Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

MONDAY, 7 DECEMBER 1896

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MONDAY, 7 DECEMBER, 1896.

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

GOLD MINES DRAINAGE BILL.

COMMITTEE.

Clause 1 put and passed.

On clause 2—"Drainage works to be a first charge upon mines"—

Mr. JACKSON: Clause 8 of the principal Act said that contributions could be recovered by action in the usual way. What then was the necessity for that clause at all? Did the only difference consist in the mine being made liable?

The ATTORNEY-GENERAL: That is all. It was only a personal debt before; now it is also to be a debt on the mine.

Mr. JACKSON: Would it not be a debt on the mine in the case of a verdict in the warden's court? It would not be so strong he admitted.

The ATTORNEY-GENERAL: That would be a roundabout proceeding. This makes it a direct charge.

Mr. JACKSON: Why should there be a difference made between contributions for the cost of drainage and of pumping? Was there any particular reason why clause 2 should apply to contributions to the expense of pumping?

Mr. SMYTH: The Bill applied principally to flood waters, and as far as he knew only applied to Gympie. The object was to empower the board to take action against anyone who declined to assist in keeping water out of a mine which might flood other mines. It was brought in on account of a serious flood that occurred a short time ago, when water was allowed to get into a number of mines on account of the negligence of one mineowner.

Clause put and passed.

On clause 3—"Repeal of section 5 of 55 Vic. No. 26"—

Mr. BROWNE: Subsection 7 provided for making regulations for "preventing the removal from any mines of any machinery or other appliances used for raising or lowering men therein." That might apply even to stopping a man from shifting his windlass.

The SECRETARY FOR MINES: Only during flood time.

Mr. BROWNE: In the mining laws many things had been put in for a good purpose, but they had been terribly misused afterwards. He quite understood what the Bill was intended for, but there was nothing to show it only applied to flood time. He could imagine that power being used to monopolise ground or to prevent men leaving ground. The powers given seemed rather drastic.

Mr. JACKSON also thought that the clause contained many drastic provisions. They might have a bumptious or ignorant chairman of one of those boards, and it was very drastic to propose that disobedience of the orders of such a man should involve six months' imprisonment without the option of a fine. He did not say that abuses were likely to occur in Gympie, but it was possible that abuses might creep in in other places in the future.

The SECRETARY FOR MINES: The original Act had been in operation on Gympie for five years, and the owners of mines and all concerned agreed that this Bill was necessary. After spending a lot of money in the erection of flood-gates, neglect in the case of one or two mines had been the cause of the flooding of a large number of mines.

Mr. JACKSON: What was the fine before?

The SECRETARY FOR MINES: No fine at all. With regard to paragraph 7, any malicious man might remove machinery. They could not make the restrictions too severe that the mines might be kept open for the safety of the men. The carelessness of one or two men last year had caused a loss of £10,000 and thrown about 250 men out of employment for three or four months.

Mr. SMYTH: Section 12 of the original Act gave power to forfeit the ground; but it was a poor consolation to shareholders who might reside hundreds of miles from the mine to have their ground forfeited as a consequence of some neglect on the part of their manager; and the provision was calculated to prevent speculation in mines that were liable to flood. The Act had failed to operate successfully because of the neglect of two managers—in one case through carelessness and in the other through obstinacy—to carry out the orders of the drainage board. In Gympie they put doors some distance down the shafts with an air-pipe through and up to the poppet-heads to carry off the compressed air; and under their system when the flood waters were 20 feet or 30 feet above the shafts the ground was perfectly safe. They had spent £6,000 on the work, entirely at the cost of the mineowners, and it was hard to think that the obstinacy or carelessness of a manager might result in a great deal of damage to a number of mines, and lead to a number of men being thrown out of employment. He did not consider paragraph 7 too strict. Notice of the removal of machinery might be given to a drainage board a month before the machinery was removed, the board could then send an inspector down the mine to see that everything was safe, and that where there was any connection with other mines concrete dams were put in. Imprisonment under the clause was never likely to take place, and he looked upon the latter part of the clause as purely a matter of form.

Mr. DUNSFORD would like to know whom the order was to be served upon?

The SECRETARY FOR MINES: On the manager of the mine.

Mr. DUNSFORD: That might be very unfair to a manager who might be under the orders of the board of directors to whom he was responsible, and who were his masters. He thought the order should in every case be served on the owners.

The SECRETARY FOR MINES: The manager was the person who ought to be served with the order. The owners of the mine might be a joint stock company whose shareholders and directors were resident in England.

Mr. BROWNE: Subsection 3 authorised the Governor in Council to make regulations "empowering the board from time to time to order all work to cease in any mine within its drainage area, when and for such time as it may deem expedient." That, of course, was for the protection of the men, and was perfectly correct as far as Gympie was concerned. But certain cases had occurred where there had been a drop of water in a mine during the wet season, and the mineowners had sent down asking to have nearly the whole field exempt, though evidence brought forward afterwards had proved that there was no reason for such exemption. Under the provision he had referred to mineowners interested in a particular mine might have a drainage board formed, and knowing that they could not get exemption from the warden's court, get the drainage board to order work to cease there "for such time as they might deem expedient."

Mr. SMYTH: The Bill would not operate where there was no drainage board. On Gympie they had erected posts at various places on which flood-marks were placed, and when the water rose to the flood-mark the mine had to cease work. That was for the protection of the men. He knew of one case where it was supposed that there were twenty feet between one mine and another which was full of water, but it turned out afterwards that there were only about three feet. Had the firing of shots in that mine caused the water to burst through from the adjoining mine the result would have been one of the greatest disasters that had ever occurred in Queensland. There had been several narrow escapes of that kind on Gympie. It would therefore be seen that subsection 3 was very necessary.

The SECRETARY FOR MINES: The clause only gave the Governor in Council power to make regulations, and care would be taken that it was not used for any such purpose as the hon. member for Croydon suggested. So far they knew of no attempt of the sort having been made.

Mr. JACKSON thought the responsibility for disobeying an order of the board should rest not upon the manager of a mine but upon the representative who was authorised to vote in respect of the mine at the election of members of the board. In connection with that he noticed that plural voting was allowed, the number of votes allowed in respect of a mine being

proportioned to the number of men employed. He objected to that, and thought that each mine should have only one vote, as otherwise the voting might work in such a way as to crush the small man.

The SECRETARY FOR MINES thought that the mines that employed the most men had to pay the most money, and that they should have the most votes; but they were not now dealing with that question. The question was upon whom the notice of an order should be served. He was of opinion that it should be the mining manager, who had charge of the mine and the men, and not the person who was appointed by the shareholders as their representative for the purpose of voting, and who might be the secretary or the chairman of the directors.

Clause put and passed.

The SECRETARY FOR MINES moved that the Chairman leave the chair, and report the Bill to the House without amendment.

Mr. GLASSEY pointed out that the heading of the Bill and the title did not correspond, and were likely to mislead. It would be better to call it a Bill "to further amend the Gold Mines Drainage Act of 1891."

The ATTORNEY-GENERAL: The Act of 1891 was an amendment of the Act of 1874, and this is a Bill to further amend it. All these Acts are printed under the head of "Mining."

Mr. GLASSEY: The heading did not carry out the intent, and he merely wished to point the matter out to the Attorney-General.

Question put and passed; the Bill was reported without amendment, and the third reading made an Order of the Day for to-morrow.

COMPANIES BILL.

COMMITTEE.

Clause 1 put and passed.

On clause 2—"Extension of power of court to order meetings of creditors"—

Mr. GLASSEY: The Attorney-General might give them some explanation regarding this clause, as there had been a good deal of anxiety as to what ground might be covered by it. He wished to know if the Bill dealt with an institution in connection with which there was some legislation before them? The hon. member would agree with them that it was essentially necessary that every point connected with that matter should be made clear to hon. members, who were willing to legislate in such a manner as would result in the good of the country.

The ATTORNEY-GENERAL had no objection to make the fullest explanation. He had already explained the clause, but did not think the hon. member was present at the time. The institution in question might take advantage of the Bill, but the clause was of general application to all companies registered under the Companies Acts. If they wished to meet their creditors they would be enabled to do so without suspending business. The Bill was not original; it was an exact transcript of an Act passed in Victoria in 1894, in consequence of the crash of 1893, when so many institutions had to suspend operations pending compromises, which was a serious thing for them, and also for the public. That was the whole effect of the clause.

Clause put and passed.

Clause 3 put and passed.

The House resumed; the CHAIRMAN reported the Bill without amendment, and the third reading was made an Order of the Day for to-morrow.

FEDERAL COUNCIL REFERRING BILL (QUEENSLAND) No. 3.

COMMITTEE.

On clause 1—"Certain matters referred to Federal Council"—

Mr. GLASSEY: When speaking on the second reading of the Bill he had suggested the possibility of the other colonies referring other matters than those mentioned in that clause, and he wished to know whether the Attorney-General could give the Committee any information on the subject? If the other legislatures were going to refer other questions to the Council, there would be no end of confusion when the Council met. If the representatives of the various colonies had no previous information as to the business to be transacted by the Council, their debates would be purely academic, and the meeting of the Council could have no practical results.

The ATTORNEY-GENERAL: The subjects mentioned in the clause were those which were being referred to the Federal Council by the legislatures of the other colonies, and in which they asked Queensland to join. Under the principal Act there were certain matters which the Council could deal with. The Act provided that all Acts passed by the Council should only extend to the colonies by whose legislatures the questions had been referred to the Council and those colonies which afterwards adopted those Acts; so that, even if the other colonies referred other matters to the Federal Council, they would not bind Queensland in any way unless this colony by an Act adopted such legislation. No doubt other questions than those referred to the Council would be discussed, but they would only be formal resolutions, and would have no binding effect upon Queensland. They had tried, as far as they could, to keep their Referring Bill exactly on the same lines as the Bills of the other colonies.

Mr. CROSS asked whether the representatives at the Federal Council would be informed beforehand of the business that would come before the Council by means of an agenda paper?

The ATTORNEY-GENERAL: There was a standing committee on the Federal Council, which consisted of the senior representatives of the various colonies represented at the Council, and of which the Premier of Victoria was president. That gentleman had already communicated with the Governments of Queensland and the other colonies asking what business was likely to be brought forward so that an agenda paper might be prepared. He had sent Mr. Turner a copy of this Bill, and he had taken the liberty of sending copies to the other colonies concerned. Mr. Turner had asked, in addition, that they would send forward such other business as they thought of at least one month before the sitting of the Council, so that ample time would be given of having all the business known before the Council met. Of course that did not refer to notices of motion. Matters of that sort might come up from day to day.

Mr. CROSS asked whether at previous meetings of the Federal Council all business with the exception of notices of motion had been known beforehand to the Standing Committee?

The ATTORNEY-GENERAL: I cannot say what has been done in the past.

Mr. CROSS: Last year the Attorney-General had brought up a very important matter which had never been discussed in that Chamber—namely, the appointment of an Australian judge to the Privy Council. On such an important question as that the representatives of the various colonies might very well ascertain the views of their respective colonies before discussing it. His opinion was that such an

appointment was unnecessary. He did not remember anything having been said on the question in that Chamber, or that the hon. gentleman had any authority from Parliament upon the question.

The ATTORNEY-GENERAL: He had brought up the motion the hon. member referred to purely on his own responsibility. Of course there was nothing in it which bound either the Federal Council or that legislature—any more than there was in any motion which an hon. member might bring forward in that Chamber. All such notices of motion were matters which arose from day to day. On that particular occasion there had been no business laid before the Council at all, and they had tried to get notices of motion wherever they could to make some appearance of business. This time there would be plenty of business for the Council. He did not know that the matter had been specially discussed in this Assembly, though it might have been referred to in general terms.

Mr. HOOLAN: In an unpretentious manner they were proposing to form a Federal Government from the Federal Council, thus anticipating the whole question of federation, and infringing on the rights of the federationists of Australia. In a little space the Bill contained a great deal. This might be a conspiracy, for all they knew, between a number of persons who wished to burke federation. If the Federal Council, as at present constituted, was fit to deal with all these matters, there was no need to go to the expense of a complete federation. Take the question of naturalisation of aliens, for instance. One particular portion of Australia was entirely favourable to aliens, but laws were being passed in New South Wales to prohibit their introduction. Unless the New South Wales Government passed a law in harmony with this Bill, it would be a dead letter. By sneaking a little Bill of this kind through, the Federal Council might overturn laws passed after careful consideration by the various Parliaments.

The ATTORNEY-GENERAL: This would only allow the Federal Council to deal with the naturalisation of aliens of European descent. At present, if a German was naturalised in Victoria, his naturalisation was of no use outside that colony; and it was the same with Europeans naturalised in the other colonies. He did not think there was anything hostile to federation in the Federal Council. Sir Samuel Griffith and Mr. Turner, who occupied prominent positions in connection with the Federal Council, were both ardent federationists. He could assure the hon. member that he had no deep design in connection with the Bill; he merely wanted to bring the Queensland legislature into line with the other legislatures of Australia.

Mr. CROSS: One very important subject affecting all the colonies was reform in our banking laws; but it would not be worth while for the Federal Council to touch that question unless all the colonies were represented on the Council.

The ATTORNEY-GENERAL: A resolution in favour of that was passed by the Federal Council, but it was found that it would be of no use unless, as the hon. member says, all the colonies joined.

Mr. CROSS thought that great benefit would result from the Federal Council dealing with the subjects embodied in this Bill. Persons naturalised elsewhere had been living in Queensland for many years under the belief that they were British subjects; and he knew one man who found that he was an alien after living here for twenty-five years. That was a thing that should be remedied. Referring again to the question of nominating an Australian judge for appointment to a seat in the Privy Council, he thought that such an important matter, involving a new departure, ought to be dealt with by the various Parliaments before being referred to the Federal Council. From a patriotic point of view he thought most Australians would be opposed to such an appointment; but if the hon. gentleman would give notice of motion to establish a court of final appeal in Australia——

The ATTORNEY-GENERAL: How do you know I won't?

Mr. CROSS: That would be very useful work, because, unless there was some finality in regard to these matters in Australia, the wealthy litigant would always have the best of it.

Mr. GLASSEY: The point raised by the hon. member for Clermont deserved consideration. The Attorney-General had introduced the subject of the appointment of a judicial functionary to represent the colonies, and he would like to know whether a Bill would be introduced at the Federal Council to give effect to the resolution.

The ATTORNEY-GENERAL: There will be no Bill introduced.

Mr. GLASSEY: Then the motion was only a species of fireworks? The discussion of the motion was a waste of time if no action was to be taken upon it. It seemed to be an absurdity that the Council should meet without having any idea what business it was about to transact, and that it had to formally discuss something simply for the purpose of keeping up appearances. He would like to know something more as to the judicial appointment spoken of, and especially whether it would require the passage of a Bill.

The ATTORNEY-GENERAL: It does not require a Bill.

Mr. GLASSEY: Of course it would require the sanction of the various Governments. He understood that Her Majesty might be petitioned, and the various Parliaments would have no say in the matter. He was aware that Her Majesty could appoint any person to the Privy Council, and that seemed to him a weakness in their Constitution. He maintained that when they were about to take a new departure of that kind, a step of so much importance to Australasia generally, the legislatures ought to have some say in the matter. He found no fault with the Attorney-General for bringing the matter forward for discussion, but it would be a serious mistake if the various legislatures allowed such a question to be dealt with on the quiet, and that they should be debarred from discussing it. He strongly protested against anything of the kind being done, and would advocate the introduction of a Bill in the ordinary way, so that the various Parliaments could fully discuss it. The hon. gentleman would agree with him that if the appointment were made in any other way it would be rather high-handed procedure. Some of the matters proposed to be referred to the Council were of considerable importance, notably that relating to the naturalisation of aliens. The settlement of such a question would not only give satisfaction to individuals but to the countries concerned. He merely mentioned those matters so that the hon. gentleman might have some idea of the views of some persons in regard to any action that might be taken by members of the Federal Council.

The ATTORNEY-GENERAL: He agreed with the hon. gentleman that it was a great pity that when the delegates met last time there was no definite programme to put before them, but that arose through the feeling that within about six months there would be a complete federal legislature.

Mr. BROWNE: Whose duty is it to prepare the business?

The ATTORNEY-GENERAL: The president of the standing committee had always been the senior delegate from Victoria, and the business had been prepared chiefly by Victoria and Tasmania. It was suggested by the Premier of Victoria on the last occasion that they should adjourn without doing anything, but members who had come very long distances thought that that would hardly be right, seeing that they were met then for the first time with increased numbers. With regard to the motion introduced by himself, he did not think the hon. member for Bundaberg quite grasped the wording of it. Under present circumstances the ultimate Court of Appeal for Australia was the judicial committee of the Privy Council, and he had known of matters which came before the committee where the result might have been very different had one member of the Privy Council known something about Australia. That was especially so with regard to decisions relating to Crown lands. In the past the Crown had been treated as an ordinary landlord in England, and he believed the views of the Australian Governments would have been much more strongly impressed upon the Privy Council had one of the judges known something of Australian affairs. All the motion proposed was to request Her Majesty, when she was pleased to increase the number of the judicial committee, to call to it a person acquainted with Australian affairs. No hon. member could object to that, as if they were to have a Privy Council to decide upon their judgments it would be no harm—it would be a distinct advantage to them—to have a person there acquainted with Australian affairs. From one point of view the discussion might have been an academic one, as the hon. member for Bundaberg, as a British subject, had as much right to address Her Majesty on the subject as the Federal Council. It was thought, however, that a resolution of that sort would not be out of place, and it had met with universal favour. It required no Bill to give effect to the resolution, and Queensland had not suggested anybody for the appointment. If there was any disposition to challenge the propriety of the matter, action in that direction would come better from the legislature of one of the other colonies.

Question put and passed.

Clause 2 and preamble put and passed.

The House resumed; the CHAIRMAN reported the Bill without amendment, and the third reading was made an order for to-morrow.

FACTORIES AND SHOPS BILL.

COMMITTEE.

Clauses 1 to 6, inclusive, put and passed.

On clause 7—"Powers of inspectors"—

The HON. J. R. DICKSON: Even though they were all in favour of the Bill they might consider it more leisurely. The Bill introduced a new system in connection with factories and shops, and they would be wise to hasten slowly in dealing with their supervision. Clause 7 gave very wide powers to the inspectors appointed under the Bill. Before an inspector took with him an officer of health or a constable he ought certainly to be aware that there were grave matters requiring investigation, and not merely have "reasonable cause to believe" that certain things existed.

Mr. GLASSEY: The latter part of the clause is a reasonable safeguard, as it provides that he must obtain written authority from the nearest police magistrate before taking action.

The HON. J. R. DICKSON: That to a certain extent restricted the power of the inspector, but still the question should be discussed. They discussed a similar provision last session, and the arbitrary powers which it vested in the inspector were such that many members objected to the clause, and if they intended to place such a provision on the statute-book it should be seriously considered.

Mr. McCORD: The clause was the most astonishing provision he had ever seen in any Bill. It said that an inspector might enter any factory or shop at "all reasonable hours by day or night." Was midnight a "reasonable hour?"

Mr. GLASSEY: If there are persons working in a factory at that hour, why should the inspector not enter?

Mr. McCORD: If the factory was not working, but the inspector had "reasonable cause to believe" that any person was employed therein, he could enter and take with him a constable and another man. It was very unreasonable that any man should have the right to enter another man's premises on such a supposition, especially as there was no definition as to what was a reasonable hour. He had no factory, and did not employ any factory hands, but the clause appeared to him to be very absurd, and he hoped it would not be allowed to pass until they understood what was a reasonable hour.

The HOME SECRETARY trusted that hon. members in criticising the measure would deal with clauses of which they knew something. The question of the powers of inspectors had been discussed in that House on two or three occasions. On the Factories Bill it was pointed out, as he pointed out now, that the clause was not so searching as any similar provision in any part of the British dominions. Under this clause an inspector could not enter any factory in which persons were living without an order from a police magistrate, and that provision was not adopted in any of the other colonies, or in England. There they had trust in the inspectors, and said that they should be the judges of what was a reasonable hour. And in all recent factory legislation the powers of inspectors had been enlarged instead of diminished. The Royal Commission on labour in England were unanimous in the opinion that the only defect in the Factories Act was that it did not make proper provision for inspection. This clause was the boiler-power of the Bill. Without it, the Bill would be useless, because it was no use providing for a lot of things, and neglecting to provide the proper machinery for seeing that they were done. The Bill, of which this was almost a transcript, when recently before the Legislative Council of New South Wales, was subjected to a careful scrutiny by the Council in the interests of property holders, but was passed unanimously; and that might well be accepted as a guarantee that it had been carefully considered. If there were any innovations upon the Bill as passed there, he would explain them.

Mr. McMASTER wished to know whether the Bill was an Early Closing Bill as well as a Factories Bill, because the words "shop" and "shopkeeper" were both defined in the interpretation clause. He understood that this was to be merely a Factories Bill, and that the Early Closing Bill was to come on next session. It would be far wiser to keep the two subjects separate. He hoped that this Bill would not permit inspectors to go popping into retail shops to see how many hands were employed, and whether there was anything being manufactured inside.

The HOME SECRETARY: This was a Factories Bill, and must not be confused with the subject of early closing, which he hoped would come before them next session. The Bill dealt with the employment of young persons in shops and factories, and with the sanitation of such places, and prevented them being employed about dangerous machinery. The word "shop"

was only used because the object was to protect females and young persons wherever they might be working.

Mr. FINNEY thought the clause too arbitrary as it stood. He did not object to any inspector going into his shop at any time, because there would be a watchman there; but he did not think an inspector should be allowed to go to the private house of a factory owner at any hour of the night and ask for his keys because he thought someone was in the building.

Mr. STEPHENS: It says "employed therein."

Mr. FINNEY: The clause would allow an inspector to go in if he thought there was anyone in the building. Surely that was not necessary.

Mr. GLASSEY: Why should he not if he thinks the law is being violated?

Mr. FINNEY: The inspectors might not all be angels. They would want to be men with strong minds and above suspicion, and they would have to be paid fair salaries so that they would not be liable to temptation in the way of showing favouritism.

The HOME SECRETARY thought he could show the hon. member the necessity for the clause.

Mr. GLASSEY: Is your Cabinet agreed upon this Bill?

The HOME SECRETARY: I do not understand the hon. member.

Mr. GLASSEY: I will let the Committee know directly why I raise the point.

The HOME SECRETARY: Power was given to enter at all reasonable hours, and the object was to prevent the employment of young persons and females at night. If an inspector had reasonable cause to believe such people were employed, he might enter and see whether the law was being carried out. There might be a dozen young people working in a factory at night, and it was necessary that the inspector should have power to enter the place. The clause had been in existence in England since 1838, and, though the question had been considered frequently in the various colonies, such powers had always been considered absolutely necessary. No inspector would do more than was necessary in regard to night inspection; but the very essence of factory legislation was inquiry. In other places such a provision had never been found unreasonable, and there were dozens of the hon. member's personal friends who owned some of the largest shops in Melbourne who had lately been most instrumental in passing a clause granting much more inquisitorial powers to inspectors.

Mr. McDONNELL: The clause in the Bill introduced in 1890 was more stringent than this, because the most drastic subsection had been omitted. That subsection gave an inspector power to enter any school where he believed persons employed in a factory, workroom, or shop were being educated, and to examine any person whom he found in such school as to his employment in any factory, workroom, or shop. There was a factory in the electorate of Toowong, where a number of children were employed very long hours; but this clause would allow the inspector to stop that sort of thing. Instead of the clause being drastic, it was milder than the clauses dealing with inspection in the Acts in force in the other colonies.

The HON. G. THORN had expected stronger reasons in support of the clause from the hon. member. It did seem inquisitorial, though he was entirely with the hon. member in his championship of the young. He was aware of a factory in the Valley where goods were given out to children to make up, and, even working long hours, they could only make something like from 2s. 6d. to 5s. a week.

The CHAIRMAN: The remarks of the hon. member would have been more appropriately made on the second reading of the Bill.

The HON. G. THORN: He was very anxious to see a clause inserted to meet the case he had referred to. The hon. member should be ready with some amendments to make the Bill more drastic. He did not see that shops had anything to do with it. It was the starvation of the young that they should try and prevent, and he was not aware of any shops which worked their hands too much. At the same time he was in favour of a reduction in the hours of labour, and of giving a weekly half-holiday.

The HON. J. R. DICKSON hoped that he would not be accused of obstructing the Bill, because he supported its principle; but they should be careful that it was not too drastic. The 5th subsection appeared likely to introduce a system of espionage which would be very demoralising to employer and employee, between whom perfect confidence should exist. An inspector might be able to elicit from an examinee who was in a nervous condition information which might be construed as bringing an employer within the provisions of the Act. It would also suggest to an employee who had some cause of dissatisfaction with his employer that he might give an inspector such information as would lead to a prosecution. He suggested that the 5th subsection should be omitted.

Mr. GLASSEY: If factory legislation was not necessary, why not say so at once? If it was necessary surely it must be enforced; and the only way to enforce it was to have agents appointed by the Crown to see that the law was not violated. There was no factory legislation anywhere more mild in its provisions than this, yet some hon. members were afraid that something desperate would happen if an inspector were appointed to protect the weak, and to see that the laws of sanitation were enforced. He hoped hon. members would be manly, and that this dodging and wire-pulling would cease. He had been watching the game all the afternoon, and he had asked if the Cabinet were unanimous, because it was obvious to him that they were not. It was most disgraceful to see one Minister honestly endeavouring to do something to protect working people while some of his colleagues were doing their best to thwart him in his effort. He thought it was time there was a little plain speaking on the part of hon. members favourable to the Bill.

The SECRETARY FOR PUBLIC INSTRUCTION could not help coming to the conclusion that the statement made by the hon. member was levelled at himself, because he was the only member of the Cabinet present besides the Home Secretary. The fact of an hon. member being member for Bundaberg did not justify him in being grossly offensive or making charges which he defied the hon. member to substantiate. He was not aware that he was precluded from speaking to any hon. member near him; nor did it follow, because he spoke to members in his neighbourhood, that he was endeavouring to prevent the passage of the Bill. If he felt disposed to prevent the passage of the Bill he would do so. He looked upon such charges as grossly indecent and highly improper. They were personal charges for which there was no justification.

Mr. McMASTER: The hon. member for Bundaberg had better keep his temper and keep cool. The Bill would not get through any more quickly by the hon. member accusing a Minister of obstruction because he was talking to somebody near him. Perhaps he (Mr. McMaster) was the cause of the Minister speaking, because he asked the hon. gentleman if he could understand the word "shop."

Mr GLASSEY: Why not ask the Minister in charge of the Bill?

Mr. McMASTER: He did ask the Minister twice, and when he could not get a proper explanation, he asked the Secretary for Public Instruction to explain. Hon. members on his side were quite as anxious to protect the young as members on the other side.

Mr. GLASSEY: Why not show it?

Mr. McMASTER: They did show it; but they were not going to allow the hon. member to bounce them or shove anything down their throats simply because he was leader of the party opposite, who only protected such persons as suited their purpose.

The CHAIRMAN: I trust that the hon. member will not go into any recriminatory remarks. Now that he has replied to the hon. member, I must ask him to come back to the clause before the Committee.

Mr. McMASTER did not wish to go any further into that. He agreed with the hon. member for Bulimba that it was desirable to have an explanation in connection with this clause, which was the one that wrecked the Bill last session in the Legislative Council. They wanted to know whether the inspector could walk in when and where he liked, and examine any employee either alone or in the presence of any other person, as he thought fit. He had no objection to an inspector, but the inspection should be at a reasonable time, and the inspector should not be allowed to do as he pleased.

Mr. CRIBB did not see how the provisions of the Bill were to be carried into effect unless sufficient power was given to inspectors to make inquiries. In his opinion, they would not demand entrance to shops and factories except in cases where there was reason to believe that the provisions of the Act were being infringed. He trusted the clause would pass as it stood. He considered it was as mild as it possibly could be made.

The HON. J. R. DICKSON explained that his only objection was that the Bill seemed to be passing through very rapidly, and it was with a view of drawing attention to the danger of that that his remarks were made.

Mr. SIM trusted a measure of that sort would be discussed calmnly and without acrimony. He had had a large experience of the Factories Act in England, and was surprised at any hon. member complaining of the measure being too drastic. He had had inspectors walk into his place of business and demand the production of every book, examine employees, question him as to the age of children whom they thought ought to be at school; in short, demand the most minute information. No more drastic Acts were ever put upon a statute-book than the factory laws of Great Britain, and he trusted that hon. members would not cavil over such mild provisions as were contained in the Bill. It was a more lenient measure than any in force in any of the other colonies, and considering its importance he trusted that no obstacle would be placed in the way of its passage. In reference to the examination of an employee in private, and the declaration of truth that might be demanded, he presumed that the person signing the declaration rendered himself liable to prosecution for perjury if it were found to be untrue.

Mr. SMITH hoped the clause would pass in its entirety. Members on that side were just as anxious to see a Factories Bill passed as hon. members on the Opposition side, but unless ample powers were given to inspectors they might just as well not pass the Bill. He looked upon the protection of women and children as a matter of the utmost importance, and, in order that they might accomplish that this session, he trusted hon. members would confine their remarks within the smallest possible space.

The HON. G. THORN explained that when he had spoken on a former occasion he was anxious to make the Bill more drastic than it was. The hon. member for Fortitude Valley, he understood, had a clause which suited his views, and he hoped it would be carried.

Mr. FINNEY regretted very much the temper displayed by the hon. member for Bundaberg, which was not justified. No man in Queensland was more anxious than he himself was to see women and children properly protected. He presumed there would be female inspectors under the Bill, and he certainly would object to a female taking him into a quiet corner and insisting upon examining him. Those powers appeared arbitrary at present, as he had never seen them enforced, but probably when they had experience of the working of the clause they might not consider it so.

Mr. McMASTER would like some further explanation with respect to subsection 5, and the right to examine persons who had left a factory or shop for two months? He did not think it wise to permit action to be taken on the sworn evidence of persons who might have been dismissed from a factory or shop for incompetence or something else.

The HOME SECRETARY explained that that provision was taken from the English Act of 1878. They tried to legislate on the lines of the English statutes on those subjects, so that they might, in their administration, have the advantage of the English decisions. The object was to get at the truth, and it might be got at by the examination of persons who had left a factory, not for a long time within which their memory might be held to have become defective, but persons who had left within two months, and under that section such persons would be compelled to answer the questions of an inspector.

Question put and passed.

Clauses 8 and 9 put and passed.

On clause 10—"Inspector to produce certificate of appointment'—

Mr. FINNEY thought the clause should provide power to refuse entry to an inspector who did not produce his certificate.

The HOME SECRETARY: Under the clause if an inspector desired to enter a factory or shop and did not produce his certificate he could not go in, and under the next clause a person producing a false or counterfeit certificate was liable to six months' imprisonment.

Question put and passed.

Clause 11—"Penalty for forging certificate, etc."—put and passed.

On clause 12—"Records to be kept—Copies of regulations, etc., to be posted up"—

The HOME SECRETARY liked to adopt the English legislation as far as possible, and since the Bill had been drawn there had been an amendment made which he thought it well to introduce, in connection with the information to be published in a factory. He moved the addition to he clause of a new subsection—"(*c*) The number of persons who may be employed in each room of the factory or shop." That could do no harm, and it might lead to good. It would prevent complaints with respect to ventilation, if, for instance, in each room there was marked up a statement that it was licensed by the inspector for the employment of so many persons.

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

Clause 13—"Scale of wages and piecework to be posted up in certain cases"—put and passed

On clause 14—"Record of outside work"—

Mr. FINNEY thought that the occupiers of factories should post in the factory in some conspicuous place the names of persons employed outside their factories, the places where those persons were employed, and the rate of payment in each instance, as that would tend to prevent sweating. The provision that such record should be kept for the information of the inspector would not then be required.

Mr. McDONNELL asked whether the Minister would accept his proposed amendment to insert the words "directly or indirectly" before the word "employed" in subsection (*a*), so as to make it read "the name of every person directly or indirectly employed by him in the business of a factory outside such factory"? The object of the amendment was to make the occupier of the factory responsible for persons employed by the middleman, instead of only for the middleman who took out work from the factory.

The HOME SECRETARY could not accept the suggested amendment. The object in requiring the occupier to keep a record of the places where persons were employed who did work outside the factory, was that they might be brought under inspection if four or more persons were employed there, and the words "directly or indirectly" employed would have no meaning in such cases. He could not for one moment accept the suggestion of the hon. member for Toowong, as it was quite outside the principles of the Bill, which were that proper provision should be made for sanitation and for the health of employees. They could not in this measure regulate the price of labour, and if the proposal of the hon. member were adopted it would crush out the domestic worker. The reason the rate of payment was required to be given in the record was that it might be available for statistical purposes, and the Government ought certainly to have that information, but not to publish it, because that would have the effect of depriving many poor persons of work. Often when a man was sick the woman went to a factory and got some work to take home, and to post up in the factory her name and the rate of payment she received would be both unnecessary and cruel.

Mr. GLASSEY did not see that there would be any cruelty in such a proceeding. The proposed amendment was intended to deal with persons other than those who worked in factories —to persons who took goods out to make up at home. If A took so many shirts to make up at so much a dozen, he would be "directly" employed by the occupier of the factory; and if B came along and took them at so much less a dozen he would be "indirectly" employed. If, however, the amendment was not quite clear, it could easily be corrected.

Mr. McDONNELL would not insist upon the amendment, but hoped the Minister would accept the amendment he proposed to submit on the next clause.

Clause put and passed.

On clause 15—"Occupier for purposes of this section"—

Mr. McDONNELL had an amendment to move to this clause which would meet the objection made by the hon. member for Fassifern in connection with articles given out by the wholesale houses. At present wholesale houses gave fair prices for the work they gave out, but that work was taken home by middlemen and sublet, and the profit they made was made out of the persons they gave the work to. By adopting this clause women who might be working at home would be able to go to the factory themselves and receive fair remuneration for their labour, instead of starvation wages given by the middlemen. The Bill would only apply where four or more persons were employed, but these middlemen could sublet work to a dozen women who might employ two others and twenty or thirty children, which was against the spirit of the Bill altogether. The amendment would meet such cases as that of the man Pollard, who had been previously referred to, and would practically prevent sweaters from carrying on their trade as they had been in Brisbane for some time. He moved that the following be added after the word "factory" in line 46—

(1) It shall not be lawful for any such person to in any way, directly or indirectly, sublet any such work, whether by way of piecework or otherwise; nor

(2) To in any way do any such work except on his own premises and by himself or by his own work-people to whom he himself pays wages therefor. If any such person as aforesaid in any way, directly or indirectly, commits any breach of this section he is liable to a penalty not exceeding five pounds.

The HOME SECRETARY: This amendment was entirely outside the question of factory legislation; no such proposition had ever been inserted in any Factories Bill. The wording of the amendment did not carry out his object, because it referred to every person whether a principal, contractor, sub-contractor, or otherwise, while the hon. member only wished it to deal with sub-contracting. It would be impossible to put such an amendment in this Bill, and it could be of no value. He had gone as far as he could to meet the hon. member in regard to sweating by inserting provisions which insisted that if work was done by more than four persons there should be a record of it under the Act. The hon. member thought the difficulty was in the sub-contracting, but in that he was quite wrong. What the hon. member wanted to get at was the small master who got a living out of a number of persons who worked in their own homes, and who competed with one another for the work. The evidence given by Mr. Charles Booth before the Labour Commission in England was to the effect that such subletting as the hon. member wished to prevent was not carried on, except in the case of the better-paid portions of the work, and then the sub-contractor performed the useful work of bringing the workers and the work together. Mr. Booth also said that those who obtained work direct from the wholesale houses were no better paid than those who obtained it through the middlemen, and that it was the small masters with whom were associated the evils of sweating. He was trying in the Bill to prevent people being paid starvation prices by publicity being given to the rates paid.

Mr. McDONNELL: An Act dealing with that matter was passed in New Zealand on 28th September last. The Factories Act in that colony was very drastic. All goods made in unregistered factories—that was sweated-made goods—had to bear a label showing that they were sweated-made goods, under a severe penalty. In spite of all the restrictions, they found that sweating had not been suppressed, and so they had proposed a clause similar to the one he proposed, which they considered would deal in the most successful way with the difficulty. There was a big difference between the prices paid by the sub-contractors and those they received from the wholesale houses; and if the workpeople made direct for the wholesale houses, they would receive the same rates at present received by the middlemen. The amendment would have the effect of compelling the middlemen to erect factories and bring the people who worked for them into those factories, where they would be paid wages. Then the inspectors would have the right to visit those places.

The HOME SECRETARY: That would be a great hardship to those people who have to work in their own homes.

Mr. McDONNELL: That was where he differed with the hon. gentleman. A number of people who now got work direct from the wholesale houses had told him that they would be glad to work in factories at the rates they now got from the wholesale houses, because now they had to pay for their machines, and they had to go for the work and then take it back again. Of course it was not possible to force all those persons to work in factories; but they should be forced, as far as possible, to work in factories under the supervision of inspectors. Persons working for sub-contractors would be practically outside the scope of the Bill; they could employ any number of children irrespective of ventilation or sanitary arrangements; and instead of encouraging that the Committee should try and get them to work in factories and thereby prevent it.

The HOME SECRETARY: That is a wrong thing; co-operation is the remedy.

Mr. McDONNELL: Unfortunately the workers referred to could not all see that co-operation was to their advantage. He did not wish to do anything to imperil the Bill; but these clauses were so moderate and would have such a beneficial effect that he thought they would be accepted.

Mr. FINNEY feared that the amendment might injure innocent people. He knew an invalid mother with three or four children. She could not go out to work; but could sit at home and earn a good living by doing work of a superior class.

Mr. McDONNELL: This would not affect her.

Mr. FINNEY: He had no sympathy with sweaters; but thought it would be as well for the hon. member not to press the amendment. If the Bill was found to be imperfect it could be amended next session.

Mr. GLASSEY thought it was necessary that some means should be devised to prevent people getting enormous quantities of work from wholesale houses and subletting it at greatly reduced rates to persons in necessitous circumstances; at the same time he was sure the hon. member for Fortitude Valley, Mr. McDonnell, would not press the amendment if it would prevent the Bill from passing either here or in the other Chamber.

The HOME SECRETARY: Suppose a man knew one branch of bootmaking, and had an opportunity of making boots for a large manufacturer at 5s. a pair. This amendment would preclude him from making arrangements with other persons to do the other branches of the work required, because it would only allow him to employ persons on wages in a factory. But he would evade the provision by making an arrangement under which he would become the principal instead of taking a contract. He thought that the effect of passing the Bill would be to do away with subletting, and he asked the hon. member not to press his amendment.

Amendment negatived; and clause put and passed.

Clauses 16 to 18, inclusive, put and passed.

On clause 19—"Factories and shops to be kept clean and well ventilated"—

Mr. McDONNELL asked if the Home Secretary would accept the two amendments of which he had given notice in reference to the sanitary accommodation?

The HOME SECRETARY: He would; but he would propose the first amendment in a somewhat different form.

The clause was amended by the insertion of the words "for the convenience of the employees a sufficient number of closets not being less than one for every fifteen females or twenty males," and by the omission of the words "if practicable," on line 22.

Mr. McDONNELL asked if the Home Secretary would accept his proposed amendment on line 27, inserting after the word "space" the words "not less than 500 cubic feet"? He thought that was a very reasonable amendment.

The HOME SECRETARY could not accept the suggestion. Five hundred cubic feet for each person was now considered unnecessary in England, where it had been reduced to 250 cubic feet. The conditions of work were quite different here to what they were in such large centres as Manchester. For eight months in the year in this climate windows and doors were all open. They had gone even further in England, and provided that even the 250 cubic feet might under certain conditions be reduced. The hon. member had better leave the clause as it stood, and let the inspector determine the amount of ventilation required according to the locality. If there were plenty of windows, and air circulated freely through all the workrooms, the number of cubic feet required for each person would naturally be less.

Mr. GLASSEY did not quite agree to leaving the matter to the determination of the inspector. He might suggest improvements in the ventilation, but he would have no power to enforce his opinions.

The HOME SECRETARY: There is power to make regulations which will have the force of law.

Mr. GLASSEY: If the regulations could be made to have the force of law he would be satisfied.

Mr. McMASTER: It was extraordinary that the hon. member for Bundaberg had so much faith in the inspector when he was examining employees, but none when he was looking after the question of ventilation. He should think the inspector would carry out his duties as well in the one case as in the other.

Mr. FINNEY: If they put too many restrictions on factory-owners here, the result would be that the factories would be shut up, and the goods would be made up in England. That would not improve the position; it would only be an injury to the young people now getting employment in our factories. He wanted to see the Bill passed at once, and brought into operation, and where they found it did not work well they could amend it. To attempt to make the restrictions too stringent now would only defeat the object they had in view.

Mr. McDONNELL, by permission of the Committee, withdrew his amendment.

Clause, as amended, put and passed.

Clause 20 put and passed.

On clause 21—"Exemptions"—

The HOME SECRETARY: He had drawn this clause from the New South Wales Act, but since it had been drawn certain additions had been made to the list of exemptions in New South Wales, and he proposed to include them in the list in the clause. He moved the insertion of the words "coffee, rice, spice, and baking-powder mills" after "seed-cleaning mills"; the insertion of "soap and candle works" after "rope-walks"; the omission of "and" before the word "brick"; the insertion of "and potteries" after "brick and tile works," and the addition to the end of the clause of the words "or to sugar-mills."

Amendments agreed to; and clause, as amended, put and pssed.

Clauses 22 to 24, inclusive, put and passed.

Clause 25 passed, with a verbal amendment.

On clause 26—"Avoidance of infection"—

Mr. FINNEY asked why leprosy was not included among the diseases mentioned in the clause, as was done in the New South Wales and Victorian Acts?

The HOME SECRETARY: Because a leper is not allowed to be in any place in Queensland except in a lazarette.

Clause put and passed.

Clauses 27 and 29 put and passed.

Clause 28—"Dangerous machinery to be fenced"—passed with verbal amendments.

On clause 30—"Dangerous machinery"—

The HOME SECRETARY moved that the words "forty shillings" be omitted, with the view of inserting "ten pounds" as the penalty for every day on which machinery was used in contravention of order prohibiting its use.

Mr. FINNEY thought it was preposterous that there should be such a small fine for being careless in keeping machinery in order. Half a dozen people might be killed in an hour, and he thought the fine should be at least £50 per day.

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

Clauses 31 to 35, inclusive, put and passed.

Mr. McDONNELL moved the following new clause:—

No male or female under the age of sixteen years shall be employed in any factory or shop unless the inspector is satisfied that such person has passed the fourth standard as prescribed by or under the regulations for the time being in force under the State Education Act of 1875.

He moved the clause principally in the interests of the children themselves, because they ought to be compelled to have a fair amount of education before they went to work. A similar clause was in the New Zealand and Victorian Acts, and under the Coal Mines Act in England no child under 16 was allowed to work unless he had passed this standard. One of the recommendations of both sections of the commission which sat here some time ago was to the effect that the compulsory clauses of the Education Act should be enforced, but that had not been done, and therefore this method might be adopted of seeing that children were fairly educated before they went to work. His arguments would not apply so much to shops as to factories, because the shopkeepers generally insisted upon a certain amount of education. It might be hard for parents to send their children to school in some cases, but the clause would induce them to do so.

The HOME SECRETARY did not think the hon. member would be wise in pressing the clause, because the educational course prescribed by the hon. member would be no test of efficiency in a factory. No child could be employed until fourteen years of age, and they might trust the parents to see that they had some education, as they did in not enforcing the compulsory clauses of the Education Act. They got better results by not doing so, which was proved by the fact that they had proportionately better attendances than in colonies where these clauses were enforced. Besides that, there were many boys who might not pass the fourth standard, but who still might do as good work in factories as those who had passed the first standard. On the whole, the children of Queensland were well educated; the parents vied with each other in sending their children to school, so that the hon. member might leave the matter with them. The State had done its duty in providing the means of education, and the Bill provided that children should not be employed in factories until they had passed the school age.

Mr. GLASSEY: The amendment was not intended to mean that a child should receive a certain amount of education as a test of fitness for entering a factory. The intention was to secure the education of children before they were allowed to go there. In the Coal Mines Act of 1872 in Great Britain no lad was allowed to enter a mine before the age of thirteen years, except with the permission of the educational authorities; and unless he had received a certain amount of education he was not allowed to work in a mine until he was sixteen years old. The clause was a very important one, and should find a place in the Bill, though he did not suppose his hon. friend intended to press it to a division. The hon. member was quite right with regard to the report of the Factories and Workshops Commission. The commission had been unanimous as to the necessity of enforcing the compulsory clauses of the Education Act, in order that children should receive a reasonable amount of education before they entered a factory.

The SECRETARY FOR PUBLIC INSTRUCTION: The matter was one which should first be dealt with in the Education Act. If the compulsory clauses were not enforced, it would be unreasonable to enforce them simply for the purposes of that Act. If a child under sixteen years of age was employed in a factory, he presumed it would be in order that that child should earn its living; and seeing that people did not ask that the compulsory clauses should be enforced, it would be unfair that they should deprive a child of the opportunity of making its living in a factory. He did not know what the hon. member meant by passing the fourth standard. There was no law—neither was there any custom—compelling any child to pass the fourth standard. If the clause were passed, it would not prevent a child earning its livelihood outside factories; and there was no reason why children working in factories should be better educated than children working outside factories. If it was to be compulsory for children to pass the fourth standard, it should be made of universal application, because children following other occupations required quite as much intelligence as those employed in factories.

Mr. STORY: It would be a pity if the clause were passed. He had endeavoured to show that bush children could not obtain an education under existing circumstances, and if they passed the clause they would prevent those children from coming into town to make a living. That would be adding insult to injury.

New clause put and negatived.

On clause 36—"Hours of labour—overtime"—

Mr. STEWART said that the intention of the second paragraph evidently was to prevent any boy working more than three hours' overtime in any one week; but as the clause was worded an employer could make a boy work three hours' overtime a day for fifty-two consecutive days, then dismiss him, employ another boy, and repeat the process. That was not the intention of the Home Secretary, nor was it desirable that that should happen. He therefore moved the omission of the words "in any day." His object was to alter the paragraph so as to make it read—"Provided that any such person may be employed overtime in a factory for a period not exceeding three hours beyond the ordinary working hours in any one week."

The HOME SECRETARY did not think the amendment would work at all. There were certain industries that ought to be encouraged, such as jam factories; and they might have to work a little longer during the fruit season. The clause had to be read in conjunction with clause 38, which limited the hours altogether; and this clause provided that no male under sixteen and no female should work more than forty-eight hours in any one week. If the interests of a trade required overtime at certain seasons those interests must be considered, because if they were ignored there would be no trade and consequently no employment. The argument that a boy might be sacked after working overtime fifty-two consecutive days was too far-fetched.

Mr. FINNEY: When a big order came in employees had to work overtime; and when that order was out of hand they might not have to work overtime for another month. As for sacking a boy after working overtime fifty-two days in succession, that was a thing not likely to happen.

Amendment put and negatived.

Mr. McDONNELL moved the insertion, after the word "year," of the words "such overtime is to be paid for at the rate agreed on above the ordinary rate of wages, but in no case for any person is to be below 6d. per hour." A large number of girls worked overtime at dressmaking and millinery during busy seasons, but received no remuneration; and the opinion was held by those girls and by some of the employers that they should be paid for overtime. In Victoria and New Zealand such a provision was contained in the law relating to factories, and it was only fair that in Queensland, where the conditions were more injurious than in the other colonies, those employees should be recompensed for working overtime.

The HOME SECRETARY: This was a matter entirely outside the scope of the Bill, which was based on certain well-defined principles. He wanted to see how many of the provisions in the New Zealand and Victorian Acts worked before he expressed an opinion respecting them. He did not know what effect the amendment would have on the persons employed; he did not understand the question of overtime; and he did not want to express an opinion upon it. He was trying to make the surroundings of employees what they ought to be, having special regard to their health, and he did not want to deal with complex questions which he had not studied. He had provided against overtime in certain cases, because if a child had too much overtime it was at the risk of health. Payment was another matter altogether, and he hoped the hon. member would not press the amendment. Even if it were introduced, he did not think it would be accepted in the Council.

Mr. FINNEY was certain that if the clause were carried it would make the position of many assistants worse than it was. In many establishments the assistants were given all public holidays, and a yearly holiday for a week or a fortnight as well, during which time they were paid; and when sick they received half-pay, which was an important consideration to them. If the law stepped in and interfered with the employer in the way proposed, he would simply pay his assistants for the time they worked. The hon. the junior member for Fortitude Valley, he knew, was sincere in his advocacy of the amendment, but it might do a serious injury to employees, most of whom he believed did not want any such provision in the law. It would be far better to pass the Bill as it stood, and see how it worked out.

Amendment negatived; and clause put and passed.

Mr. McDONNELL moved the insertion of the following clause:—

> No person whosoever unless in receipt of a weekly wage of at least two shillings and sixpence, shall be employed in any factory or shop.

At present it was the custom to employ children in shops and factories for twelve or eighteen months without paying them any wages, although they might have to travel in from the suburbs by train or 'bus. After a month or so, a child was worth at least 2s. 6d. a week, even if she were only employed in threading needles or winding cotton-spools. He was convinced that if such a clause was not inserted 90 per cent. of the employers would give the children they were employing no wages at all.

The HOME SECRETARY would not discuss the wisdom of the clause. It was open to many objections, but chief was that it was outside the objects of the Bill. Supposing the hon. member offered himself to a factory for 1s. a week for the purpose of learning the trade, why should he be prevented? Why should they therefore stop a child from learning its trade because that was what it would amount to. They had made provision that no child under fourteen should work in a factory. Did the hon. gentleman think that any person over fourteen years of age would work in a factory for under 2s. 6d. a week? He had spent five years learning his business without any remuneration. He was sure that no person who did not go there to learn the trade worked in a factory for less than 2s. 6d. a week. The amendment simply tried to state a price for labour, and they were not in a position to do that. The price of labour was fixed according to the merits of the individual.

Mr. FINNEY: It was quite true as stated by the hon. member that children came long distances to business by train and 'bus, and it might seem hard to make them work six months for nothing, but it must be remembered that in learning their business they engaged the time and attention of skilled hands, and were thus a source of expense. The greatest complaints he had from the heads of his departments were that they were given too many learners, and they insisted upon getting only a certain number. He could assure the Committee that his experience was that the highest-paid hands in his establishment were the cheapest, and the lowest-paid hands were the dearest.

Mr. GLASSEY did not agree with the remarks of the Home Secretary or the hon. member for Toowong. The hon. member for Toowong said it was necessary for children learning a business to give their time and services free. Sometimes, no doubt, the head of a department might have some difficulty in teaching an apprentice a business; but the practice followed by many houses was to get a number of persons —not necessarily children—to serve twelve or eighteen months as learners free, and then to get another lot in as learners on the same terms. If the hon. member for Toowong did not know that, he was short of information on the subject. Surely that was not a practice which should be encouraged. If an apprentice was only at work a few weeks, or was engaged in sweeping a floor, the services were worth something. He personally thought the wages to be paid should be more than 2s. 6d. a week; but, as they were anxious to get the Bill through, there was no time to discuss those details as they ought to be discussed.

New clause put and negatived.

On clause 37—"Certificate of fitness"—

Mr. SIM: The Home Secretary had stated that the main object of the Bill was to secure the health of the people. He proposed to read a quotation from the "Anthropometrical Annual" to show the result of factory legislation in England.

The CHAIRMAN: The hon. member will see that clause 37 dealing with certificates of fitness is now before the Committee. If the quotation the hon. member is going to read will bear upon this clause he will be in order in reading it; but if he is going to traverse the whole Bill with the quotation he will not be in order.

Mr. SIM: The quotation would be found to be perfectly in order. It would show that the result of the enforcement of a similar provision in the Factory Acts of the old country affected the health and well-being of the children. [The hon. member here quoted from the "Annual" referred to a statement that the average stature of factory children of eleven years in England was, in 1833, for boys 51·26 inches, and for girls

51·15 inches; and it had increased in 1873 to—boys 51·59 inches, and girls 51·21 inches. Their weight had also increased during the same time—in the case of boys from 61·84 lb. to 67·72 lb., and in the case of girls from 59·69 lb. to 65·37 lb.] Those figures showed what the passing of the English Acts had done for the physical condition of the children there, and he believed that if the clause was carried out rigorously a similar result would follow in Queensland.

The SECRETARY FOR PUBLIC INSTRUCTION did not dispute the hon. member's facts. It might be true that during the period mentioned the stature and weight of children or for that matter of grown-up persons might have increased; but to say that that was in consequence of the passing of the Factories Acts was about as reasonable as to say that it was due to the successful passage of the Atlantic by steamships.

Question put and passed.

Clause 38—"Limitation of employment of young persons"—put and passed.

On the motion of the HOME SECRETARY, a new clause was inserted to the effect that where an inspector was of opinion that a person under the age of sixteen years was, by disease or bodily infirmity, incapacitated from working daily for the time allowed by law in a factory, such person should be employed until a medical man had certified he or she was not so incapacitated.

Clause 39—"Where person under sixteen incapacitated for working daily"—put and passed.

On clause 40—"Restriction in employment to boys as type-setters"—

The HOME SECRETARY said that was really not a factory clause at all, and, if passed, it might have a very injurious effect upon the printing of country newspapers. Only one person had spoken to him on the subject, but he thought the clause was not necessary, and would be prepared to submit to its being negatived by the Committee.

Mr. GLASSEY did not see why they should negative the clause simply because one person had spoken to the Minister about it. He had had some experience of nightwork in his youth, and he did not think it was a desirable thing that boys under sixteen years of age should be employed at night. They were there to protect the health and lives of young people, and he for one should not agree to the clause being negatived.

Clause put and negatived.

On clause 41—"Limitation of hours of work in certain cases"—

The HOME SECRETARY said he did not think that employers should be allowed to work their own children longer than others, and he therefore moved the omission of the words, "but such shall not apply to the occupier of a shop or any member of the occupier's family employed in such shop."

Amendment agreed to.

Mr. McDONNELL had some amendments dealing with early closing to propose at that stage of the Bill, but would first like to know whether they would be accepted by the Minister. When he waited on the hon. gentleman some time ago, he understood him to say that if the amendments met with the approval of the Committee he would be quite satisfied to accept them.

The HOME SECRETARY: No; not in this Bill.

Mr. McDONNELL: Well, he did not wish to create discussion on them after the statement made by the hon. gentleman earlier in the evening to the effect that he intended to introduce an Early Closing Bill early next session.

The HOME SECRETARY: He had not said that he would introduce an Early Closing Bill early next session, but that he hoped the matter would be dealt with next session. He could not accept the amendments of the hon. member, as they were outside the order of leave, and in any case they ought to be dealt with in a separate Bill.

Clause, as amended, put and passed.

The remaining clauses of the Bill were passed without discussion.

On the schedule—

The HOME SECRETARY did not see why the provisions of the Bill should not apply to booksellers' shops; he therefore moved the omission of the words "booksellers and." He would afterwards move that the word "butchers" be inserted.

Mr. HARDACRE hoped the Home Secretary would explain why butchers were to be included.

Mr. FINNEY did not think that tobacconists shops should be exempted from the provisions of the Bill.

The CHAIRMAN: The question before the Committee is that the words "booksellers and" be omitted.

Amendment agreed to.

Mr. FINNEY did not see why the assistants in tobacconists' shops should remain later at work that other people. Tobacco was a luxury, and was not a perishable article.

Mr. SMYTH: Tobacco shops were generally hairdressers' shops as well, and many people had no time to go to the hairdressers' until after working hours, so that, although he did not smoke himself, he would not object to tobacconists' shops keeping open.

The HOME SECRETARY: Hon. members seemed to be labouring under a misapprehension. This was not an early-closing Bill; it had nothing to do with the shutting of shops. They were dealing with young people, and had provided that there should be no nightwork for them, but the schedule said there should be no limitation of hours in the shops mentioned therein. Clause 41 provided that no male under sixteen or any female should work for more than fifty-two hours in one week, or for more than nine and a-half hours in any one day, except on one day in the week, when eleven and a-half hours' work might be done. The 42nd section provided that the Governor in Council might make regulations under which males under sixteen years of age and females under the age of eighteen years should be employed in the classes of shops included in the schedule. In order that the employment of youths under the age of sixteen years in butchers' shops might be regulated, he moved the addition of the words "butchers' shops."

Amendment agreed to.

Mr. HARDACRE understood that the shops mentioned in the schedule were exempted from the operations of Part VI.

The HOME SECRETARY: Nothing of the kind; they are included in Part VI.

Mr. HARDACRE: They were included under clause 42, but clause 41 was the principal clause, and they were exempted from its provisions. He was sorry that butchers' shops were included in the schedule, because butcher-boys had to begin work at 3 or 4 in the morning, and they worked till all hours at night. Yet they could be worked reasonable hours as well as those in any other trade. They might work in the morning, and then be allowed to go home for the afternoon.

The HOME SECRETARY repeated that the 42nd clause gave the Governor in Council power to make regulations with regard to the classes of shops mentioned in the schedule, and surely that was all that the Committee wanted. He had

included butchers' shops in order to make regulations which were more applicable to that trade than to drapers.

Mr. HARDACRE: Clause 42 only said that regulations might be made, whereas clause 41 said that boys and girls should not be employed except under certain conditions. However, seeing the amendment had been made it was no use discussing the question.

Schedule, as amended, put and passed.

The House resumed; the CHAIRMAN reported the Bill with amendments; the report was adopted, and the third reading of the Bill was made an Order of the Day for to-morrow.

RABBIT BOARDS BILL.

COMMITTEE.

Clauses 1 and 2 put and passed.

On clause 3—"Duration of Act"—

Mr. GLASSEY: The clause was not so clear as it might be. He wished to know whether they might expect to have rabbit legislation year after year, also whether the Minister might not consider the desirableness of bringing in some legislation dealing with vermin which he and a number of other persons had brought under his notice?

The SECRETARY FOR PUBLIC LANDS thought the clause was clear enough. The existing Acts, which were only temporary, would expire with the termination of the session after the 31st December, 1897. Certain boards were indebted to the Crown for advances made, and according to the rate of repayment and the amount they were able to raise, it would take them three or four years to pay off those loans. It all depended on the way in which the boards managed. If they spent all their money on fences instead of repaying the Government they could not do it within that time; but they would have to continue to tax themselves till the loans were repaid. He had made the duration of the Act five years, because he wished to avoid coming down with rabbit legislation year after year. As to the other matter—the question of supplying netting to farmers who wished to fence out marsupials—that was entirely outside the scope of the Bill. The netting required was different from that required for keeping out rabbits, and he did not think they should be asked to deal with that matter in a Rabbit Boards Bill. At the same time he had every sympathy with the movement, and would be only too glad to receive suggestions and give every possible assistance to devise some scheme to assist those farmers without necessarily committing the Government to its adoption.

Mr. GLASSEY did not wish to hamper the passage of the measure; but it always struck him, in view of the excessive demands continually made and the cry continually kept up, that the pressure was sometimes unnecessary and probably greater than the case warranted. Of course one not being familiar with the districts where the pest was at its worst was under a disadvantage; but, reading the reports, he must believe to a certain extent that the evil was more artificial than real. It seemed to him that those everlasting cries about the magnitude of the pest led to demands which might not be justifiable, and that the Minister was sometimes too squeezable. If he was confident that it was necessary that the demands should be met, and that there was no chance of repayments being made in a shorter time than five years, he would offer no opposition to the Bill. Indeed, he offered none as it was; but, having the conflicting reports he mentioned in his mind, suspicion was naturally aroused that the evil was not so great as some persons would lead them to believe.

The SECRETARY FOR PUBLIC LANDS could assure the hon. member that the pest was very much worse than when legislation was last introduced, notwithstanding the fact that the seasons had been unpropitious for the advancement of the rabbits. On the Mulligan River, which was a long way up the eastern boundary of the Northern territory—well up towards Camooweal—the latest reports said the rabbits were round the end of the most northerly portion of the fence, and before long would be into the Gulf country. Mr. Pound also bore testimony to the fact that in the south-western corner of the colony he drove over them. That of course was in the worst-infected portion. Mr. Donaldson reported them very much more numerous on Tupra station near Cobar, in New South Wales, which was not far from the border, but there they had made the mistake of adopting the 1½-inch mesh. If the hon. member would carefully read the Under Secretary's report he would see the use of continuing the fencing. He said that up to the present time he was not aware of any pastoral property having been depreciated in its carrying capacity by the rabbits, but that undoubtedly was the effect of carefully erected barrier fences. In New South Wales there was no such system as theirs. Every owner was at liberty to fence according to his own sweet will. The mesh used in many cases was too large, and there was no organised system of erecting barrier fences, which at all events secured comparative immunity from the incursion of rabbits.

Mr. GLASSEY fully recognised the difficulties that pastoralists had to contend against in the shape of droughts, floods, rabbits, and other visitations, but in dealing with a matter of that sort he required facts in order to enable him to make up his mind. He was not prejudiced in any way against the pastoralists, but he wanted to assure himself that that continual agitation was not got up for the purpose of gain by a few individuals; probably syndicates or financial agents who had got those properties into their possession, and might wish to squeeze the State. He wanted to safeguard the rights of the State, and not to sanction expenditure where there was no justification for it.

Mr. STORY: The hon. member had only looked at one side of the question when he looked at the applications to the Government for assistance so far as rabbit netting was concerned. For every 100 sheep or twenty head of cattle the pastoralists were taxing themselves to the extent of 5s. They did not do that for amusement, and they would not do it if it were not necessary to fence. In addition to being asked to protect Government property, they were required to pay 5 per cent. on the cost of the netting. It was plain that the squatter was doing more for himself than the Government was doing for him. In the light of the information supplied by the Secretary for Lands—that the rabbits were now getting a long way North, and would soon be into the best of our country there—the hon. member might consider this a national question. It never had been, and it never would be, a fair thing to tax a certain section of the community in one far corner of the colony for the protection of the whole of Queensland.

Mr. GLASSEY: If he was convinced that the pastoralists were being taxed unduly——

Mr. LEAHY: Would it be possible to convince you of that?

Mr. GLASSEY thought it would, and if he were convinced that this was being done to protect the pastoral lands of the colony—which undoubtedly were national property—he would say that a national work should be paid for by the nation. But, in view of the conflicting

nature of official reports on the question, he could come to no other conclusion than the one he had come to.

Mr. LEAHY: When the hon. member talked of privileges and concessions he was evidently confusing the Pastoral Leases Extension Act with this Bill. There were no concessions or privileges granted under the Bill. He would ask the hon. member what was the use of fencing a cattle run with wire-netting? Why did a man spend £70 a mile on a fence when he could put up a fence for £30 a mile? There must be some object in it, as a wire-netting fence would not make the grass inside it grow any better unless it kept rabbits or something else out.

Mr. DRAKE pointed out that the clause sought to bind the present and future Parliaments not to repeal the Bill if it was passed, by providing that it should remain in force until 1902. That, as the hon. gentleman knew, was entirely unconstitutional, and probably the Governor would refuse his assent to any Bill containing such a provision. Even if that clause were passed and assented to, it would be utterly futile, as it could not prevent the present or any future Parliament from repealing the Act. The Bill also proposed to involve a charge of £10,000 a year upon the consolidated revenue. The Minister probably knew that the object of putting the clause in its present form was to create what would be called a vested right, and to make it apparent that there would be something morally, if not legally, wrong in any attempt to repeal the Act. Every previous attempt on the part of one Parliament to bind another had failed, and it was a most dangerous precedent to establish. The hon. gentleman in charge of the Bill could not show him an Act of Parliament containing a provision of that kind. He moved that after the word "Act" there be inserted the words "if not sooner repealed."

The SECRETARY FOR PUBLIC LANDS: The hon. member professed to be serious when he raised a question of that sort, and told him that he knew it to be unconstitutional to pass such a provision. He knew it to be perfectly constitutional, and would remind the hon. member that in 1894 he assisted in that House to pass the Rabbit Boards Act, in which almost exactly the same words were used—namely, that the Act should "remain in force until the end of the year one thousand eight hundred and ninety-seven."

Mr. DRAKE: I opposed it, and got the term reduced two years.

The SECRETARY FOR PUBLIC LANDS: But as far as he knew the hon. member did not previously raise the question that the provision was unconstitutional, though the date fixed must necessarily be in a future Parliament.

Mr. DRAKE: I opposed the clause entirely.

The SECRETARY FOR PUBLIC LANDS: It was all nonsense to talk about it being unconstitutional. Then the hon. member said that he (Mr. Foxton) knew that the provision was inserted for the purpose of creating vested interests. He knew nothing of the sort, and the hon. showed the absurdity of his own argument by saying that such a provision was futile, as the Bill could be repealed at any time, which was perfectly correct. As for the remarks of the hon. member with regard to the expenditure of £10,000 a year, did the hon. member propose that they should cease to vote that money, which was for the purpose of maintaining the border fences which had been erected at a cost to the Government of hundreds of thousands of pounds? Were they to be allowed to rot and go to ruin? Could the hon. member show him any precedent for such an amendment?

Mr. DRAKE: In 1892 a proposal was made to reintroduce black labour for a period of ten years; but it was pointed out that it would be futile to put any such provision in an Act of Parliament, and it was not inserted.

Question—That the words proposed to be inserted be so inserted—put; and the Committee divided:—

In division,

Mr. McDONALD challenged the vote of the hon. member for Albert, on the ground that he had entered the Chamber after the order was given to close the bar.

The CHAIRMAN: Hon. members know that it is impossible for me to see hon. members coming in from either side of the House. I now ask the hon. member for Albert if he was inside or outside the bar when I ordered the doors to be closed?

Mr. COLLINS: I was inside.

The CHAIRMAN: Then the vote of the hon. member will be allowed.

Division declared:—

AYES, 20.

Messrs. Glassey, McDonnell, Hoolan, Cross, Keogh, Kerr, Hardacre, Fitzgerald, Kidston, Browne, Jackson, Turley, Dawson, Drake, King, Dibley, Dunsford, Daniels, McDonald, and Stewart.

NOES, 27.

Sir H. M. Nelson, Messrs. Philp, Foxton, Byrnes, Dalrymple, Tozer, Collins, McCord, Armstrong, Lord, McMaster, Callan, Stephenson, Leahy, Finney, Newell, Fraser, Castling, Cribb, McGahan, Chataway, O'Connell, Corfield, Story, Grimes, Crombie, and Hamilton.

Resolved in the negative.

Clause put and passed.

Clauses 4 to 10, inclusive, put and passed.

On clause 11—"Qualification of members and electors"—

The SECRETARY FOR PUBLIC LANDS moved the omission of the words "and shall cease to be such member if he shall cease to hold such qualification." The new clause to follow clause 14 dealt more fully with the question, and it was better that it should.

Amendment agreed to.

The SECRETARY FOR PUBLIC LANDS moved the addition of the following words:—

For the purposes of this section, all contiguous runs belonging to the same owner which are managed or worked as one holding or from one head station shall be deemed to constitute one run

This would get over a difficulty he had referred to on the second reading in regard to evasion of the law which had been perpetrated by the holders of country claiming separate sets of votes in respect of the leaseholds, the grazing rights, and the occupation licenses.

Mr. LEAHY: This amendment opened up the whole question of voting. When this matter was before the House some years ago he was opposed to the nine votes altogether, and thought three was enough; but if they were going to give nine votes he failed to see what difference it made whether the runs were contiguous or a block belonging to another man was between them.

The SECRETARY FOR PUBLIC LANDS: The clause says "worked from one head station."

Mr. LEAHY: How could it be found out whether they were worked from one head station or not? There were also many runs which were not contiguous which were worked from one head station; in the case of the Australian Pastoral Company, for instance.

The SECRETARY FOR PUBLIC LANDS: This will not hurt them.

Mr. LEAHY: If all these stations were joined together they would be treated as one, and have only three votes. However, before the amendment of the Secretary for Lands was put, he had an earlier one to move, which was to insert the words "the stock on which are not exempt from taxation" after the word "run," on line 14. A great many runs had been fenced, and they had got

extensions of lease. It might happen that half the men in a district had fenced their holdings and were exempt from assessment, and yet they might "boss" the district, and say how much the other half should pay and how the money should be spent. The hon. gentleman must see the fairness of his proposal. Wherever he had gone in the West since the Act was passed in 1894 everyone had pointed out to him how unjust the provision was.

The SECRETARY FOR PUBLIC LANDS was sorry he could not agree with the hon. member. Probably, instead of paying 5 per cent., like the men who borrowed from the Government, the men who had put up their fences themselves paid 8 or 9 per cent., and that was a permanent charge on their holdings, and surely they were as much entitled to a vote as the men who had to pay assessment. They were protecting the public estate.

Mr. LEAHY: They get seven years' additional tenure.

The SECRETARY FOR PUBLIC LANDS: The hon. member had deprecated the hon. member for Bundaberg referring to the Pastoral Leases Extension Act, but now that it suited his own purpose he referred to that Act himself. If a man did not pay assessment, he had very likely to pay a higher rate of interest, and his interest charge approximated what was paid by those who paid the assessment, and he was assisting by his fencing to create barrier fences throughout the country. He was just as worthy of consideration as the man who had probably less enterprise, and possibly less cash or credit, who borrowed money from the Government. He deprecated the amendment. The Maranoa board, which took a most intelligent view of the matter, had suggested that those who had fenced their own holdings should be given a certain proportion of representation, but he did not think that was advisable. It should be left an open question, because they were then likely to get better men elected on the boards.

Mr. STORY said that he had confided all his hopes and fears, all his doubts and all his wants in the Bill to the hon. member for Bulloo, and he had hoped that the confidence was reciprocal, but the hon. member's amendment had given him a shock that he would not recover from for some considerable time. It was well that he was there. Another reason why the men who had fenced should have some voice in the representation was contained in clause 38, which provided that a board might serve upon the owner of any run which was fenced a notice requiring him to take effective measures for the destruction of rabbits on his run. Suppose an owner had fenced, the board could send a man on his enclosed land and undertake the responsibility of destroying the rabbits, if they appeared, at his expense. Therefore, though he was free from assessment he was not free from probable expenses. Was he then to have no representation?

Mr. LEAHY pointed out to the hon. member for Balonne that he had proposed the same amendment two years ago, but did not press it to a division. If those men fenced their runs, he did not object to their being free from assessment, but he failed to see that they should have the direction and control of men outside as to how they should spend money in the destruction of rabbits. He could see that his amendment was not likely to be carried, and he would not take up any more time with it, though he considered it was a very proper amendment.

Amendment, by leave, withdrawn.

Amendment moved by the SECRETARY FOR PUBLIC LANDS put and passed.

Mr. STORY said he knew perfectly well that his ideas in regard to voting would not be adopted.

The CHAIRMAN: I remind the hon. member that we have added to the end of the clause; and if the hon. member has an amendment to move he cannot go back.

Clause, as amended, put and passed.

The SECRETARY FOR PUBLIC LANDS moved the insertion of a new clause, providing for annual elections, to follow clause 11. It was practically a rescript of clauses 1 and 2 of the second schedule, and might still find a place there; but the next clause he proposed to move imposed on the Registrar-General a specific duty, and this clause was a necessary introduction to the other.

Mr. STORY thought he had suffered some unintentional injustice in not being allowed to speak on clause 11. The Chairman was under the impression that he was going to move an amendment, but he only wanted to make some remarks on the voting power, which was limited——

The CHAIRMAN: I would like to remind the Committee that if the hon. member is allowed to go back there will be no finality to our business.

Mr. STORY accepted the Chairman's ruling.

New clause put and passed.

The SECRETARY FOR PUBLIC LANDS moved a new clause providing that the Registrar-General should furnish certain information annually to the clerks of rabbit boards. It was a slight modification of clause 3 of the schedule.

Mr. LEAHY thought there was a slight mistake in the clause. There was no provision made except for cases of newly-constituted districts. It was absolutely necessary that returns should be sent to the old districts as well as the new. The old clause was repealed which made it compulsory on the Registrar-General to send out to every district.

The SECRETARY FOR PUBLIC LANDS: All they had to do was to appoint them all as new districts. The clause said "furnish the clerk of the board." That meant the board of the district concerned. "The board" meant the rabbit board of the district, and "district" meant every district. It did not follow that it meant only newly-constituted districts.

Mr. BELL: Is there any necessity for the words "newly constituted"?

The SECRETARY FOR PUBLIC LANDS: Yes. When it was a newly-constituted district it was sent to the returning officer; but when it was not a newly-constituted district it was sent to the clerk of the board.

Clause put and passed.

Clauses 12, 13, and 14 put and passed.

The SECRETARY FOR PUBLIC LANDS moved a new clause to follow clause 14 dealing with the circumstances under which a member's office was vacated.

Clause put and passed.

Clauses 16 and 17 put and passed.

On clause 18—"Inspectors *ex officio* members of boards"—

Mr. LEAHY asked for a definition of the duties of inspectors. Most of the inspectors themselves and members of the boards were ignorant of them.

The SECRETARY FOR PUBLIC LANDS: According to his idea the duties of inspectors were to carry out the directions of the Minister. It was not advisable that they should be very strictly laid down, because they could not tell exactly what it might be necessary for an inspector to do. It was one of the duties of inspectors to see that all fences which had been erected with the aid of Government money were properly erected. In one or two instances inspection of that sort had been found to be very useful as a check upon those who had been entrusted with the erection of fences. Inspectors also had to travel about and report constantly to

the Minister upon the prevalence of rabbits in their districts, and the way in which the boards managed their affairs. The interests of the central Government were very largely bound up with the proper management of the boards. The inspectors were fully occupied, and the day was not far distant when they would have to appoint more of them.

Mr. CROMBIE asked if the clause meant that the Government inspectors were to have votes on the board?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. CROMBIE: That had not been his experience; he had never seen a Government inspector vote.

Question put and passed.

On clause 19—"Fund for carrying out the provisions of the Act"—

Mr. HARDACRE: Something ought to be said with regard to the assessment on cattle and sheep. The proportion fixed on one head of cattle to only five sheep was unfair to cattle-owners, as cattle had to be reared for four years at least for market, and during all that time there were returns from the wool in the case of sheep. Besides, the cattle-owners could not take the same advantage of the wire-netting as sheep-owners. Then cattle-owners occupied inferior country, and the present bad times for cattle ought to be considered, as the industry was nearly on the verge of ruin. No cattle-owner would fence his run with wire-netting unless he was compelled to do so.

Mr. STORY: He is not compelled.

Mr. HARDACRE: He had to pay the tax, and the question was one which deserved consideration.

The SECRETARY FOR PUBLIC LANDS thought the proportion a fair one, not because he had any special knowledge of the question, but because in all the suggestions he had received since the Bill had been on the stocks he had not met with a single objection to the proportion now in force. It seemed to be accepted as a fair one all round. What had worked so well since 1891 had better be retained.

Mr. CALLAN: Cattle properties in Queensland were not worth anything at the present time. Only a short time ago a cattle country in the North, with 10,000 head of cattle and 160 horses, and with the rent paid for two-thirds of the term, was sold for £1,500. He had been offered a cattle property near Charleville at a price at which he would have jumped two years ago. Sheep gave an annual return from wool, and he was glad to see also that from the last returns wool was fetching a higher price. If they were to tax cattle properties in that way, the result would be that the runs would be thrown up.

The SECRETARY FOR PUBLIC LANDS: This question ought really to have been raised on clause 11, which fixed the voting power at five sheep for one head of cattle. But the proportion for voting having been fixed they should continue the same proportion for the assessment. He had been in communication with every rabbit board in the colony, and not one of them had raised any question on that point. The first he had heard mention it was the hon. member for Leichhardt.

Mr. CALLAN had received a great number of letters on the subject from men in the Leichhardt district, and he had no doubt that the hon. member for Leichhardt had also had communications about it.

Mr. HARDACRE might have been the first to raise the question in that House, but that was not the first time objection had been made to the relative rates of assessment on sheep and cattle. About two years ago the proprietor of one station went very elaborately into the matter, and since then times had got very much worse as far as cattle were concerned. Moreover, since then a tax of 2s. 6d. per 100 head had been imposed on station-owners in the Central district, and, considering that they got no benefit at all from the rabbit tax, the assessment on cattle might be reduced.

The SECRETARY FOR PUBLIC LANDS thought that, as they had already fixed the proportion of cattle to sheep in determining the number of votes stockowners should have, they might now allow that clause to pass.

Mr. LEAHY hoped that the hon. member for Leichhardt would not move any amendment on the clause. The erection of rabbit-proof fencing protected the grass, so that owners of cattle were benefited quite as much as sheepowners by the expenditure of the money raised for fencing. In the Western districts it was absolutely necessary to levy the maximum rate, and the revenue from that was insufficient for the purposes of some of the boards.

Mr. DANIELS: The tax levied under this Bill was used for the protection of grass, which was necessary for both cattle and sheep. If cattle men could not afford to pay the tax because cattle would not pay, the result would be that they would either sell their cattle or stop breeding, and go in for sheep. That would reduce the number of cattle, and in time the price would rise. The argument that the Bill would benefit cattle men more than sheepowners was the same as was used in regard to the Meat and Dairy Produce Bill. The proportion of five sheep to one head of cattle had been the recognised proportion ever since he could remember, and it was about the fairest proportion they could strike.

Mr. CORFIELD called attention to the words "ordinarily depastured," which appeared to be rather vague. He thought the assessment should be levied upon the last quarterly return under the Stock Returns Act.

The SECRETARY FOR PUBLIC LANDS: That is the expression used in the Stock Returns Act.

Mr. HARDACRE had intended to move an amendment with regard to reducing the assessment upon cattle, but he would not do so, as there was no chance of carrying it.

Clause put and passed.

Clauses 20 to 30, inclusive, put and passed.

On clause 31—"Power of board to order outside boundaries of runs to be fenced"—

Mr. LEAHY said a power of grouping was given by this clause, and he would like to know who was to fence in any Crown lands there might be included in the boundary of the group?

The SECRETARY FOR PUBLIC LANDS: It did not often happen that there was any large quantity of unoccupied Crown land in a group, and there was no provision for the Crown to fence it. The Crown was pretty liberal in the matter. It found a great deal of the capital, and if there were any Crown land in a group it was untaxed and was fenced in with the rest.

Mr. LEAHY: He was referring to cases where an order was made to fence in a group. Each man was compelled to fence in his outside boundaries, and the board paid for the rest, but suppose Crown land was on one of the boundaries?

The SECRETARY FOR PUBLIC LANDS: If a fence had to be run between Crown lands and leased lands, the owner of the leased land would have to pay the whole cost, because there was no power to compel the Crown to fence. If an unoccupied forfeited run were in the middle of the group, it would go scot-free.

Mr. DANIELS: The cases in which the board would have to fence Crown land would be where the Crown land was between two others who had fenced, and not a boundary fence

between Crown lands and leased lands. The fence would be absolutely useless unless either the Crown or the board fenced the Crown land.

Clause put and passed.

Clause 32 put and passed.

On clause 33—"Contributions from owners benefited"—

Mr. STORY wished to refer to the proportions paid by different parties for erecting and maintaining these fences. At present half the cost was borne by the owners of the group of runs, and the other half by the owners of the protected area. It had been suggested by the Maranoa Rabbit Board that one-sixth should be paid by the owners on the infested side, one-sixth by those on the protected side, and two-thirds by the owners of the whole protected area. He had suggested that to the Minister, who had been in favour of the idea at one time. In a recent communication he had received from the Maranoa board it was pointed out that in some cases, when the cost of erecting or repairing a fence had to be apportioned over thousands of square miles, the individual contributions were so small as to make it impossible to collect them. For instance, some runs of considerable area had had to contribute 1d. Then, when a fence had been repaired, and the amount of the contribution was perhaps only one-fiftieth part of that amount, it was impossible to divide it among the 176 runs in the district. It would be preferable to adopt the suggestion of the Maranoa board, and have a charge according to the acreage.

The SECRETARY FOR PUBLIC LANDS said that he had received several communications from the Maranoa board, the secretary of which was a most intelligent officer, and took a very great interest in the whole rabbit question, and probably knew more about the working of the Act than any other man in Queensland. That gentleman had pointed out the absurdly small contributions which had to be made in some cases. In one case the whole of the contributions by one contributing owner to four stations which had erected a fence had amounted to 8d.—4d. to one, 2d. to another, and 1d. each to the two others. Of course that was in addition to the ordinary rates paid by them. The Bill would remedy that to some extent, as the apportionment would be done by the board in respect of the whole fence. Seeing that there was always postage, it would be desirable to have some minimum, and, as everyone would surely derive one shilling's worth of benefit from a fence, it might be as well to fix the minimum contribution at that amount.

Mr. LEAHY: Notwithstanding the eulogy passed by the Secretary for Lands on the clerk of the Maranoa board, there was no board in Queensland knew less about rabbit legislation than that board. Clause 42 was an old provision, empowering the board to erect a fence anywhere across a run; but that board, in their ignorance, assumed that they had no power of fencing except by groups.

Mr. STORY: The Maranoa board had been fencing by groups, because they might order the owners of certain groups to put up certain fences, for which those owners paid. The Warrego board, whose district was represented by the hon. member for Bulloo, put up fences, but did not order the owners to pay. The board paid for them, and the owners were closely related to members of the board.

Mr. LEAHY explained that the owners of runs in his district had not to pay where a barrier fence ran along part of a boundary, but that there was a great deal of fencing for which they had to pay.

Clause put and passed.

Clauses 34 to 41, inclusive, put and passed.

On clause 42—"General powers"—

Mr. STORY asked if subsection 1 did not give the board power to erect a barrier fence going from one point of a group to another point without going round the boundaries? He would also like the Minister to say who bore the cost in that case?

The SECRETARY FOR PUBLIC LANDS: The Bill gave power to erect fences anywhere, and at the cost of the board.

Clause put and passed.

On clause 43—"Application for wire-netting"—

Mr. STORY: If a lessee put up a fence round the whole boundary, in the course of a year or two the question of maintenance came in. The fence originally was a wire fence round the boundary, to the maintenance of which the neighbours had to contribute. When the netting was put on, some refused to contribute to maintenance. He held that they were still responsible for maintenance.

Mr. LEAHY: Those were cases where the provisions of the Fencing Act of 1861 should apply. The case the hon. member referred to was not covered at all. A man might fence off a whole area with wire-netting; another man might fence with the three-wire fence on three sides and the fourth with wire-netting. If the 1861 Act still applied, half the cost of the wire fence should be recoverable.

The SECRETARY FOR PUBLIC LANDS: He could still recover half the cost of an ordinary fence. The mere fact of putting wire-netting on did not deprive him of the right of recovery. A pastoral lessee might get netting to attach to a fence, but that would not be a fence erected under the orders of the board. In the case of a fence not forming part of a group, that would not be under the Fencing Act. The contributions were provided for under this Bill, and the whole district paid. If a fence was erected by a private lessee within a rabbit board district, it did not follow that it was erected under the Act, although it had netting fixed on it.

Mr. LEAHY: Surely it would be erected under the provisions of the Act if the netting had been obtained under the Act.

The SECRETARY FOR PUBLIC LANDS: The fence was a complete erection before the netting was put on. Because it was erected in a rabbit district it did not follow that the contribution should not be paid under the Fencing Act.

Mr. CROMBIE: Under the present Act the Land Board had to say whether the fence was sufficiently good before the netting was put on. That was what they did in the Mitchell district.

Mr. LEAHY: In sheep country they required six-wire fences, but if a man was getting a wire-netting fence he did not put up six wires there. A difficulty would arise in that way.

The SECRETARY FOR PUBLIC LANDS: He can put up a four-wire fence, and make his neighbour pay his share of that.

Mr. LEAHY: That would not be a sheep fence.

Mr. CROMBIE: It would if he put wire-netting on it.

Mr. LEAHY: It would not be a six-wire fence, for which he would have to pay half cost. However, he was glad to hear the opinion of the hon. gentleman. He hoped it was all right, as the Attorney-General was present and heard it. As it was so late, probably it would not get into *Hansard*, but he would not forget it.

Question put and passed.

On clause 44—"Power of Governor in Council to authorise Treasurer to provide such wire-netting"—

Mr. CROMBIE wanted to be clear as to who was to decide the order in which applications for netting would be granted?

The SECRETARY FOR PUBLIC LANDS: It was proposed that the Minister should settle

that after getting all the information he could from the board. The Minister was not likely to run counter to the opinion of the board in such a matter without a very good reason.

Mr. BELL thought the provision for the delivery of the wire-netting at the railway station nearest to the run might be made more clear. It should provide for delivery at the most convenient place, which in one instance he knew of was 130 miles nearer to Brisbane than the station nearest to the run.

The SECRETARY FOR PUBLIC LANDS thought the clause would be found to work all right. He was certain that in the case the hon. member referred to the Lands Office and the Commissioner for Railways would have been only too glad to have obliged the lessee, where it meant a difference of 130 miles in the distance over which the netting had to be drawn.

Question put and passed.

Clause 45—"Execution of charge"—put and passed.

The SECRETARY FOR PUBLIC LANDS moved the insertion of a new clause giving power to the Minister to authorise owners to obtain wire-netting under certain conditions. The clause was framed to meet the views of some persons who thought it would enable them to get their fences up sooner if they were permitted to get the netting for themselves at the Government cost. It had to be done with the consent of the Minister, and the cost was not to exceed what the Crown was paying. As a rule the Crown could get netting cheaper than an individual lessee, and he thought the clause would not be largely availed of.

New clause put and passed.

Clauses 46 and 47 put and passed.

Clause 48—"Provision in case of compensation becoming payable under any other Act"—passed with consequential amendments.

Clauses 49 and 50 put and passed.

On the motion of the SECRETARY FOR PUBLIC LANDS, a new clause was inserted to the effect that if a member of a board continued to act, knowing that he was disqualified, or that his office had become vacant, he should be liable to a penalty not exceeding £50.

At 12 o'clock,

The CHAIRMAN: In accordance with the Standing Orders, I call upon the hon. member for Dalby to take the chair.

Mr. BELL took the chair accordingly.

Clauses 51 and 53 and 55 put and passed.

Clauses 52 and 54 agreed to with verbal amendment.

On clause 56—"Recovery of penalties"—

Mr. LEAHY said that the penalties imposed by the Bill were justly severe; but in the Western districts, where rabbits were to be found, six months was too short a time in which an information should be laid; but under the Justices Act six months was the limit allowed.

Clause put and passed.

Clauses 57 to 61, inclusive, put and passed.

First schedule put and passed.

On the motion of the SECRETARY FOR PUBLIC LANDS, the first three clauses of the 2nd schedule were omitted, as they had been included in the body of the Bill; and the schedule was agreed to with verbal amendments.

Third schedule passed with consequential and verbal amendments.

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

CONSIDERATION.

The SECRETARY FOR PUBLIC LANDS: I move that the Bill be now considered.

Question put and passed

Mr. LEAHY: I think it is impossible to consider the Bill just now; it ought to be left over till to-morrow. However, I do not wish to propose any amendment; I only rose to enter my protest.

The SECRETARY FOR PUBLIC LANDS: I may be allowed to say that the Bill has been before the House for a considerable time, and has received a great deal of attention from members representing the districts most interested. Very few of the amendments proposed involve matters of principle. I have gone carefully through the Bill and noted that consequential amendments were necessary in anticipation of amendments adopted—as they were without exception. I move that the third reading of the Bill stand an Order of the Day for to-morrow.

Question put and passed.

SUPPRESSION OF GAMBLING BILL.

SECOND READING—RESUMPTION OF DEBATE.

Mr. TURLEY: I rise to protest against the way in which business is being carried on. When we wished for a division on this Bill the other night it was opposed, apparently because there were not enough Government supporters present to carry it, so the debate was adjourned. Now, the Government, having their majority present, want to force it through. Five Bills have been passed through Committee to-night, and I think the tactics of the Government are most discreditable. This legislation is intended to have the effect of compelling the southern colonies to fall into line with the policy of this Government, which has been such that any Government should be ashamed of. They went voluntarily into an agreement with the other colonies——

The SPEAKER: The hon. member cannot enter into that question.

Mr. TURLEY: This is a Bill to amend the Gambling Act of 1895.

The SPEAKER: The hon. member cannot go into the history of that Act.

Mr. TURLEY: This Bill will have the effect of shutting out a number of leading southern papers, and also a number of foreign papers, read largely by the German residents of this colony. Lotteries are legal in Germany, and I am told by a German friend that in every paper he receives he could find advertisements relating to gambling. This Bill means that we are to give the Postmaster-General a censorship of the Press which does not exist in any other English-speaking country. We are sending out lecturers to welcome people from other parts of the world, and when those people come here we propose to allow the Postmaster-General to prevent them getting the journalistic literature of the countries from which they come. The people of Queensland will soon be full up of legislation of this kind, and it is a scandal that we should be asked to pass it at this hour of the night. I am going to oppose the second reading of this Bill because I do not believe in placing in the hands of any man the power which this Bill gives to the Postmaster-General. While I have nothing to say against the literature produced in the colony, still I contend that it is necessary for us to know what is going on in other parts of the world, and that foreign papers ought not to be prohibited from coming into the colony simply because they contain an advertisement announcing that Mr. So-and-so has established a branch of his business at Hobart or elsewhere. If the Government have the backbone to carry out the provisions of this measure, should it be passed, they will have to exclude all English and other newspapers which happen to contain an advertisement of a bazaar, a raffle, an art union, or a consultation. Such a thing would not be

attempted to be done by the authorities in the old country. They would not be so narrow-minded, and I disapprove of this proposal to establish what is practically a censorship over the Press published outside the colony.

Mr. LISSNER: The last time this measure was before us the Government were rather in difficulties, and expected to do better by bringing it forward in a fuller House, but I do not think that is a very wise thing. There is such a thing as becoming too virtuous, and I am sure people do not read these papers because they contain the advertisements the Bill refers to. If they did, the Government could not prevent them from putting a few shillings on a race, because the Gambling Act cannot make people any better, and if I had been here when it was going through I should have opposed it. The action now proposed to be taken reminds me of what is done in Russia, where articles in foreign papers that are thought objectionable are blotted out so that they cannot be read, but I am sure there is as much gambling going on as ever. It would be much fairer to remove the restrictions upon our own papers than to deal so illiberally as is proposed to be done with the papers published in other colonies. I hope the second reading will not be carried.

Mr. KIDSTON: This is a very good example of some things that are done in the name of morality. The Bill is introduced to make people virtuous in spite of themselves, and the Government had to adjourn its second reading because they saw that they could not carry it then; but now they think they have a majority and wish to force it through, which does not reflect much credit upon them. So far as I am able I shall oppose the second reading of the Bill, because it is wrong in principle. It is an interference with the liberty of the subject, which comes extremely ill from a Government which is continually pointing out to this side of the House that socialism interferes with the liberty of the individual. This evening we passed a Bill which contains a provision imposing a penalty of £10 for leaving machinery unprotected; but in this Bill the man who sells a paper containing a gambling advertisement is to be liable to a penalty of £100 or six months' imprisonment. The Postmaster-General will have a power of censorship which does not even exist in Russia, where they only obliterate any objectionable matter, but here the paper is to be confiscated. Last year the Government passed an Act to suppress gambling altogether, but it would be far better if, instead of attempting to pass this drastic Bill, they tried to regulate it.

The SPEAKER: The hon. member is now dealing with an Act on the statute-book. I must ask him to confine his remarks to the principles of the Bill.

Mr. KIDSTON: I submit I am confining myself to the principles of the Bill.

The SPEAKER: Order! The hon. member cannot question my decision.

Mr. KIDSTON: I am trying to show that the Government should have endeavoured to regulate gambling rather than to suppress it. As a protest against the action of the Government I move that the debate be now adjourned.

Mr. TURLEY (who was twice called to order by the Speaker) again urged reasons why the Bill should not be proceeded with at that hour.

The SECRETARY FOR PUBLIC INSTRUCTION explained that it was originally intended that this Bill should be taken before the Factories Bill, but the Government yielded to a desire on the part of hon. members opposite to facilitate the passage of the latter measure, and let this come on afterwards.

Mr. DANIELS (who was also twice called to order) gave as reasons why the debate should be adjourned that they had done good work for one night, and there was a lot of work still to be done.

Mr. STORY had spoken against the second reading, and would vote against it, but not for the adjournment of the debate. If this sort of thing went on there would be no finality.

Mr. HAMILTON intended to vote against the second reading, but not for the motion for adjournment. They had been sitting five months for six hours a day, and now, at the end of the session, hon. members object to sitting on soft cushions for nine hours so as to get through the work.

Mr. DAWSON protested strongly against hon. members being called upon to transact business at that hour, especially as they would not be in a fit condition to deal with the more important business that would come before them at a later hour of the day. [During his remarks the hon. member was twice called to order.]

Mr. BROWNE pointed out that many members had gone away to-night with almost an express assurance that this matter would not come on. If that was the way in which they were to be treated, he would advise hon. members to speak as long and as often as they liked, if they sat till Easter. [The hon. member was also called to order.]

Mr. SIM also raised his voice in favour of the adjournment of the debate, because it was unfair that the physical powers of members should be taxed in this manner at such an early hour of the morning. If they had the opportunity to discuss the Bill calmly and quietly a *via media* might be found by which the Press of the colony would be fairly protected without injuring the Press of other countries, but if it were forced upon the House in this unfair manner then it would be war to the knife between those who were opposed to it and the Government. [The hon. member was repeatedly called to order.]

Mr. STEWART also supported the motion for adjournment, because they had had already done ten hours' good work, and the House was not in a condition to go on with the business. [Proceeding to comment on the duration of the sitting and the number of Bills that had been dealt with, he was several times called to order.]

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

AYES, 15.

Messrs. Armstrong, Sim, Stewart, Cross, Fitzgerald, Lissner, Browne, King, Dibley, Daniels, Turley, Kidston, McDonald, Dawson, and Hardacre.

NOES, 23.

Messrs. Leahy, Foxton, Byrnes, Dalrymple, Philp, Tozer, Collins, Finney, Stephens, Hamilton, Smyth, Story, Bridges, Corfield, Bell, Chataway, Grimes, Stumm, McGahan, Callan, Annear, McMaster, and Newell.

Resolved in the negative.

Mr. SIM again protested against proceeding with the Bill at that untimely hour.

Mr. BROWNE called attention to the state of the House.

Quorum formed.

Mr. SIM continued his remarks, during which he was called to order twice by Mr. Speaker. He appealed to the Government to withdraw the measure, even at that late hour.

Mr. DANIELS called attention to the state of the House.

The SPEAKER: I have already satisfied myself that a quorum is present.

Mr. SIM: The measure before them could reflect nothing but discredit on the colony, and cast odium on the Government.

Mr. STEWART called attention to the state of the House.

The SPEAKER: That has been called already.

Mr. SIM contended that the weight of argument was on the side of those who were opposed to the measure.

Mr. FITZGERALD said he noticed three principles in the Bill.

Mr. DANIELS called attention to the state of the House.

The SPEAKER: I remind the hon. member that I satisfied myself a few minutes ago that there was a quorum present.

Mr. FITZGERALD continuing his remarks——

Mr. STEWART called attention to the state of the House.

The SPEAKER: I satisfied myself a short time ago that there was a quorum present, and I am now following strictly the practice of the House of Commons. "May" says—"The Speaker has declined to count the House again when he has satisfied himself regarding the presence of a quorum." And I can give many instances in which the Speaker has followed that course in the House of Commons. I have adopted this same practice on previous occasions in this House.

Mr. McDONALD moved that the Speaker's ruling be disagreed to.

After discussion,

Question put; and the House divided :—

AYES, 12.

Messrs. Sim, Stewart, Fitzgerald, Daniels, Hardacre, Kidston, King, Cross, Turley, McDonald, Browne, and Dawson.

NOES, 23.

Messrs. Dalrymple, Foxton, Byrnes, Philp, Tozer, Collins, McMaster, Finney, Leahy, McGahan, Chataway, Stephens, Lissner, Grimes, Newell, Bridges, Hamilton, Story, Corfield, Stumm, Smyth, Armstrong, and Annear.

Resolved in the negative.

Mr. FITZGERALD argued that the Government would act wisely if instead of trying to stop consultations they legalised, restricted, and controlled them, in the same way as they did the totalisator. The imposition of such an outrageous penalty was also a new principle, and he objected to giving the Postmaster-General such powers.

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

AYES, 20.

Messrs. Philp, Foxton, Byrnes, Tozer, Leahy, Collins, Stephens, Grimes, McMaster, McGahan, Dalrymple, Finney, Armstrong, Newell, Bell, Smyth, King, Bridges, Stumm, and Annear.

NOES, 6.

Messrs. Dawson, Stewart, Kidston, Sim, Fitzgerald, Browne, McDonald, Callan, Lissner, Corfield, Hardacre, Daniels, Cross, Dibley, Turley, and Hamilton.

Resolved in the affirmative; and committal of the Bill made an Order of the Day for a later hour of the day.

The House adjourned at thirteen minutes past 4 o'clock.