compelling eight hours' labour per day. He had his opinions on the subject, and would stand responsible to his constituents for those opinions. Nothing would be a greater boon or blessing to the workers of the colony than to have a compulsory measure of that kind carried, and he believed a large majority of the working people of the colony would be in favour of it. As had been wisely said, it was, perhaps, as well to take one step at a time, and he contended that the Bill before them was only one step—an instalment of future benefits to come.

Mr. POWERS said he had supported the Bill when it was at its second reading, and he had supported it in committee. As to the amendment of the leader of the Opposition, he hoped he would not go on with it—or if he did, that he would accept the one proposed by the hon. member for Herbert. The clause was as good as it could possibly be when it was first introduced, as it was intended to apply, not to agricultural labourers, but to others who in his opinion ought to be included. Everybody who was then working under the Bill would have to pay a special rate of payment for labour over the eight hours. He would like to hear the hon. leader of the Opposition say why agricultural labourers should be excluded. If they were excluded, in every agreement there would have to be a special stipulation that the work was to be outside the provisions of the Bill. He wished to make the Bill as practical as possible, and was not one of those who believed any good would be done by simply declaring eight hours to be the duration of a day's labour. How could they get over the difficulty of special rates of payment for all time beyond the eight hours? There were many cases where men were engaged for three months at so much per week. If a man were employed as a caretaker, his hours of labour would be twenty-four hours; or he might be a caretaker from daylight till dark, or an agricultural labourer, who worked early in the morning and during most of the day. Say such a man was engaged for a month at 4s. per day. How would the extra rate be fixed if he worked over eight hours? The time worked could not be allotted unless the 4s. per day were spread over the twenty-four hours, and without some amendment of the kind proposed, that portion of the Bill would be really impracticable as applied to persons engaged in agricultural pursuits.

The HON. SIR S. W. GRIFFITH said he certainly thought the proper way to deal with the question would be to omit servants in husbandry and domestic servants, and with that view he intended to ask the House to re-commit the Bill for the purpose of reconsidering the 2nd clause,

and that clause also. If the Committee still determined to include those two classes he admitted that the clause must be altered.

Mr. COWLEY said that would not meet the object of his amendment, which was directed not to agricultural labourers, but to all monthly servants. In a sugar mill there were fifty or sixty monthly servants engaged, and when wet weather came on the work of the mill had to cease. But those men were paid their monthly wages whether they worked or not. It was to those men that his amendment would apply.

The HON. SIR S. W. GRIFFITH: Would they not be included amongst persons engaged in agricultural pursuits?

Mr. COWLEY: No; they are engaged in manufacturing pursuits.

The MINISTER FOR MINES AND WORKS said he quite disagreed with the leader of the Opposition that servants in husbandry should be excluded. He did not care what the hon. gentleman might say or insinuate against hon. members on that side of the Committee. He believed in the eight hours' system long before the hon. gentleman believed in it—as he believed in many other radical opinions which the hon. gentleman did not believe in formerly, but believed in now.

The HON. SIR S. W. GRIFFITH: We are moving in reverse directions.

The MINISTER FOR MINES AND WORKS said the people who were the weakest were entitled to their protection, not the strongest. That was the example that had been set them by England—the country which had legislated in the direction of shortening the hours of labour. All the legislation there had been in the interests of women and children, who could not protect themselves. And as they were protected the men followed, because the men working in factories could not work without the women and children. Outside the trades where women and children were employed, the men had always been able to protect themselves. There was a time in Great Britain when people worked in factories fourteen or fifteen hours a day, and that time was within the lifetime of some hon. members of the House. Then legislation had to step in to protect women and children, and gradually the hours of labour were reduced by statute to ten, and ultimately to nine hours. But the men outside those factories had well protected themselves by their trades unions. He would cite one instance, which was no doubt well known to the hon. member for Bundamba. The engineers in Newcastle, in 1872, demanded a nine hours' system from their employers. The employers resisted. They said the very same thing that was now said with regard to servants in husbandry by those who wished to exclude them. They said, "We could not pay you your wages if you work only nine hours; you would stop the industry; we could not compete with the foreigner," and so on. The men struck, and they remained out for nearly four months; but they gained their point, and the result was that all the engineers and kindred trades in England had to follow suit. Those were the men whom Mr. John Morley addressed the other day, and told them to depend upon themselves for an eight hours' system, and not upon legislation. The hon. member for Bundamba referred to the International Congress in Paris; but that only proved what he had said before that the Continental workmen had always been in favour of State intervention, while the English workmen had been quite opposed to it; but at all the congresses held on the Continent they had been outvoted. The National Congress in England did not vote for

the intervention of the State. Nearly the whole of the argument of the hon. member for Bundamba went to show that the State should regulate the rate of wages; that was really the logical result of what the hon. member said. The State could not regulate the rate of wages. It might shorten the hours of labour, but to regulate the rate of wages was what the State could never do. Did the leader of the Opposition know how many servants in husbandry there were in the colony? There were far more than the hon. gentleman wished to legislate for in the Bill. At the last census there were 45,000, which was probably increased now to 50,000, and 11,000 undefined labourers, making between 60,000 and 70,000 servants in husbandry and undefined labourers who would be excluded from the benefits, if there were to be any benefits, of the legislation proposed by the leader of the Opposition. As he had said before, he had believed in the eight hours' system long before the hon. gentleman did, and he believed in shutting out the Chinese at a time when the hon. gentleman did not, although he now professed to be more anti-Chinese than even he (the Minister for Mines and Works) was. The eight hours' question was not popular then; it was popular now; and it paid to follow public opinion. But a man who professed to legislate for men should lead public opinion, instead of following it. His belief was that the Bill, to have any effect in crystallising eight hours as a statute day's labour, should not only include servants in husbandry but also domestic servants, of whom there were a still greater number. Those two combined actually numbered one-third of the whole population of the colony, and they were the weakest class in the colony. They were now legislating for men who, according to the hon. gentleman's own admission, had got the eight hours' system. As to the remarks that had been made about public meetings that had been held on the subject, what had they to be afraid of so far as public meetings were concerned? Public meetings did not always represent public opinion. The hon. member for Toombul had spoken as if they were to be guided in their action by the utterances of a few men at a public meeting; but the men who attended that meeting were nearly all in possession of the eight hours' system already. But mark the selfishness. They did not care whether clerks or domestic servants were included; they had got the benefits of the system themselves and wished to exclude others from the same benefits. He said that was not the public opinion they should follow. They should lead public opinion instead of following it; and if the Bill was to be of any service it should include every person who laboured with his hands.

The HON. SIR S. W. GRIFFITH said he apprehended that the question before the Committee was not whether the hon. gentleman was actuated by a strong feeling of personal animosity towards himself, but whether the Eight Hours Bill was to be passed into law. What was it to the public of the colony whether the hon. gentleman differed from him, or whether he did not. What did it matter to the public whether at one time the hon. gentleman was more advanced in his views than he was, if in the meantime he had unfortunately retrograded in those views. What was it to the public if the hon. gentleman was actuated by a spirit of feud, of personal animosity to himself, a spirit which, however, was entirely on one side? Anyone listening to the speech the hon. member had just made, would judge apparently that he was actuated more by strong personal animosity to the introducer of the Bill, than by any objection to the subject

matter of it. He (Sir S. W. Griffith) hoped the Bill would be dealt with on its merits. What did it matter to the public what he thought fifteen years ago? He did not know what he thought then on the eight hours' system.

The MINISTER FOR MINES AND WORKS: I don't believe you do.

The HON. SIR S. W. GRIFFITH said he did not know everything all at once. He did not come, like Minerva, in full possession of all knowledge from the brains of Jove, as the hon. member would appear to have done when he first dawned on the astonished people of Queensland, possessing all liberal views—views which he, unfortunately, seemed to have thrown overboard one by one. He (Sir S. W. Griffith) had been gradually learning, and was still learning; he was travelling steadily in one direction, but he regretted to say that the hon. gentleman seemed to be travelling in the reversed direction; the place where they had met was long since passed, and while the hon. member was going backward he had been going forward. He regretted to have to say so, because at one time he regarded the hon. member as one of the most genuine Liberals in the colony. But they were concerned now with the Eight Hours Bill. The hon. gentleman had said that there were a great number of persons engaged in agricultural and pastoral pursuits. On the second reading of the Bill he (Sir S. W. Griffith) stated that he would like to see the provisions of the Bill extended to them; but for reasons that were urged by the representatives of the agricultural districts it was not considered practicable at the present time, because their work was not continuous, or such as that of the persons to whom the Bill was intended to apply. It was intermittent, beginning in the morning, having long intermissions, and running into the evening. Again, it was not daily work, there being nothing done sometimes for days together. For these reasons he had yielded reluctantly to the arguments used, which showed that, at any rate at present, it would not be practicable to apply the Bill to those persons. The hon. gentleman professed to be a strong advocate of the eight hours' movement, but still he was doing his level best to prevent a law being passed on the subject. That was not the sympathy they wanted. If they could not make the Bill perfect, let them make it as good as they could. As for the hon. gentleman's remarks about popularity, they were not worth answering. He did not think he need trouble himself to refute motives of that kind. He thought the proposal he had made just now was a fair one—to reconsider clause 2, and if they determined to still include agricultural servants, he was afraid the words proposed to be omitted must be omitted; otherwise they need not be omitted. In reference to the remarks of the hon. member for Herbert as to the Bill applying to others besides those who were actually engaged in agricultural pursuits—that was to persons who were not actually employed in the field, but in the work following necessarily upon the field work—he thought that could be remedied by keeping the time. At any rate it was a question of detail which need not affect the general application of the Bill.

The MINISTER FOR MINES AND WORKS said the hon. gentleman could not get up without using the same insinuations that he always used. He quite admitted that it did not matter one bit to the people of the colony whether any feud existed between the hon. gentleman and himself; and as to the personal animosity the hon. gentleman said he entertained towards him, and of which he said he had none himself, if he had hit the hon. gentleman so hard as to make him think so, he could not help it. But he could tell the hon. gentleman that he had no

more personal animosity against him than he had against a man he had never seen. Whatever the hon. gentleman proposed that he could see his way to support he should support, and when he introduced anything he could not support he would oppose it as strongly as ever he had opposed anything in his life. The hon. gentleman said he had been going backwards while he himself had been going forwards. That was the answer the hon. gentleman made to the arguments he had used; but he had a long way to go yet before he reached the place on the backward track which he (the Minister for Mines and Works) now occupied. He could tell the hon. gentleman that he was not going backwards because he disagreed with him. There was not a single thing the hon. gentleman brought forward, if it was not carried exactly as he wanted it, but he got up and accused hon. members who did not agree with him of being actuated by personal animosity towards himself, and told them, as he did the other night, that they were gaining their ends by fraud and misrepresentation. There was no man in the House, even the rudest and most uncivil, who used such unpatriotic language as the hon. member always used when he could not get his own way. That was not the way for gentlemen discussing any question, no matter what it was, to act. He said again that he believed thoroughly in the eight hours' system, as he always had believed in it; but he contended that, to make the Bill of any practical use, it must be made compulsory. He admitted that it could not be made compulsory at present, and for that reason all classes ought to be admitted within the scope of the Bill.

The HON. SIR S. W. GRIFFITH said he did not rise to prolong the personal discussion which the hon. gentleman seemed desirous of creating. He did not regard the matter as a personal one at all, and the personal arguments the hon. gentleman had used—that he always got angry when he did not have his own way—were getting stale, extremely monotonous and wearisome. He should like to hear some fresh arguments. The hon. gentleman had quite forgotten the kind of speech he had just made. Anybody listening to it would think he was induced by some desire to oppose the measure because it was introduced by him (Sir S. W. Griffith.) The hon. gentleman had evidently forgotten what he had said.

The MINISTER FOR MINES AND WORKS: I have not forgotten it.

The HON. SIR S. W. GRIFFITH said that anybody listening to the tone and manner of the hon. member, and the personality of his attack, must have thought there was something behind the question of eight hours in his mind. He did not wish, however, to pursue that matter. If the hon. gentleman would debate the Bill on its merits, he would meet him; but so long as he chose to make personal attacks, he might expect to have those attacks met. He had never flinched from meeting the hon. gentleman when he chose to make a personal attack upon him, and the hon. gentleman might always expect what he had always received—an answer.

The MINISTER FOR MINES AND WORKS said he was never afraid to meet the hon. member; and he could meet him just as well outside as inside that Chamber.

Mr. GLASSEY said he hoped the heads on both sides of the Committee at least would keep cool, whatever the tails might do. He must take exception to one or two remarks that fell from the Minister for Mines and Works. He agreed with the hon. member that agricultural labourers and servants in husbandry should be included; but the hon. gentleman argued that inasmuch as

they were excluded they were the weaker party, and followed that up by saying that they formed two-thirds of the working people.

The MINISTER FOR MINES AND WORKS: They are not organised.

Mr. GLASSEY said the hon. member took his figures from the census of 1886. He had also taken some figures from the same source, and he would read them. Labourers, branch undefined, total 8,825; farm servants, indoor, 4,916 males and 100 females; grazing farm servants, 4,695 males and 41 females; agricultural labourers, outdoor, 1,503 males and 32 females; station or grazing farm labourers, outdoor, 1,519 males and 4 females. He did not include Chinese or kanakas. One thing that struck him very forcibly during the debate was the wonderful amount of commendation that had been given to trades unions and such organisations. His experience in the past was that persons who took part in those matters were generally considered positive firebrands and persons dangerous to society; but he was pleased to see that the time had come when they were recognised as beneficial not only to the workers, but to the community generally. He trusted that they would always be appreciated in that spirit. If there was one thing desired more than another by persons favourable to the development of industrial resources it was the prevention of strikes and lock-outs. Strikes had always been deprecated by trades unionists, but they had often been their only weapons, and they had sometimes been reluctantly compelled to use those weapons. The Minister for Mines and Works recently used an argument with respect to the enormous industrial struggle which brought so much misery and poverty to a vast number of people—he referred to the strike of the Tyneside engineers in 1872. He (Mr. Glassey) was there at the time, and subscribed towards the maintenance of those men in their efforts to obtain shorter hours. Strikes were certainly very much to be deprecated, and the very thing the supporters of the Bill were contending for was the prevention, as far as possible, of industrial disputes, which created so much strife, bitterness, sorrow, and suffering. But when they were asking that the matter should be dealt with in an equitable manner, they were met by arguments in favour of perpetuating the very thing they wished to prevent. That was the effect of the arguments of the Minister for Mines and Works.

The PREMIER: No.

Mr. GLASSEY said the Minister for Mines and Works told hon. members to look at what the English labourer had got by his own efforts. How had he got it? By those very struggles which he (Mr. Glassey) and others in favour of the Bill wished to prevent. There was a strike among the bakers of Brisbane for shorter hours a short time ago, but the claims of their stomachs and those depending on them soon forced them to give in. The miners at Bundamba had time after time endeavoured to get the eight hours; and the last strike that occurred in that district was partly to obtain the eight-hour day. He did his level best to prevent it. He heard an hon. member interject that he was there to encourage it. He never was there to encourage anything that was unreasonable or unjust; but when men stuck up for what was reasonable and just, he was not the man to desert them. He would spend his last dollar to obtain reasonable hours for the workers of the colony, knowing the value of short hours, and the degradation and misery he had endured in the past when he was young through working long hours; and he said it was not fair that persons high in authority should deal with the question otherwise than on its merits. If the Bill was not

all that could be desired, it would do some good, at any rate; and he trusted the time would come when a compulsory measure would be in force, so that the workers might enjoy as far as possible the sweets of life and have some little time to improve their intellects and better equip themselves to fight the battle of life.

The PREMIER said it would be better if the hon. member would talk a little common sense. He had in a sort of semi-inflamed way given expression to some of his opinions and had told the Committee what had happened to him in the old country. Of course that was very interesting; and no doubt the hon. member had suffered all those privations. He had been ground down to the earth, no doubt, fighting all the time—and he appeared to be of a bellicose nature. The hon. member had pointed out the struggles and troubles he had in the old country, but he did not know whether the hon. member had had so much trouble in Queensland. When the Committee weighed the opinion of the hon. member with that of the Minister for Mines and Works, the balance would be entirely in favour of the Minister for Mines and Works. He believed every member of that Committee who thought upon the question at all knew that the Minister for Mines and Works had not always lived in velvet, but that he had been the most hard-working and practical man who had ever come into the Queensland legislature. When the hon. member for Bundamba had earned the reputation as a hard-working man which had been achieved by the Minister for Mines and Works, he might come forward and talk about the grievances of the working classes. He would like to know what the hon. member for Bundamba knew about the grievances of the working man in the colony. Had he ever done anything since he had come to the colony but live in clover? Had he ever done a day's hard work?

Mr. GLASSEY: I have done more hard work than you have.

The PREMIER said that he would admit the hon. member might have done much more hard work than he (the Premier) had done, but then he did not hold himself up as the advocate of the working man. He was not one of those who advocated the wants of the working man on the lines that the hon. member did; but although not a working man himself he knew perhaps as much about the working man as the hon. member who laid down the law. Possibly he had seen the working man in more varied circumstances than the hon. member, and when the hon. member came down to that Committee claiming to be the exponent of the grievances of the working man he was adopting a rôle that he was not entitled to. One word from the lips of the Minister for Mines and Works was worth fifty from the hon. member. There were several hon. members on both sides of the Committee who were more entitled to be considered as friends of the working man than the hon. member for Bundamba. The hon. member was taking a position which he had no right to occupy or assume. He was not the only champion of the working man in the Committee. He seemed to think that because he attended every meeting of working men, and because he was an agitator, that on that account he was the friend of the working man. The greatest enemy of the working man was the man who agitated, and did not work. That was the class of men whom the working man should avoid, and he was afraid the hon. member for Bundamba came under that category. There were hon. members sitting on the other side who knew a great deal more about the working man than the hon. member for Bundamba, and who had had far more practical experience than that hon. member.

It ill became him—a new member—to attempt to lecture a man like the Minister for Mines and Works, whose shoe laces he was not fit to undo. He (the Premier) did not for one moment pretend to compare the intellect of the hon. member with that of the Minister for Mines and Works—that was not the question they had to discuss; but so far as practical hard work in the colony was concerned, the hon. member for Bundamba was not fit to be seen in the same paddock with the Minister for Mines and Works.

Mr. GLASSEY said that he had not, he hoped, said a single word to cause the anger of the Minister for Mines and Works. There were few hon. members in that Committee for whom he had greater admiration for ability and for a knowledge of the working man than he held for the Minister for Mines and Works. If he (Mr. Glassey) said anything which was distasteful to the Premier he was accused of lecturing the hon. gentleman; but so long as he occupied the position he now held as a member of that Committee he would take the course which he thought was reasonable, and follow it with dignity. It did not follow that because his utterances did not give satisfaction to the Premier, that he was to be sat upon, and accused of lecturing hon. members. He would be sorry to say a single word to create ill-feeling in the mind of the Minister for Mines and Works, but the idea was preposterous.

The MINISTER FOR MINES AND WORKS said there was a great deal of private business on the paper. There were five items, all of more or less importance, and if that discussion went on much longer it would leave no time for the other business. He was pleased to hear a man stand up and defend his opinions in as bold, manly, and eloquent a manner as possible. He did it himself, and always would do so while he was able; but he thought it was time to get on and consider other business. Let them consider the Eight Hours Bill and not be lecturing each other. He was perfectly prepared to do so.

The HON. SIR S. W. GRIFFITH said that he had suggested that that clause should be allowed to stand as it was at present, and they could re-commit the Bill for the purpose of reconsidering clause 2. If clause 2 were altered there would be no need for the amendment of the hon. member for Herbert in that clause.

Mr. COWLEY said he was quite prepared to withdraw his amendment, on the distinct understanding that he could bring it forward again.

Amendment, by leave, withdrawn.

On clause 5, as follows:—

"Except in the case of a contract made as prescribed by the last preceding section, and then only in accordance with its provisions, it shall not be lawful for any employer to require any workman to work, without his own consent, for more than eight hours in any one day. And except as aforesaid no employer shall dismiss a workman by reason of his refusal to work for a longer period than eight hours in any one day.

"Any employer who offends against the provisions of this section shall be liable to a penalty of five pounds."

The MINISTER FOR RAILWAYS (Hon. H. M. Nelson) said that he had not spoken on the Bill before. He agreed with the preamble of the Bill, in the object for which the Bill was brought in, but it seemed to him that there was a very serious difficulty. The Bill was intended to benefit the working man by providing that a reasonable time for recreation, mental culture, and for the purpose of performing the social and civil duties of life was necessary. That clause stated that no man need work for more than eight hours unless he wished; but there was no provision in the Bill

to prevent a man from working for seven days in the week. There was not a word about the very day in the whole week which was really the workman's day of recreation.

THE HON. SIR S. W. GRIFFITH: This is not a Sunday Observance Bill.

THE MINISTER FOR RAILWAYS said that if a man had to work upon Sunday, even if he were engaged in an occupation where his work required him to do so, then he had sacrificed the one day out of the seven which was most calculated to afford him the greatest amount of what the Bill was brought forward to provide for. A man might voluntarily work on Sunday, but the Bill did not provide that he was to get any more wages on that day than on any other. He thought it should provide that a workman should work so many hours a week. Putting aside the religious aspect of the question, physiologists had proved conclusively that a man who did not get one day's rest in seven would soon break down. They had tried in France the experiment of having every tenth day as a day of rest, but it had proved a failure. They should not allow a man to work fifty-six hours a week; but forty-four, or at the outside forty-eight hours should be the limit; but there was nothing which could show that that was the intention of the Bill. He did not intend moving any amendment, because he looked upon the Bill to a great extent as bunkum, and it might do harm.

THE HON. SIR S. W. GRIFFITH: Why, you began by saying that you approved of it.

THE MINISTER FOR RAILWAYS said that he approved of the preamble, but the Bill did not carry out what was proposed in the preamble. He had read the part of the preamble which he approved of, but the Bill did not carry out what was stated in the preamble. He thought he had shown one very serious defect in it. The harm that it would do was this: It had been industriously circulated amongst working men that the Bill would enable those who now worked nine hours to work only eight and get the same wages. Well, everyone knew that there was nothing of that sort in the Bill—nothing whatever. So far as he had listened to the discussion, all through it seemed to him to be a Bill brought in principally for the glorification of the leader of the Opposition and his friend the hon. member for Bundamba.

THE HON. SIR S. W. GRIFFITH: Is that the reason the Government are opposing it?

THE MINISTER FOR LANDS said he really thought, to make the clause a little intelligible and sensible, the leader of the Opposition should consider the latter part of it, "And, except as aforesaid, no employer shall dismiss a workman by reason of his refusal to work for a longer period than eight hours in any one day." Now, could anyone of common sense advance anything in favour of that? Was it likely that any employer would assign that as his reason for dismissing a workman—his refusal to work more than eight hours. There were so many ways of disposing of the services of a working man without assigning any reason. Would any employer be idiot enough to assign such a reason as would render him liable to a penalty of £5? He really thought that was making the Bill a greater farce than it otherwise would be. He would like the hon. gentleman, at all events, to be a little bit rational, if he could be on the subject, and excise that ridiculous part of the clause.

THE HON. SIR S. W. GRIFFITH said there might be a difficulty on his part in trying to appear rational, but he did struggle to the best of his poor ability to be as rational as he could.

The clause seemed to be a very rational proposal. Did the hon. gentleman ever hear of a contract of hiring—of a man being dismissed and bringing an action for wrongful dismissal? The master then had to say why he dismissed the man, and refusal to work for more than eight hours would not be a reason for dismissing him, and if the man was dismissed for that reason, then the employer would be liable to damages. If a man dismissed another who was under contract, he must have some reason for dismissing him. The clause was a very substantial provision indeed. No doubt the last three lines of the clause might be omitted without altering the legal effect, but the advantage of them was that the employer would know his position instead of having to find it out by a lawsuit.

THE MINISTER FOR MINES AND WORKS said he did not think the latter part of the clause would have any effect, although the hon. gentleman thought it would.

THE HON. SIR S. W. GRIFFITH: It will prevent the thing being done.

THE MINISTER FOR MINES AND WORKS said it would prevent the employer assigning as a reason for dismissing a man that he refused to work more than eight hours, but no employer would ever be fined for having done so.

THE HON. SIR S. W. GRIFFITH: There are a great many offences that are never committed by reason of their being offences.

THE MINISTER FOR MINES AND WORKS said the clause would not stand in that category. The objection raised by the Minister for Railways had something in it which the hon. gentleman should reply to. There were a pretty large number of people in the colony who worked on Sunday. There were some public servants who worked on Sunday.

THE HON. SIR S. W. GRIFFITH: The Minister for Railways is the worst sinner.

THE MINISTER FOR MINES AND WORKS said the Minister for Railways was the worst employer of all; but he did not do very much himself on Sunday. There was a time when railways did not work on Sundays, and when the museum was not opened. When the practice of running trains on Sunday came into operation he was Minister for Railways, and found it would not be fair to a man who was earning 5s. or 6s. a day to work on Sunday—although it was not compulsory—for the same money. Therefore, there was a rule established that railway servants who worked on Sunday should not have less than 10s. He thought something of that sort might be put in the Bill. Of course railway servants were included whether they were mentioned or not, and if they had to work on Sundays, provision should be made for them.

MR. HAMILTON said the clause was objectionable from another point of view. Say that an employer engaged a man under contract to perform certain work at a fixed rate of wages for one year, and after the first month he chose to break the contract and dismiss the man. Under ordinary circumstances the man employed, if able to show wrongful dismissal, could get damages amounting to perhaps £50 or £60; but according to the clause the amount was specified, and although he might have suffered a large loss by being wrongfully dismissed, the greatest amount of penalty that could be inflicted on the employer was £5. The employer could therefore dismiss a man, knowing that by Act of Parliament the amount which he would be fined would be only £5.

Mr. WATSON said one would think they were legislating for a lot of wild animals. He had been an employer of labour in Queensland for the last twenty-five years, and he had never yet met one working man who refused to work half-an-hour, an hour, or an hour and a-half beyond the eight hours; and for that reason he had always paid his men time and a-half for extra work, and on Sundays double time. That was only reasonable. Let an employer treat his men as men ought to be treated, and there was no fear but that the men would do the employer justice.

Clause put and passed.

Preamble agreed to.

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

RE-COMMITTAL.

On the motion of the HON. SIR S. W. GRIFFITH, the Speaker left the chair, and the Bill was re-committed for the consideration of clauses 2 and 4.

On clause 2, as follows:—

"In this Act—

The term 'workman' means any person employed in manual or clerical labour; which term includes any kind of work except as herein expressly excepted, but does not include the work of sailors when the ship or vessel is under way or on a voyage, or the work of domestic servants, or the work of persons employed in ships or vessels to do similar work to that of domestic servants."

The HON. SIR S. W. GRIFFITH said with respect to that clause he did not want to occupy much time, as hon. members had probably made up their minds on the subject. He did not think the Bill ought to deal with clerical labour, and he wished to give the Committee an opportunity of reconsidering the vote given a few evenings ago. He therefore proposed the omission of the words "or clerical" after "manual" on the 1st line.

The MINISTER FOR MINES AND WORKS asked if the hon. gentleman would give any reason why clerical labour should not be included?

The HON. SIR S. W. GRIFFITH said the Bill was not intended to deal with that subject. He did not entertain any very strong feeling on the matter. He did not think there were a great many of those persons who worked more than eight hours.

The MINISTER FOR MINES AND WORKS: A very great many of them do.

The HON. SIR S. W. GRIFFITH said he would not press the amendment.

Amendment, by leave, withdrawn.

The HON. SIR S. W. GRIFFITH moved the re-insertion of the words, "the work done by mechanics, handicraftsmen, artisans, artificers, journeymen, miners, engineers, firemen, railway servants, servants in husbandry, sailors, and other persons employed in ships or vessels when in port, and all other persons working with their hands at," after the word "includes."

The MINISTER FOR MINES AND WORKS said that the hon. gentleman by that amendment proposed to include all those who at present really had the benefit of the eight hours' system, except some railway servants, and he excluded servants in husbandry, for what reason? Because their employers said that they could not be worked on the eight hours' system. He said that a man working out in the sun on a farm should not be asked to work more than eight hours. It required more physical strength to work for six hours in the sun than to work for eight hours out of it, at similar work. There

was no reason why farm servants should not be included, except that they were weaker and unorganised, and it might put their employers to some trouble. There was no reason why an agreement made applicable to other workmen should not be made applicable to them. He should certainly vote against the amendment.

Mr. TOZER said that from one of the resolutions sent to him from a large meeting held at Maryborough, he found that one of the speakers there said he belonged to the largest eight hours' association in Australasia, and he might take him as an authority upon the subject.

The MINISTER FOR MINES AND WORKS: He might not be an exponent of the feelings of those who are not in the association.

Mr. TOZER said the eight hours' associations extended their branches, and they had members of all classes in the community attending their meetings. He noticed from the paper sent him that they had thoroughly considered the question of domestic servants and persons engaged in farm labour, and the meeting was unanimously of the opinion that they could not apply the same rule to farm labourers as was applied to skilled servants.

HONOURABLE MEMBERS: Why?

Mr. TOZER: Because they do not work continuously.

HONOURABLE MEMBERS: They do.

Mr. TOZER said they did not necessarily work continuously, and no man could carry on farming operations in this colony if his servants would work only eight hours a day. It was difficult enough for them to carry on under present conditions; but it would stop the industry to include farm servants in the Bill unless they had an opportunity of contracting themselves out of it.

An HONOURABLE MEMBER: It is not compulsory.

Mr. TOZER said it was not, but it was contemplated by the Bill that the Committee should express the opinion that eight hours should be a day's labour, and hon. members asked that that should apply to farm labourers. Was there any place in the world where they were included in the eight hours' system? They were attempting to go ahead of those who were themselves legislating in those matters. The trades unions were legislating in those matters, and what they were now trying to do was to give effect to their legislation, and to extend it to other classes which those societies by organisation had not been able to extend it to. He could not see why farm labourers should be put in a different category from domestic servants. At the present time in the colony a farm labourer had to get up at 5 o'clock and milk the cows, and he took a spell in the middle of the day for rest.

HONOURABLE MEMBERS: No.

Mr. TOZER said he admitted that ploughmen and some farm labourers who might be classed as skilled labourers, under the term artisans, might work a fixed time, but he spoke of the ordinary farm labourer when he said their work was not necessarily continuous between certain hours. They knew that in wet weather farm labourers were not necessarily at work out on the farm. Let them ask any practical farmer in the Committee at the present moment if it was possible for them to carry on their work under the eight hours' system. If the system was to be applied to them it would only have the effect of reducing their wages, and that was not the object the Committee were going for. The Minister for Mines and Works had spoken as if he was expressing the opinion of the working classes of the colony, but that was

not so. He (Mr. Tozer) admitted that the kind of meetings that had been held did not always give a reflex of public opinion, but he unhesitatingly said that public opinion had not yet reached the stage of including farm servants under that system.

The HON. SIR S. W. GRIFFITH said he had moved the amendment in a moment of forgetfulness, as the words "clerical and manual" included all classes of labour, and the amendment was unnecessary. He would, therefore, withdraw it with a view of proposing an amendment specially excluding agricultural and pastoral servants.

Amendment, by leave, withdrawn.

The HON. SIR S. W. GRIFFITH moved the insertion of the words "the work of persons employed in agricultural or pastoral pursuits" after "voyage."

Mr. CROMBIE said he did not think the hon. member for Wide Bay had ever been a farm labourer, as the hon. member did not appear to know much about the subject. He (Mr. Crombie) had been a farm labourer, and had also been an employer of farm labourers, and he could tell the hon. member that there was no harder worked class of people in the country than farm labourers. They worked continuously almost from daylight in the morning until as long as they could see, except in harvest time.

Mr. HUNTER: When it rains?

Mr. CROMBIE said the hon. member for Burke did not know much about the matter either. When it rained there was always plenty of work for the farm labourer under a roof—in the barn. Many men who had been his servants and who had worked on a farm had told him that they would rather work three days on a station than one day on a farm—that they had never worked so hard in their life as they had done on a farm. As he had said, the work was continuous from daylight to dark except in harvest time. They could not touch the crop in the middle of the day in harvest time, because the heat of the sun made the grain so ripe that if the crop was touched the grain would fall out on to the ground. But in the morning and evening there was a certain dampness in the air which toughened the grain and caused it to stick to the stalk. The men were therefore idle for three or four hours in the middle of the day, and did their work in the morning and evening. He repeated that the work of farm labourers was hard and continuous, and he contended that they should be included in the provisions of the Bill. The Bill was brought in with a very good intention and had his approval in every sense, but it did not go far enough. He would go further than was proposed, and thought that if they inserted a clause compelling shopkeepers to shut their shops at a reasonable hour in the evening they would arrive at a stage at which they would not arrive for a very long time unless something of the kind was done. There were people in shops working from 8 o'clock in the morning until 10 or 12 o'clock at night, because of the greed of shopkeepers who kept their shops open till those late hours, and if they could insert such a provision as he had suggested they would relieve a great many very worthy people in this country.

Mr. MURPHY said he should also like to say a few words on behalf of the agricultural labourer, to whom he thought the provisions of the Bill should be extended.

The HON. SIR S. W. GRIFFITH: What about shepherds?

Mr. MURPHY said he had no objection to shepherds being included in the Bill. The object the hon. gentleman had in introducing that

measure was to crystallise public opinion in regard to the hours of labour. The Bill did not make it compulsory that a man should not work longer than eight hours a day. It did not make it a penal offence for a man to work more than eight hours. Then why not extend the provisions of the Bill to all classes in the colony, as that might crystallise public opinion as a whole, and not simply the opinion of those in towns. He had listened to the speeches made at the eight hours' meeting the other day, and he never listened to more selfish speeches in his life. The very men who had the privilege of working under the eight hours' system, who by their trade unions were able to band together and compel their employers to grant the eight hours' principle left unprotected the most helpless class of labourers in the community, and threatened Parliament with all sorts of penalties if they did not accept that Bill in the form in which it was introduced by the leader of the Opposition. He just let those threats go by like the idle wind. He thought the agricultural labourer should be considered, and he was now standing up for a very much more numerous class than was represented by those people who were agitating in Brisbane against the action which had been taken by several members of that Committee. He would quote a few statistics to put right the figures quoted by the hon. member for Bundamba. According to the census returns published in "Votes and Proceedings" for 1886, volume iii., there were 7,095 persons belonging to the professional classes in the colony; 171,106 belonging to the domestic classes; 19,787 belonging to the commercial class; 55,897 belonging to the agricultural class; 51,494 belonging to the industrial classes; and 17,494 who did not subscribe their occupations so as to permit of their being included in one of the foregoing classes, or who were so situated that their employment was non-productive. That showed that the Eight Hours Bill, if passed in the form in which it was submitted to the Committee, would include 51,494 persons, and leave out 271,359. If they wanted to crystallise public opinion, why should they not crystallise the opinion of the greater number—those 271,359 persons?

Mr. TOZER: Women and children?

Mr. MURPHY said of course he included women and children. Women had as much right to be considered as men; there were many women working in factories, and standing behind bars and counters, but they had no votes, though he did not suppose that had much to do with the object of the leader of the Opposition in bringing in that Bill. He never looked at the question from that point of view. There were other classes in the community whose opinions should be crystallised. They wanted to crystallise the opinion of the whole community, and not that of only 51,000 people in the whole population. That was the reason why he was standing up for the agricultural classes. If the Bill were one that made it compulsory not to work more than eight hours, then he would not say he would vote for it, because it might be very awkward for the agricultural labourers, or for men working on stations. But the Bill was merely to crystallise public opinion, and looking at it from that standpoint, he did not see why they should not include those classes for the purpose of educating them up to eight hours' work.

Mr. POWERS said the Bill had already been passed, and now the question was whether they should except persons engaged in agricultural pursuits. Every person in the colony engaged in clerical or manual work was now included in the Bill; all were included; but he thought

persons engaged in agricultural and pastoral pursuits should be excluded. Those who knew most about it, with the exception of the hon. member who had just spoken, were against those people being included. Some who had spoken to the leader of the Opposition, asking him to except those people, knew it was not practicable to include them. They knew that at present farming did not pay, or if it did, it paid very badly indeed. Everybody was not engaged in the wheat culture referred to by the hon. member for the Mitchell. If agricultural labourers were included, it would only hamper the industry until they obtained the benefits of protection, when higher wages could be paid for shorter hours of labour. He would vote in favour of the amendment. Every hon. member knew that the clause could not apply to those who looked after bullocks. Persons driving cattle along the roads could not leave them, but must continue driving them, and a person must continue looking after sheep. Every hon. member knew that the clause could not apply to those people as things were worked at present. The hon. member for Barcoo said that the people at the meeting he referred to did not want the advantages of the Bill extended to those outside the Bill. But they were in favour of shop assistants coming within its provisions, and all others, so that it was not fair to make those remarks. Those who were in favour of the Bill were in favour of giving everybody the benefits of the eight hour system. They believed, as he believed, that the Bill, with the amendment proposed, would do a great deal towards obtaining general recognition of the principle of eight hours' labour.

The MINISTER FOR MINES AND WORKS said the hon. member for Burrum had used one of the greatest arguments that had been used against the introduction of any reform. The masters of shop assistants said the change would not pay, and the assistants themselves said it would pay if the eight hours' system were adopted. He quite admitted that the meeting referred to was in favour of the shop assistants being allowed the benefits of the eight hours' system, and probably if agricultural servants had not been included in the Bill at the time, the meeting would have been in favour of their being included also. Certainly some selfishness was shown in regard to clerical assistants and domestic servants. The hon. member had used the argument that it would not pay, and that was the argument used by every employer of labour in Great Britain who wanted to reduce the wages of working men and make them work fourteen or fifteen hours a day.

The HON. A. RUTLEDGE said he did not rise to discuss the clause; but he spoke in the name of those who had been keeping silent in order that they might have an opportunity, if a division was called for, of giving expression to their views, and facilitate the passage of the Bill or its expulsion. They might ask that they should be considered in the matter. The talking had all been done by a few hon. members who had made three or four speeches each. He should like to express his views, as he felt just as much interest in the subject as they did, but he wanted the matter to be decided. The shortest Bill that had come before the House that session had taken the longest time, to the exclusion of all other business on the paper. He should have liked to have stated his views, and given reasons which would reach the outside public for any expression of opinion he might give on a division, and he would ask hon. members to have some consideration for those who were not taking up the time.

Mr. McMASTER said it was refreshing to hear hon. members on the other side coming to the assistance of the agricultural labourers. He had been a farm labourer, and had employed farm labourers, and he knew that if farm labourers were included in the Bill it would do a great deal to prevent settlement. The men intended to be included in the Bill were those who were working in the hot sun on the wharves, and in the cities, but farm labourers worked in the open field, and had fresh air, and it was the most healthy employment a man could be engaged in. He was satisfied that the inclusion of farm labourers in the Bill would effectually prevent settlement upon the lands of the colony. Farmers said they could scarcely afford to send crops to market because the market was so limited, and they asked for protection against the other colonies. Yet the Committee were asked to prevent the farmers from having the advantage of obtaining men who were willing to work more than eight hours per day. As a matter of fact, for many weeks, and sometimes for months, out of the year the farm labourers had very little to do except light work. If there was a week's rain the labourers could not go to work until some time after it had ceased, and they were employed at odds and ends of work, straightening up little things about the farmhouse or the farm-yard, and that sort of thing. They were in a manner killing the time. In his time there was much more indoor work for the farm labourer than there was now. When wheat had to be thrashed out with a flail there was always work to be done in the barns on wet days, but that was now all done by machinery. He would repeat that to include farm labourers in the Bill would be to effectually stop settlement on the lands of the colony.

Mr. ADAMS said that to include farm labourers in the Bill would be to include a class that would never be able to work under it. With regard to mechanics, a mechanic or artisan who could not do a day's work in eight hours could not do a day's work at all. It was different with the agricultural labourer; he had the elements to contend with, and it would be impossible to carry on farming if the farmer was compelled to engage hands to do only eight hours' labour a day. Sometimes the agricultural labourer had to work very hard, and at other times his work was very light indeed. But, taking it all round, he defied any man on a farm to do a day's work in eight hours unless he wanted to kill himself. Agricultural labourers should certainly be withdrawn from the Bill, as if they were included, it would never work.

Mr. HODGKINSON said he did not see how they could possibly keep out of an Eight Hours Bill those people whose position in life prevented them from organising. Many sneers had been thrown out at trades unions, but those bodies possessed the powers they had, simply because they were the most intelligent classes of mechanics and artisans. They were concentrated in towns and acted in unison. By-and-by the system would no doubt be extended to agricultural labourers, and labourers of every kind, and shop assistants, and all the other unprotected classes, until labour was formed on one great basis of association. They should not confine the benefits of the eight hours' system to the best paid classes of artisans. Why should they refuse the same boon to the agricultural labourers simply because they represented a poorly paid form of industry. The present political position of the artisans was owing to the progress of education and the lowering of the suffrage. Not long ago women were driven like beasts in the coal mines of Great Britain, until at length the progress of kindly thought and of

religion brought about a change, and prevented employers of that kind of labour from degrading the sex in the manner they had done. That was not done on the recommendation of the employers. It was owing to the moral force brought to bear upon social and political affairs in Great Britain. In Queensland they were living under happier auspices. He was thoroughly in favour of an eight hours' day, but he would not confine it to one class, because that class could make itself heard at election time. He would commence at the bottom of the list. The true value of the Bill was not to extend any privileges to the town artisans, but to give a legal and moral sanction to the principle of eight hours. It would be a point of reference on any question that might arise as to the proper duration of a day's labour. They had their units of time and capacity decided by law, in order that when they were referred to there could be no possible question of difference. The passing of the Bill would not prevent men from working over-hours or carrying on those occupations where they had to concentrate a great deal of work into a very short time. It would simply determine what was the legal gauge of a day's work. Why should it not be extended to all classes? If any classes were to be eliminated it should not be those who were unable to come to the House in their numbers, and, with the weight of their intelligence, almost compel the legislature to do justice to them.

Mr. PLUNKETT said he intended to vote against the amendment. He had been a farmer and an employer of farm labour, and he did not see why the Committee should be so utterly selfish as to put farm labourers on a different footing from any other class of the community. They had to work harder than any other class of labourers in the colony, and ought certainly to be allowed to come in under the Bill. There would be no difficulty in the way.

The HON. SIR S. W. GRIFFITH said it was with great reluctance that he agreed to exclude farm labourers from the Bill, but he had done so in deference to the arguments of hon. members who said it would not be practicable. The hon. member who had just sat down said it would be practicable. He should certainly like to see farm labourers included, and this case would perhaps be met by the omission from the 4th clause of the last sentence.

The MINISTER FOR MINES AND WORKS: Leave those words out, and make no exception.

The HON. SIR S. W. GRIFFITH: Then we lose a good deal.

The MINISTER FOR MINES AND WORKS: But you say your object is to crystallise public opinion.

The HON. SIR S. W. GRIFFITH said that would be doing it to some extent, and he wanted to do it to a greater extent. That was the important part of it. It was clause 4 that he had in his mind, and if hon. members who were connected with agricultural or pastoral pursuits thought that portion of the Bill would be workable, if applied to that class of labour, he would be glad to accept their opinion. That was the direction in which his own inclinations went, as he had said all along, but when he heard hon. members supporting it say it would not work, that it would be a farce, of course it created a doubt as to their sincerity on the subject. If the hon. members to whom he had referred thought the scheme would not be unworkable, he should be delighted to accept the Bill in that form.

The MINISTER FOR MINES AND WORKS said if the hon. gentleman would only take a few words of advice, in order to make

the Bill workable, and to crystallise public opinion, he should leave the latter part of clause 4 out. The hon. gentleman appeared to think that people employing the class who would be excluded if the amendment was carried, would make agreements, but they would not; they would work for the same wages they were getting now, and it would make no difference whether they worked overtime or not. The hon. gentleman would carry out his own intention by including in the Bill every class he possibly could, leaving public opinion to crystallise gradually up to the extent to which they all wished to see it.

Mr. SALKELD said as one of those who objected to the inclusion of agricultural labourers he wished to explain—because it might be thought that he had altered his mind—that his reason for objecting to their inclusion was because in forty-nine cases out of fifty the provision would be inoperative, and he could not see the wisdom of compelling forty-nine persons to make special agreements for the benefit of one case. He could see the disadvantage of leaving out the latter part of clause 4, which, as affecting employers of labour, was a very important provision. It would be very awkward in connection with agricultural labourers to have to employ timekeepers; it would introduce an element of uncertainty, and was likely to produce bad feeling between masters and employés.

Mr. PAUL said if the leader of the Opposition would accept the amendment of the hon. member for Herbert, it appeared to him immaterial whether agricultural and pastoral labourers were inserted or not. Anyone who knew anything about pastoral pursuits would support him in asserting that to apply the eight-hours' system to that industry would be perfectly unworkable; because at the very time men were most required to work, they might knock off, and serious losses might result.

Mr. DRAKE said before the question went to a division, he only wished to say that he should vote for the amendment simply in order to save, if possible, the latter part of clause 4, because he regarded the special rate provision as very important indeed. If the effect of the amendment being lost was that they would lose the special rate provision, he should prefer that it should be carried. At the same time it was a very awkward position to be placed in, because he wished to see the provisions of the Bill extended as widely as possible.

The MINISTER FOR MINES AND WORKS said if the latter part of clause 4 was retained it would destroy the eight hours' system, because every man would work overtime for the purpose of getting the extra pay.

Question—That the words proposed to be inserted be so inserted—put and negatived.

The HON. SIR S. W. GRIFFITH moved that the following paragraph be inserted after line 24 :—

The term "domestic servant" means any person employed in or about a house in doing the necessary daily work of the household, or in attending to horses, cows, or other animals, kept for the purposes of the household, or in driving carriages or other vehicles kept for such purposes, or in other similar avocations.

The MINISTER FOR MINES AND WORKS said when the matter was previously before the Committee he raised the question about domestic servants; but as they had been discussing the Bill so long, and as the discussion respecting domestic servants would probably last all night, he should not raise it. He should like to see them included.

Question put and passed.

On clause 4, as follows :—

"Whenever in any contract of hiring provision is intended to be made for the work of any workman being continued for more than eight hours in any one day, it shall be necessary that a special stipulation be made with regard thereto, and that a special rate of payment for all time beyond the first eight hours be fixed by the contract."

Mr. COWLEY moved that all the words after "thereto," in the 19th line, be omitted.

The HON. SIR S. W. GRIFFITH said he would not discuss the proposed amendment, but would suggest that the hon. member's objection might be met just as well by a limitation that the words should not apply to persons employed in agricultural and pastoral pursuits. He thought that if a man worked more than eight hours there should be some provision for extra pay. The Minister for Mines and Works had pointed out that the provision relating to extra pay might tempt people to work longer in order to get the extra pay; but without such a provision they would very likely work overtime without extra pay.

The MINISTER FOR MINES AND WORKS said he had read a good deal about the labour question in England for the last three or four years, and he knew that the greatest difficulty with regard to the eight hours' question there was the matter of overtime. Large numbers of men who worked overtime and benefited by it were against the eight hours' system being made compulsory.

Mr. HUNTER said he thought it would be wise to make the rate higher for overtime, because then the difficulty would remedy itself. The feeling among workmen was that instead of letting men work overtime the work should be given to other men; and that would be done if the rate for overtime were made higher.

Mr. COWLEY said the clause was simply permissive, and he failed to see why it should be hampered with restrictions. He was prepared to go to a division on his amendment.

Mr. SALKELD said he thought it would meet the views of the hon. member for Herbert if agricultural and pastoral labourers were excluded; and he would suggest the insertion of the words "except in the case of persons employed in agricultural and pastoral pursuits" after the words "and that."

Mr. SAYERS said that if the hon. member for Herbert would not accept the suggestion of the leader of the Opposition the best thing hon. members could do would be to go to a division, and let the onus of destroying the Bill rest on that hon. member.

Mr. COWLEY: The amendment does not destroy the Bill.

Mr. POWERS said that when the clause went through before, it was understood that the words relating to agricultural and pastoral labourers should be taken out. He believed the leader of the Opposition did not wish to go back on that, but thought he saw a way out of the difficulty in the manner he had suggested. He (Mr. Powers) thought the words should be struck out.

Mr. CROMBIE said he wished to say a few words about labourers employed in pastoral pursuits. There was a union of those men in the district he represented, which was purely a pastoral district. That union consisted of about 2,000 men, and included people working on the Barcoo and on the Warrego; and he knew that if he voted against those men being included he need not show his face in the district again.

An HONOURABLE MEMBER: What hours do they work?

Mr. CROMBIE: They have had eight hours for the last twelve years. Sometimes they work fourteen hours and spell all the next day.

The HON. SIR S. W. GRIFFITH: Don't they work by contract?

Mr. CROMBIE said they did not. Some days they worked from daylight till dark, marking lambs and so on. They thoroughly understood what they had to do, and there was no difficulty. The union had been a blessing to the district, because there was no trouble with regard to wages or hours of labour; and the men knew exactly what they had to do.

Mr. HUNTER said as there was no trouble now with the pastoral labourer, the only difficulty remaining was with regard to the agricultural labourer; and the overtime of the rest of the community was to be dropped because it would not suit the agricultural labourer. The most vital part of the Bill was whether men should work overtime. If they did they ought to be paid for it, and, if he had his way, they should be paid a higher rate for overtime, because it was a further strain on their physical strength, and kept work from other men. All the arguments he had read and heard showed that the man who worked eight hours objected to overtime, because it injured other people, and the employers could get the same work done inside the eight hours by employing extra men. It was evident that the majority of those who spoke at the meeting which had been referred to, sympathised with the farm labourers, and would be willing to help them to obtain that which others had obtained. At the same time they thought they could not be included in the Bill, because it contained certain restrictions which would not apply to them. It was not from any selfish motive that the meeting asked that agricultural labourers should not be included.

Mr. SALKELD said he would ask the hon. member for Herbert to withdraw his amendment in order that he (Mr. Salkeld) might propose the amendment he suggested a few minutes ago.

Mr. TOZER said he was like the hon. member for Burrum, he understood that the concluding portion of the 4th clause was to be omitted when they had included agricultural labourers in the Bill. The hon. member for Herbert had expressed his willingness to accept that proposal, and he thought that, as the matter stood, those words might well be omitted.

The HON. SIR S. W. GRIFFITH said that he should vote for the retention of the words, but only with the intention of adding a proviso, if they were retained, that they should not apply to persons engaged in pastoral or agricultural pursuits.

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

AYES, 17.

Sir S. W. Griffith, Messrs. Hodgkinson, Drake, Watson, Hunter, McMaster, Glassey, Isambert, Mellor, Stephens, Macfarlane, Gannon, Sayers, Foxton, Barlow, Buckland, and Salkeld.

NOES, 27.

Messrs. Nelson, Morehead, Pattison, Black, Macrossan, Donaldson, Murphy, Dunsmore, Crombie, Philip, Tozer, Unmack, Wimble, Agnew, Callan, Cowley, Plunkett, Dalrymple, Powers, Corfield, G. H. Jones, Adams, Allan, Murray, Paul, North, and Hamilton.

PAIRS.

For—Mr. Luya.

Against—Mr. O'Connell.

Question resolved in the negative.

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

Mr. POWERS said that before the clause was put he would like to set himself right with the Committee. The leader of the Opposition had told him and other hon. members, as supporters of that Bill, that if they would support the exclusion of pastoral and agricultural labourers, he would agree to the omission of those words. After that pledge from the leader of the Opposition, he had agreed to vote for the omission of those words. That pledge was given without any qualification at all. The hon. gentleman said that he would accept the amendment of the hon. member for Herbert.

The HON. SIR S. W. GRIFFITH: You were not listening just now. I explained that just before the division.

Mr. POWERS said that, as a new member of the Committee, he had thought that any statement made by a leading member of the Committee might be depended upon; and believing that the amendment of the hon. member for Herbert would be accepted, he had voted accordingly; but he had found the leader of the Opposition on the other side in the division. He was moved to make those remarks, because he had consistently supported the hon. gentleman in that Bill throughout, and he had now risen to explain his position in the matter.

The HON. SIR S. W. GRIFFITH said he did not understand the hon. gentleman. He had said that if agricultural labourers were included, those words were certainly not applicable. Before the division took place he repeated that, and said he had made the statement, and that he would not depart from it; but if a division was called for, he intended to vote for the retention of the words, with the object of adding a proviso, so as to exclude the persons to whom they were not applicable from the provisions of the clause. Nothing could be fairer. A new proposition was made, which would give effect to his wishes and those of the member for Herbert, and he had said that having been done he would vote to give effect to it, but that as it was apparently contrary to what he had previously said, he had thought it necessary to explain why he adopted that course.

Mr. TOZER said the Opposition members were placed in a very awkward position. They had consistently supported the Bill, but he was not quite satisfied to have agricultural labourers in it. He had a large number of men in his district engaged in the timber industry, and he was looking after their interests. The reason he voted on the side he did was because the same principle should apply to them as to agricultural labourers.

The MINISTER FOR MINES AND WORKS said the hon. member need not be ashamed of having voted as he did. He voted with a very good party, and on a very good side.

Mr. HUNTER said it was clearly shown that they had not done exactly as they wished to do, when hon. members found it necessary to get up and explain that they had voted for something they would not have voted for, if something else had happened. Many hon. members who voted, were in the smoking room when the leader of the Opposition gave his explanation. The action of hon. members showed that they had passed something which they did not intend to pass, and if there was any way of undoing it, it was not too late. The whole Bill was destroyed by taking away the last two lines of the clause, because the great object of the eight hours' movement was to give work to those who were out of employment by stopping overtime. If Parliament did not recognise that object, then they should not legislate on the subject at all.

Mr. GLASSEY said there was not the slightest doubt that the remarks of the hon. member for Burke were perfectly correct. The Bill was weakened to a great extent, and the very weapon that the workers wished to protect themselves with—namely, the necessity for a higher rate if they worked for a longer time, was now taken away. That they should not work longer than eight hours per day ought to be a recognised rule; but now they could work as long as they liked without getting extra pay. He regretted exceedingly that the Bill had been so weakened, and he hoped the day was not far distant when they would have a very much stronger measure than the one they were now dealing with, under which each person would only be entitled to work a limited number of hours.

Mr. HODGKINSON said the hon. member's argument was very extraordinary. The object of the clause had been to limit the duration of a day's work to eight hours, and having completed his eight hours a man was a perfectly free agent. If he chose to work a greater number of hours, thus depriving others of employment, the man was false to the cause, and a recreant to the principles of the Eight Hours Bill. If he wanted to get extra pay he could make a special contract with his employers. There was nothing in the Bill to prevent that. The argument of the hon. member for Bundamba was a violent attack on the whole principle of the Bill.

The HON. SIR S. W. GRIFFITH moved that the Chairman leave the chair and report the Bill with further amendments, and said that he thought the Bill, though not perfect, was a very good one all the same.

Question put and passed.

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

On the motion of the HON. SIR S. W. GRIFFITH, the third reading of the Bill was made an Order of the Day for Tuesday next.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I beg to move that this House do now adjourn. The Government business to be taken on Tuesday next will be the Companies Act Amendment Bill in committee, and then the Crown Lands Act of 1884 Amendment Bill, also in committee.

Question put and passed.

The House adjourned at 10 o'clock.