

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 30 AUGUST 1911

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LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 AUGUST, 1911.

The SPEAKER (Hon. W. D. Armstrong, *Lockyer*) took the chair at half-past 3 o'clock.

QUESTIONS.

DALBY-TARA RAILWAY MEDICAL FUND.

Mr. VOWLES (*Dalby*) asked the Secretary for Railways—

"1. Is it a fact that the workmen on the Dalby-Tara Railway construction have contributed 6d. per head per week out of their wages towards a railway medical fund?"

"2. Is he aware that when a workman makes a claim under the Workers' Compensation Act, that the resident engineer refuses to pay any maintenance fees in respect of that workman to the Dalby Hospital, and requires him to pay these fees out of the £1 awarded to him under that Act?"

"3. Is he further aware that cases have arisen where such workmen have wives and children to maintain out of the £1 per week so allowed, and in consequence are unable to contribute to the hospital fund for their maintenance while there?"

"4. What credit is to the above fund?"

"5. What becomes of these moneys when the construction is finished?"

"6. Will he see that all patients' maintenance will be paid to the hospital committee out of any credit to this fund (if any)?"

The SECRETARY FOR RAILWAYS (Hon. W. T. Paget, *Mackay*) replied—

"1. Yes.

"2. Yes. Such course is strictly in accordance with the Workers' Compensation Act. This refers to cases of accident only—not illness.

"3. No such case has been brought under notice.

"4. £72 5s. 3d.

"5. Half the balance is divided between the local hospital and local ambulance brigade.

"6. £1 7s. 6d. per week is paid to Dalby Hospital for each case of illness sent by department."

BRISBANE MEN'S AND BOYS' CLOTHING WAGES BOARD.

Mr. McLACHLAN (*Fortitude Valley*) asked the Secretary for Public Works—

"1. What is the name of the member of the Brisbane Men's and Boys' Clothing Board appointed by the Minister?"

"2. Is he aware that at the last meeting of the board the member in question stated that his reason for continually objecting to the board sitting was to prevent the determination from being issued?"

"3. Did he receive a communication from the chairman on the subject?"

"4. If not, will he call for a report from the chairman on this matter?"

"5. If the allegation is correct, will steps be taken at once to remove the said member from the board?"

The SECRETARY FOR PUBLIC WORKS (Hon. W. H. Barnes, *Bulimba*) replied—

"1. No nomination having been received up to the appointed time to fill the vacancy caused by the resignation of Isidore Josephson, Frederick Christopher Thomas Dent, whose nomination was subsequently received, was appointed by the Minister.

"2. No.

"3. No.

"4 and 5. Will be considered."

APPLICATIONS TO ACT AS FOSTER-MOTHERS.

Mr. D. HUNTER (*Woolloongabba*) asked the Home Secretary—

"1. How many applications have been made during the last three years from people who

were willing to act as foster-mothers, but whose services were not availed of?"

"2. How many children could have found homes with these applicants?"

The HOME SECRETARY (Hon. J. G. Appel, *Alberti*) replied—

"1. Eighty-one registered applications. A number of personal applications have been made of which no record has been kept, as circumstances of applicant were such that further consideration of the application was unnecessary.

"2. About 200."

PURCHASE OF S.S. "WOY WOY," AND SALE OF S.S. "LAURA."

Mr. D. HUNTER asked the Treasurer—

"1. What was the price given by the Government for the s.s. "Woy Woy"?"

"2. At what price did the Government sell the s.s. "Laura"?"

The TREASURER (Hon. W. H. Barnes, *Bulimba*) replied—

"1. £3,600.

"2. £330."

SUSPENSION OF STANDING ORDERS.

On the motion of the PREMIER (Hon. D. F. Denham, *Oxley*), it was formally resolved—

"That so much of the Standing Orders be suspended, for this day, as would otherwise prevent the receiving of resolutions from the Committees of Supply and Ways and Means on the same day on which they shall have passed in those Committees, and the passing of an Appropriation Bill through all its stages in one day."

HEALTH ACT AMENDMENT BILL.

THIRD READING.

On the motion of the HOME SECRETARY, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

CLAIM OF WILLIAM HENRY RAMM.

On the motion of Mr. HARDACRE (*Leichhardt*), it was formally resolved—

"1. That a Select Committee be appointed to inquire into and report upon the claim of William Henry Ramm to be the discoverer of the system of inoculating cattle with the blood of a recovered beast, as a preventive or mitigation of tick fever, and to have been the first to report the discovery of such treatment to the Department of Stock.

"2. That such committee have power to send for persons and papers, and leave to sit during any adjournment of the House; and that it consist of the following members—viz., Mr. Gunn, Mr. Wienholt, Mr. Fox, Mr. Mann, Mr. Payne, Mr. Ryan, and the mover."

METHODIST CHURCH BILL.

FIRST READING.

On the motion of the PREMIER (Hon. D. F. Denham, *Oxley*), this Bill, received from the Legislative Council, was read a first time, and the second reading made an Order of the Day for Tuesday next.

SUPPLY.

RESUMPTION OF COMMITTEE.

(Mr. J. Stodart, *Logan*, in the chair.)

Question—That there be granted to His Majesty, for the service of the year 1911-12,

a sum not exceeding £300 to defray the salary of the aide-de-camp to His Excellency the Governor—put.

The TREASURER (Hon. W. H. Farnes, *Bulimba*): Mr. Chairman,—I beg to ask permission to withdraw that motion.

The CHAIRMAN: Is it the pleasure of the Committee that the motion be withdrawn?

HONOURABLE MEMBERS: Hear, hear!

Motion withdrawn accordingly.

The TREASURER moved—

“That there be granted to His Majesty, on account, for the service of the year 1911-12, a further sum not exceeding £1,150,000, towards defraying the expenses of the various departments and services of the State.”

For the information of hon. members, he would like to point out that the amounts were increased somewhat in connection with No. 1, by reason of the fact that last year the amount was not quite sufficient. The second amount, hon. members would notice, was larger, as the result of the necessity of providing more money for workers' dwellings, and the amount which was down from loan had been increased as a result of contemplated expenditure in connection with the Mulgrave Tramway. He would be glad to supply any other information hon. members desired.

Mr. RYLAND: Is that coming out of loan?

The TREASURER: Of course.

Mr. LENNON: Notwithstanding what the Treasurer had said, this was rather a staggering amount. He thought it was an unprecedented sum which was being asked for. What period was it to cover?

The TREASURER: Two months.

Mr. LENNON: It was rather singular to raise £1,150,000 for two months' Supply, which was so much larger than on the last occasion. Was any portion of the expenditure which had been foreshadowed to be applied in connection with the construction of the proposed basin at the Hamilton?

The TREASURER: No.

Question put and passed.

The House resumed. The CHAIRMAN reported that the Committee had come to a resolution, and the resumption of the Committee was made an Order of the Day for to-morrow.

The resolution was received and agreed to.

WAYS AND MEANS.

RESUMPTION OF COMMITTEE.

The TREASURER moved—

“That towards making good the Supply granted to His Majesty, on account, for the service of the year 1911-12, a further sum not exceeding £600,000 be granted out of the consolidated revenue; a further sum not exceeding £50,000 from the trust and special funds; and a sum not exceeding £500,000 from the moneys standing to the credit of the loan fund account.”

Mr. MANN (*Cairns*): Just to preserve his right, while he knew that on this occasion there was a special reason for passing the Appropriation Bill through all stages and adjourning, he reserved to himself the right at any future time to oppose the suspension of the Standing Orders at all stages.

Question put and passed.

The House resumed. The CHAIRMAN reported that the Committee had come to certain resolutions.

The resolutions were received and agreed to, and the Committee obtained leave to sit again to-morrow

APPROPRIATION BILL No. 2.

FIRST READING.

This Bill, founded on the resolutions passed in Committee, was read a first time.

SECOND READING.

The TREASURER: I beg to move that this Bill be now read a second time.

Mr. LESINA (*Clermont*): Mr. Speaker,—I have no objection to the Bill being read a second time, but I have not seen it yet. The Minister ought not to be in such a hurry in rushing the Bill through before we have seen it. I protest against the rushing of the Bill through in this way. On some future occasion we shall be told that we allowed all this money to be voted without proper discussion.

Question put and passed.

COMMITTEE AND THIRD READING.

The Bill was passed through Committee and read a third time without discussion, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

DEATH OF MR. R. J. COTTELL.

The PREMIER: I beg to move that the House, at its rising, do adjourn until to-morrow evening at 7 o'clock.

[4 p.m.] Hon. members are fully aware of the sad occasion that causes this unusual adjournment; and I am sure that we all were shocked this morning when we learned that the late hon. member for Toowong had been suddenly called away. I have asked the House only to deal with urgent business this afternoon, so that we may pay a tribute of respect to the deceased member.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: I therefore move that the House, at its rising, do adjourn until to-morrow evening at 7 o'clock.

Mr. LENNON: I wish to say that this side of the House offers no objection to the adjournment; and of course I join the Premier in expressing deep regret at the sudden death of our late colleague, Mr. Cottell. I had the pleasure of speaking to him on the night before his death at about half-past 9 o'clock, when he seemed in his usual state of health. I have been closely associated with him in other ways for months past, and I was really very much moved at his sudden death. He was a man in the full vigour of manhood—I understand that he was only forty-six years of age—and we all regret that he should have been taken away in this sudden and tragic manner.

HONOURABLE MEMBERS: Hear, hear!

Mr. MANN: I desire to say a few words, on behalf of the corner party, to express sympathy towards the late hon. member's family. Last week we had a great shock, but on this occasion we had a greater shock. Whereas the late hon. member for Rosewood was practically nearing the end of a long and useful career, Mr. Cottell was in the prime of manhood, and might have looked forward to many years of useful service to the State. I am sure that we all regret his untimely end. I join with the other speakers in conveying sympathy to his bereaved relatives.

HONOURABLE MEMBERS: Hear, hear!

Question put and passed.

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

THURSDAY, 31 AUGUST, 1911.

The SPEAKER (Hon. W. D. Armstrong, *Lockyer*) took the chair at half-past 7 o'clock.

The House, in accordance with Sessional Order, proceeded with Government business.

PAPERS.

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

Annual report of the Secretary for Public Instruction.

First annual report of the University of Queensland.

Statute dated 24th August, by the Senate of the University of Queensland.

Regulations dated 17th December, 1910, for the management of the Central Technical College.

APPROPRIATION BILL No. 2.

MESSAGE FROM THE COUNCIL.

The SPEAKER announced the receipt of a message from the Legislative Council, returning this Bill without amendment.

QUESTIONS.

REPEAL OF CONTAGIOUS DISEASES ACT IN BRISBANE.

Mr. LESINA (*Clermont*) asked the Home Secretary—

"1. By what authority has he repealed the provisions of the Contagious Diseases Act in the metropolitan area of Brisbane?"

"2. Does he consider such proclamation should have been made without this House having been first consulted?"

"3. If this action has been taken on the advice of the health officer, will he lay on the table of the House the report of such health officer, and also any other reports bearing on the subject?"

"4. Is he aware that nine-tenths of the medical profession in Brisbane are against his action in this matter?"

The HOME SECRETARY (Hon. J. G. Appel, *Albert*) replied—

"1. By the authority of the Contagious Diseases Act of 1868.

"2. Yes.

"3. Yes.

"4. No."

I also beg leave to lay upon the table of the House copies of the report by the Government Medical Officer, Brisbane, dated 28th July, 1911, recommending the recent proclamation extending the Contagious Diseases Act to Brisbane, and a memorandum by the Commissioner of Public Health in connection therewith, and I move that the paper be printed.

HONOURABLE MEMBERS: Hear, hear!

Question put and passed.

RAILWAY TICKETS ISSUED IN BUNDLES.

Mr. LESINA asked the Secretary for Railways—

"1. Under whose authority have instructions been issued that all railway tickets issued in bundles of fifty have now to be stamped daily at the various stations?"

"2. Does he think it fair that these instructions should be made retrospective, and that people who had purchased these bundles of tickets should be put to the trouble of getting their tickets dated daily?"

The SECRETARY FOR RAILWAYS (Hon. W. T. Paget, *Mackay*) replied—

"1. Under the authority of the Commissioner for Railways.

"2. Yes. It was found necessary to date the tickets, because some of the passengers were defrauding the department by using them for more than one journey."

WESTERN ALLOWANCES IN RAILWAY SERVICE.

Mr. J. M. HUNTER (*Maranoa*) asked the Secretary for Railways—

"1. Is he aware that only 6d. per day is paid smith strikers in the Roma shop (Western allowances), while blacksmiths and mechanics are paid 1s. per day?"

"2. Will he explain the reason of this and similar anomalies in different branches of the service?"

"3. Has he any intention of fixing a scale of payments in the shape of Western allowances that will be equitable to all grades of the staff in the various branches of the railway service?"

The SECRETARY FOR RAILWAYS replied—

"1. The Western allowance for mechanics at Roma is 1s. per day, and for labourers 6d. per day.

"2. It is not an anomaly—higher class work commands higher pay and allowances in proportion.

"3. I am not aware of any inequitable treatment."

PETITIONS.

LIQUOR BILL.

Mr. MULLAN (*Charters Towers*) presented a petition from members of the Presbyterian Church, Charters Towers, praying that certain amendments be made in the Liquor Bill.

Petition received.

Mr. WINSTANLEY presented petitions from members of the Presbyterian Church, Queenton, and of the Salvation Army, Charters Towers, of similar purport and prayer.

Petitions received.

STATE CHILDREN BILL.

CONSIDERATION IN COMMITTEE.

On this Order of the Day being called—

Mr. MURPHY (*Croydon*) said: Mr. Speaker,—I beg to withdraw the contingent motion standing in my name, of which I previously gave notice, as I have since discovered that a clause of the Bill provides for the object which I had in view when I gave notice of that motion.

The SPEAKER: The hon. member informs the House that he does not intend to move the motion because of the reason which he has given; therefore, there is no necessity for the House to give its consent to the withdrawal, as the motion has not been moved.

Hon. W. D. Armstrong.]

COMMITTEE.

(Mr. J. Stodart, Logan, in the chair.)

Clauses 1 to 3, inclusive, put and passed.

Clause 4—"Interpretation"—

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. K. M. Grant, *Rockhampton*) moved the insertion of the following definition of "industrial school" after line 27—

" "Industrial school" includes all institutions primarily established or conducted for the education and training of State children in the practice of useful arts and callings."

Amendment agreed to.

Mr. LENNON (*Herbert*) moved that the definition of "maintenance," on line 39, be amended by the insertion of the words "medical treatment" after the word "support," so that the definition would read as follows:—

" "Maintenance" includes clothing, nursing, support, medical treatment, necessaries, training, discipline, and education."

It might be argued that the word "necessaries" covered medical treatment.

The SECRETARY FOR PUBLIC INSTRUCTION: That is so.

Mr. LENNON: Well, clothing was specifically mentioned, yet it was a necessary. State children were liable to be affected by epidemics perhaps to a greater extent than children in private homes, and it would appeal to all members that medical treatment was necessary for State children.

The SECRETARY FOR PUBLIC INSTRUCTION: It was the opinion not only of the department, but also of the draftsman, that the word "necessaries" included medical treatment, but he had no objection to the amendment, and would accept it.

HONOURABLE MEMBERS: Hear, hear!

Mr. LENNON: Thank you.

Amendment agreed to.

Mr. MULLAN (*Charters Towers*) noticed that the definition of "Minister" read—

" "Minister"—The Home Secretary or other responsible Minister of the Crown for the time being charged with the administration of this Act."

He had no amendment to move, but he considered that it was advisable that the Orphanages Department should be administered from the Education Department. He did not suggest that because he thought for one moment that it would be more humanely administered by any other department than it was by the Home Secretary, but he thought that the State children should be administered by the Education Department. He would go further, and have the Infant Life Protection Act and children's courts and all matters relating to children administered by the Education Department, more particularly seeing that the Home Department was now overloaded. (Hear, hear!) There were some sub-departments of the Home Department that were bigger than some of the other departments.

Mr. MURPHY: The Home Secretary has got too much work to do.

Mr. MULLAN: He was not saying that the Home Department was not efficiently

[*Hon. K. M. Grant.*]

administered, but he thought it would make for greater efficiency if this department were put under the Education Department.

The SECRETARY FOR PUBLIC INSTRUCTION: There was no doubt whatever that the Home Secretary was a hard-working individual, and not only hard-working, but he was very humane, and so all charitable institutions and all the money involved appertaining to charitable institutions was put under the administration of his department.

Mr. MURPHY (*Croydon*): Did they understand the Secretary for Public Instruction to say that the Home Secretary was the only humane individual in the Cabinet—(laughter)—and that that was the reason that all matters relating to charitable institutions were put under his supervision? The Government had done a good many things for the charitable institutions, and they deserved credit for them, but why were they put under the Home Secretary's Department?

The SECRETARY FOR PUBLIC INSTRUCTION: Inquiries can be better made through the Home Secretary's Office, as they have all the machinery, such as the police.

Mr. ADAMSON (*Rockhampton*) noticed that on line 3, page 3, a degrading term was applied to women, but there was no degrading term applied to the men who made use of those women. As he had said on the second reading of the Bill, he thought the Acts of Parliament were too much framed with the idea that women were the only degraded people, and that men were regarded as being something superior to women, whereas in his opinion men were more degraded than women.

HONOURABLE MEMBERS: Hear, hear!

Mr. ADAMSON: He asked the Minister if it was a fair thing to designate women by a certain name while men were left out?

The SECRETARY FOR PUBLIC INSTRUCTION: The term used in this case was the usual term, and he thought it would be very difficult to alter it in the way the hon. member desired.

Mr. ADAMSON was not at all satisfied with the explanation; therefore he moved the insertion after "a," on line 3, of the words "whoremonger or." If that was carried he would move the insertion after "is," on line 4, of the words "father or."

The SECRETARY FOR PUBLIC INSTRUCTION: He could not accept the amendment. Even though the wording of the paragraph might be considered to be unfair to women, such an amendment could not be allowed. It might be pointed out that the women to whom the term used in the paragraph was applied did it for gain; and that was not the case with men.

Mr. LAND (*Balonne*): It was a common thing for husband and wife to part, and for the wife to live with another man, and have children. How was it intended to treat children living in that way?

The CHAIRMAN: Order! I must draw attention to the fact that the question before the Committee is the insertion of certain words.

Mr. LAND said he was dealing with the clause.

The CHAIRMAN: The hon. member is not dealing with the question of the insertion of those words. He cannot now discuss the subsection as a whole.

Mr. O'SULLIVAN (*Kennedy*) thought that if the Minister drafted the paragraph in this way it would meet the approval of the hon. member for Rockhampton. Instead of the word objected to by the hon. member for Rockhampton, put in the words "person of bad repute," and then say "whether such person is the parent of such child or not." That would not be throwing a slur on the female sex, and would meet the objection.

Mr. THEODORE (*Woothakata*) suggested that the objection might be met in another way. There was certainly something in what was said by the hon. member for Rockhampton, but he did not altogether agree with the hon. member in his attempt to cure the evil, because the addition of another objectionable term would make the clause still more objectionable. The objection of the hon. member might be met by omitting all the words after "brothel." It would then be wide enough to include all the children intended to be included in paragraph (c), and would not contain any objectionable term.

After a pause,

Mr. THEODORE said the Committee should get an answer from the Minister. There would probably be a division if he did not give an answer; and many members might have some scruple in giving a vote to include objectionable terms in the clause.

Mr. ADAMSON was quite willing to withdraw his amendment either in favour of the suggestion made by the hon. member for Kennedy or of that made by the hon. member for Woothakata. He did not want to use any objectionable term, but he wanted women to be put on the same footing as men in this matter. By the repeal of the Contagious Diseases Act it was recognised that men ought to be treated in the same way as women; and in this case he thought the same principle should obtain. He held that women were not treated as they ought to be. Instead of putting opprobrious names on women, they should have pity on them, and try to make their burden less heavy.

Mr. MANN (*Cairns*) did not intend to vote for the amendment, because he thought paragraphs (c) and (d) met the case as they stood. By dropping the objectionable term they might make the clause too narrow in its operation, and do wrong to those they were seeking to protect—namely, the children. If it came to a division he would vote for the clause as it stood.

Mr. RYLAND thought the best thing for the hon. member for Rockhampton to do was to withdraw his amendment, so as to allow the hon. member for Kennedy to move the amendment he had suggested.

Mr. ADAMSON was quite willing to follow the course suggested. He was not particular whether his amendment went into the clause or not. While he thought that they should deal with men in the

[8 p.m.] same way as they dealt with women, he was of opinion that it was better to omit such degrading terms altogether, and with the permission of the

Committee he would withdraw his amendment in favour of the proposal to insert the words "bad repute."

The CHAIRMAN: Is it the pleasure of the Committee that the amendment be withdrawn?

HONOURABLE MEMBERS: Hear, hear!

Amendment withdrawn accordingly.

Mr. O'SULLIVAN moved that the word "prostitute," on line 3, be omitted with the view of inserting the words "person of bad repute." Should this amendment be agreed to, he would move lower down the substitution of the word "parent" for the word "mother." The word "parent" would include both father and mother. Unfortunately there were times when men of bad repute were the sole guardians of children, and the amendment would meet such a case.

Mr. LESINA thought that before expressing an opinion on the amendment, the Minister should hear the views of members of the Committee with regard to it. The Bill had been very carefully drafted by a man who had been drafting Bills for many years, and he had no doubt followed in this case the phraseology which had been used in Acts of Parliament for many years past, and which custom and practice had clearly defined. The use of the term "prostitute" was perfectly legitimate. It was a good, solid English word, and any objection to it, such as that raised by the hon. member for Rockhampton, must be of an entirely sentimental character. The amendment proposed by the hon. member for Kennedy did not convey exactly what was required. What did "bad repute" mean? He (Mr. Lesina) might be a person of bad repute in the minds of a number of people; a person who had the reputation of being a mercurant—a person with a bitter tongue—might be regarded by neighbours as a person of "bad repute." A woman might live without the sanction of the church in perfect harmony with a man, and yet because the church had not smiled upon and blessed the union, if she had a child it would be taken away from her under the amendment. According to the dictionary, "bad" meant "want of good qualities, physical or moral, evil, vicious, disagreeable, painful, injurious, that which is bad." The Committee should proceed very warily in dealing with a matter like this, or they might make an amendment which later on they would have to get the other branch of the Legislature to remove. Every man who knew the English tongue knew what was meant by the word "prostitute"; it was a good, solid English expression, and the objection to it was only a namby-pamby sort of objection.

Mr. ADAMSON: That is not true.

Mr. LESINA: He gave the hon. member credit for being perfectly honest and sincere in his objection to the word, and for speaking as a man who had for years followed the teaching of morals, and who regarded the use of the term as invidious, because it reflected on the woman, while the man was allowed to go scot-free. But the whole context showed that in this part of the clause they were dealing with a female person. The clause defined that "neglected child" meant any child who habitually begged or received alms, or wandered about a public place, or dwelt in a reputed brothel, and so

Mr. Lesina.]

on. If they said that a neglected child was a child who lived with a person of "bad repute," they would have to define what was "bad repute." He thought it was better to stick to the phraseology in the Bill, and if a division was called for he should vote against the amendment.

Mr. WINSTANLEY considered that the amendment would improve the Bill. With regard to the remark of the hon. member for Clermont that the Bill had been carefully drafted, and that the phrase in question had been used from time immemorial, he would remind the Committee that that hon. member had more than once declaimed against the practice of sticking to old, legal phraseology in their legislation. The word "prostitute" would certainly be better out of the clause altogether, and he was perfectly certain both the Minister and the inspectors understood what they meant by persons of "bad repute," and that no one would suffer in any way from the inclusion of the amendment in the clause. It would also meet the desire of the hon. member for Rockhampton in regard to the use of a degrading term in connection with women while it was carefully omitted in the case of men. He would certainly support the amendment.

The SECRETARY FOR PUBLIC INSTRUCTION could not accept the amendment, and pointed out that in 1909 the Labour party of South Australia passed an Act dealing with State children, in which identically the same clause was used.

Mr. MURPHY: The Labour party is not always right, you know.

Mr. WHITE: No.

Mr. MURPHY: Not in the matter of phraseology.

The SECRETARY FOR PUBLIC INSTRUCTION asked the Committee to remember that it was not the women who bore that term they were dealing with; it was the children who might be in their care, and if the term was harsh or cruel to those women, it was quite an easy matter for them to get rid of it by ceasing to follow that calling, which, he believed, was the oldest in the world. He desired the Committee to understand that it was the children's interests they were looking after, and he hoped they would not insist on the amendment.

Mr. LAND: The Secretary for Public Instruction had just stated that it was the children's interest he was looking after. That was the point he (Mr. Land) wished to get at. He wanted to know what action the Minister intended to take in regard to children born to people who were living together and who were not married.

The SECRETARY FOR PUBLIC INSTRUCTION: We are not dealing with them.

Mr. MURPHY: You are not going to ask everybody to show a marriage certificate. If the inspector does, he will get murdered.

Mr. LAND: Why should children be brought into this world by men and women and have no name? Why should a woman, after marriage, be allowed to leave her husband and live with another man and have children to him? That was one of the worst possible things that could happen. If the Hon. the Minister was desirous of looking

after the interests of the children, those were the children who should be cared for. No people should be allowed to live together and have children when they had no name to give them. What was the difference between a prostitute and a woman who was living with a man—who lived with him perhaps a month or a year and then left him and lived with another man and had children to him? It was worse than prostitution.

Mr. WIENHOLT (*Fassifern*) pointed out that if the words "bad repute" were inserted instead of the word "prostitute" it was only anticipating what was coming on in paragraph (d). It seemed to him the hon. member was right to object to the word "prostitute," but the proper thing would be to omit the whole paragraph, otherwise the provision would be duplicated.

Mr. THEODORE: What the hon. member for Fassifern had pointed out was obvious. He took it that the Minister desired in that interpretation to give the definition of "neglected child" as complete as possible.

The SECRETARY FOR PUBLIC INSTRUCTION: That is so.

Mr. THEODORE: The Minister could do that without using the term "prostitute" by omitting all the words after "brothel" in subclause (3). A neglected child would then be "a child who habitually begs or receives alms, or a child who associates or dwells with any person who during the preceding twelve months has been convicted of vagrancy and is known to the police to be a person of bad repute," which would include prostitutes. A person known to the police to be of bad repute would include a person known to be a prostitute, and, therefore, it was absolutely unnecessary to use that term. As the term was a particularly objectionable one, and there was no necessity to use it, he thought the Minister might well comply with the suggestion made.

Mr. ADAMSON: In bringing up this matter he had done so in the interests of the children. A man who was designated by the term he had used was no more fit to have control of children than a woman who was designated by the term used in the subclause. He held that men of the kind he had indicated had no right to have children to bring up, particularly female children, and a man who acted in the way indicated had just as much right to be driven out of social life as the women. The Minister talked about a woman getting out of that kind of thing. Everyone knew that a woman who fell in that matter had no chance—she had for ever to suffer social ostracism, and that is where they should apply the words of the Great Master, "He who is without sin, let him cast the first stone." There was too much talk like that of the hon. member for Clermont about the meaning of terms. The meaning of a term would be interpreted by the context, and the meaning of the term ought to be interpreted by the context.

Mr. RYAN (*Barcoo*) was in sympathy with the idea expressed by the hon. member for Rockhampton, and also with the expressions of the hon. member for Kennedy. He thought the Minister ought to be congratulated upon the knowledge he had shown of the history of the particular sub-

[*Mr. Lesina.*

ject dealt with in subclause (c). Perhaps the idea of the hon. member could be best met by omitting the whole subclause. If they left in the words "Dwells in any reputed brothel," it would be necessary to leave in the remainder of the clause, because a brothel contained more than one prostitute, and consequently it was necessary to put in the remainder of the clause to cover the case of a child living with a prostitute who was living by herself. He could see a great difference between a child living with a prostitute with whom men associated promiscuously and the case of a child living with a man who associated with such a woman, and therefore he could see some reason for the subclause. It was the home life of the child they wanted to protect, and he thought it would be admitted by every hon. member that a prostitute was a person of bad repute. Consequently the object of subclause (c) was met by subclause (d):—

"Associates or dwells with any person who during the last preceding twelve months has been convicted of vagrancy, or who is known to the police or to the department to be of bad repute, or to be a habitual drunkard."

He suggested the addition to that subclause of the words "whether such person is the parent of such child or not," as suggested by the hon. member for Kennedy. The word "prostitute" had a perfectly plain meaning in legal terminology. It meant a female person who allowed promiscuous intercourse with her, independent of any particular liking for any particular individual, and such a person was surely a person of bad repute. Consequently the objection of the hon. members for Rockhampton, Kennedy, and Woothakata would be met by omitting the whole of subclause (c), which was not essential. If he thought it was, he would not argue as he was doing. But, if any part of the subclause was left in, the whole of it must be left in.

Mr. BOUCHARD (*Brisbane South*) did not agree with the hon. member for Barcoo. The suggestion the hon. member had made would not meet the case at all. If the hon. member read subclause (d), he would find that it was necessary that a child should have been living with a "person of bad repute" for a period of twelve months.

Mr. RYAN: Not at all. The child might only have lived with such a person for five minutes.

Mr. BOUCHARD: It was entirely a matter of sentiment. The term used was one which had been used in Acts of Parliament almost from time immemorial. It was a term that was well known to everybody, and it was hardly right for hon. members to take up the time of the Committee in discussing questions of sentiment of that kind.

Mr. CRAWFORD (*Fitzroy*) thought they should not allow themselves to become too sanctimonious in respect of the terms they used in Acts of Parliament. Frequently it was complained in that Chamber that Acts were not sufficiently clear—that the phraseology used did not convey the meaning it was intended to convey—and yet they were now asked to banish from a Bill a term which was to be found in every dictionary of the English language. Whether they banished it from Acts of Parliament or not, it was a term which would be used by the public when they had occasion to refer to

the unfortunate persons to whom it was correctly applied. He did not think they could improve upon the phraseology of the subclause, no matter how euphemistically they might try to get round it. There could be no quibbling about the meaning of the word used, or about the object of the Bill, which was that children should not be allowed to remain in the care of persons who were known to be prostitutes. If there was any place where plain language should be used, it was in Parliament when they were making laws, and, as the term was perfectly plain, they should adhere to it.

Mr. LESINA: The point raised by the hon. member for Brisbane South should not weigh with the Committee for a moment, because the clear reading of subclause (c) was that a child was a neglected child if it lived in a reputed brothel for even five minutes, or with a woman who was known to carry on fornication as a trade, and who was therefore, in plain English, a prostitute. Why should they quarrel with the terminology of the Bill, or have an academic discussion about it? Everybody knew what a prostitute was, and when they found a number of small children in the house of a prostitute, they should be characterised as "neglected children," and taken away from her. The police would say in plain English that such a woman was a prostitute, and would not stop to argue with a man who might call her something worse. But there were prostitutes who did not live in brothels. There were prostitutes who arrayed themselves in purple and fine linen, and who went out under varied circumstances, and visited persons of high repute in the country, and fared sumptuously every day. It would be very difficult for the police to prove that such women were prostitutes, but they all knew what was ordinarily known by the term. He agreed with the hon. member for Barcoo that the best thing to do was to leave the subclause as it was. He did not think they could improve it, and they might obscure the meaning if they began to try to improve it.

Amendment (*Mr. O'Sullivan's*) put and negatived.

Mr. WINSTANLEY had an amendment to move on page 3, line 28—the omission of "eight" with the view of inserting "seven." The clause read as follows:—

"Being under the age of ten years, sells or offers for sale, between the hours of eight o'clock in the evening and five o'clock in the morning, in a public place or in any place other than the child's home, matches, newspapers, flowers, or any other thing whatever."

He thought it was too long to allow children to be on the streets till 8 o'clock in the evening, and personally he was inclined to make it earlier than that. Six o'clock would be better than 7 o'clock, but 7 o'clock was quite late enough in summer time and too late in the winter time. His intention was to move that "five" be omitted with a view of inserting "six," so that children should not be on the street earlier than "six" nor later than "seven," which was quite late enough. He moved that "eight" be omitted.

The SECRETARY FOR PUBLIC INSTRUCTION: He would accept the amendment "six."

OPPOSITION MEMBERS: Hear, hear!

Amendment agreed to.

Hon. K. M. Grant.]

Mr. MANN would like to ask the Minister why children of ten years of age should be allowed to go out selling these things at all? It ought to be stopped—they ought to be at school. Children should not have to go on the streets to sell flowers during the day, when they ought to be at school. It was a great mistake to allow children under ten years of age to be outside selling anything.

Mr. MORGAN (*Murilla*) pointed out that a hardship would be imposed on some children who earned money by selling papers by altering it from 5 o'clock in the morning. Here in Brisbane boys twelve or fourteen years of age went to the newspaper office very early.

The SECRETARY FOR PUBLIC INSTRUCTION: This is under ten.

Mr. LESINA: It was a regrettable thing that they had to legislate to prevent children under ten doing this kind of work. Fancy such a thing in a rich land like this, "flowing with milk and honey!" The Scottish Agricultural Commission set forth the glorious richness and wealth of this "Land of Canaan," and members were now engaged in the task of preventing little children under ten going out and making a living after 8 o'clock at night and before 5 o'clock in the morning. Talk about the capitalist being built up on the labour of exploited children! There was an example of it. It was enough to bring tears of blood from the ordinary man, and yet rich members sitting in the Chamber expressed no surprise at all. It was an astounding fact—children going to work from 5 o'clock in the morning till 8 o'clock at night to bring in a few pence for their parents! Did the people of London or Glasgow know that little children must be prevented by Act of Parliament, otherwise they would go out like that to earn half-a-crown? Yet we had a whole heap of democratic legislation on our statute-book, and there was a Commonwealth Labour Government, but we had to specially legislate in that direction. He would like it to be provided that no child under fourteen years of age should be allowed to engage in any kind of trade after 8 o'clock at night. A child of eleven, or ten years and one week, would under this Bill be able to go into the streets after 8 o'clock at night and sell till 12 o'clock at night. Let them try and realise what it meant. Here were half a dozen little boys, ten or eleven years of age, slinking about outside the hotels trying to get rid of papers, down dark lanes playing "two-up," gambling with cards, listening to bad language—all these things being impressed upon their plastic minds at a time when they should be far removed from such a temptation. And yet they went no further than asking that they be not permitted to do this if they were under ten years of age, after 8 o'clock at night of before 5 in the morning. He would not be doing his duty if he did not suggest to the Minister that he should adopt a much higher standard. He did not think any boy under the age of fourteen, or any girl either, should be permitted to hawk these things in the street. Who was it that wanted the labour of these children? Was it the rich daily newspapers? Did they want to push their rags about the streets—the *Telegraph*, *Courier*, *Daily Mail*, and other unspeakable rags—to sell them about the streets of Brisbane between 8 o'clock and 12 o'clock at night? Or was it to hawk fruit, or tapes and laces, and things like

{*Mr. Mann.*

that? Surely we could dispense with the labour of these little children! They had wasted an hour to-night discussing the question whether they should call a prostitute a prostitute, or something else. Here was a chance for the reformatory zeal of the hon. member for Rockhampton! Let him step into the breach. Let him charge down upon this manifest injustice, and get the age raised to fourteen years, and they would arise and call him blessed. (Laughter.) He (Mr. Lesina) could not do it because he had paired; there would be nothing in moving an amendment which he could not vote for. But that was no reason why, if this matter was an open question—if other hon. members were not tied to the chariot wheels of their party, if they were not frightened to exercise their independence on an occasion like this—they should not say that no children under fourteen years of age should be allowed to go selling things after 8 o'clock at night. His objection was based on exactly the same grounds as he objected to little children being sweated in the cow country—little children teat-pulling from 4 o'clock in the morning. He did not desire to discuss the question in view of the pair he had given. This was an instance which it appeared to him was worthy of a special effort. If there was no clamour or public demand for the labour of these children, this was the time to prove it. Had any deputations come to the Minister to ask him to permit children eleven years of age to work till 11 o'clock at night selling newspapers, and if not, why should they not make an effort to stop it? It might be said that little boys who were engaged in this trade might be placed in a peculiar position. He would like to commend this matter to the earnest consideration of hon. members to see if it was not possible to move an amendment to make it fourteen.

Mr. D. HUNTER: Thirteen will do.

Mr. LESINA: Thirteen was an unlucky number.

Mr. MANN: The hon. member for Clermont having paired, could not, if he moved the amendment, vote for it. He would point out that it was a matter of courtesy to pair with Government members. In New South Wales, Mr. Meehan, who fell from the stairs, got a pair from a Liberal member.

Mr. COYNE: What has this to do with the question?

Mr. MURPHY interjected.

Mr. COYNE: Why does he not speak for himself?

Mr. MURPHY: You chaps do not always speak for yourselves.

The CHAIRMAN: Order!

Mr. MANN: On behalf of the hon. member for Clermont, he would move that the word "ten" be omitted, with the view of inserting the word "fourteen."

Mr. MULLAN: Why not ask the hon. member for Charters Towers to ask leave to withdraw his amendment?

Mr. WINSTANLEY: He had no objection to withdrawing his amendment temporarily to enable the hon. member for Cairns to move his amendment. (Hear, hear!)

Amendment, by leave, withdrawn.

Mr. MANN thanked the hon. member for Charters Towers for having withdrawn his

amendment. He moved the omission of the word "ten" from line 27 with the view of inserting "fourteen." That would meet the cases of all children going to school. An amendment would be moved later on to omit the word "thirteen" with the view of inserting "fourteen," and if he made it thirteen now it would mean that they would have some difficulty in getting their subsequent amendment accepted.

Mr. ALLAN (*Brisbane South*) moved that the word "ten" be omitted with the view of inserting "thirteen."

Mr. LESINA: There is the capitalist talking.

The CHAIRMAN: Let us create the blank first by omitting the word "ten."

Question—That the word "ten" proposed to be omitted stand part of the clause—put and negatived.

Mr. MANN moved that the blank be filled by the insertion of the word "fourteen."

Mr. ALLAN moved that the blank be filled by the insertion of the word "twelve." Fourteen was too high, and he thought twelve was enough.

Mr. THEODORE: Then you think it a fair thing for children twelve years of age to be on the streets at night selling newspapers?

Mr. ALLEN (*Bulloo*) understood there was to be an amendment of the Education Act to increase the compulsory school age from thirteen to fourteen, and as, under the Factories and Shops Act, boys could not go into factories till they were fourteen, was it a fair thing to allow them to sell newspapers on the streets at night before they were fourteen? On behalf of the newspapers members opposite were getting up and advocating child labour because it was cheap labour. Hon. members opposite wanted children twelve years of age to be permitted to sell papers at night. What a nice thing for this great State of Queensland, which members opposite were continually crowing about! They were practically told that it was not right to prohibit child labour. They had got farmers' unions which alleged that the dairying industry could not be carried on without child labour. They were told that Queensland was a fine field for immigration, yet the dairying industry could not get on without child labour.

Mr. MORGAN: Their own children.

Mr. ALLEN: A man had no more right to sweat his own children than anyone else's. They had no right to allow children to sell newspapers in the street at night. How could they sell newspapers in the streets all night and then go to school next morning, as they would have to do if the Education Act were amended by increasing the age to fourteen? He hoped the House would show its good sense by accepting the amendment of the hon. member for Cairns.

Mr. PAYNE (*Mitchell*) supported the amendment of the hon. member for Cairns, as that would mean that no child under the age of fourteen years could sell newspapers in the streets between 8 o'clock at night and 5 o'clock in the morning. He thought fourteen was young enough for any child to be in the streets after those hours.

Mr. D. HUNTER (*Woolloongabba*): Members did not seem to realise what they were doing. They were framing a clause to declare what was a neglected child if he was out after certain hours. If they accepted the amendment of the hon. senior member for South Brisbane, it would mean that any child one week over the age of twelve years could, with the consent of the House, in a Christian country like Queensland, remain in the streets selling newspapers till 11 or 12 o'clock at night. Was that a fair thing? He would even favour making the age fifteen, as there was no regulation to prevent children from being out at any hour at all. He supported the amendment to fix the age at fourteen.

Mr. HAMILTON was going to support the amendment for the higher age. He was surprised at the amendment of the hon. member for South Brisbane, who seemed to take a great interest in all Christian work for the uplifting of humanity—an amendment to legalise a child—a girl—a little over twelve years of age going on the streets at night selling flowers or matches for a living.

The SECRETARY FOR PUBLIC INSTRUCTION: No!

Mr. HAMILTON: Certainly—if she was a little over twelve years of age—if it was only a week older than twelve—she could be out selling matches or flowers. It was a cruel, shameful thing. No member would like to see a girl of his own out till 12 o'clock at night or 1 o'clock in the morning selling matches for a living.

Mr. ALLAN said he would withdraw the amendment fixing the age at twelve years. He would certainly oppose any girl of any age being out selling things in the street at night. (Hear, hear!)

Amendment, by leave, withdrawn.

Question—That the word "fourteen" be inserted—put and passed.

Mr. WINSTANLEY moved the omission of "eight," in line 28, with the view of inserting "seven."

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

Mr. LESINA: This part of the clause would allow a boy of fourteen years of age, between the hours of 7 o'clock in the evening and 5 o'clock in the morning, to sell matches, flowers, newspapers, or any other thing. Under the Factories and Shops Act they had gone so far as to prevent a struggling lone widow from keeping open a little shop in the suburbs and selling a candle or a box of matches to a belated citizen; yet it was now proposed to allow a boy or a girl of fourteen years to go out selling matches between the hours he had mentioned. He wanted to know why matches should be sold after the shops were shut. Let them be logical. If they prevented the sale of matches between certain hours in one case, let them prevent it in the other case. The boy might be doing it to get pocket money, whereas the widow might be doing it for a living. And who wanted flowers after 8 o'clock at night? Why should a child of fourteen years be compelled to carry a basket of button-holes after 8 o'clock? Incidentally a boy might dive into a billiard saloon with a basket of flowers, or a girl might do the

Mr. Lesina.]

same thing. He saw no necessity for people to buy flowers after 8 o'clock at night from either a boy or a girl, and, in his opinion, it should be prohibited. It was enough to have one's toes trodden on in the gallery of the theatre by the boys bringing round ice-creams or other things, and he did not see why children should be allowed to sell flowers or other things on the streets at night. Why should a wealthy newspaper corporation like the *Courier*, when the widow's shop was shut, have their newspapers sold on the streets by children? These papers told lies about politicians—(laughter)—and why should boys be allowed to sell them in this way? This clause afforded a splendid opportunity of getting at this big corporation, and they ought to stop the sale of the cursed rag by children after 8 o'clock at night. (Laughter.) Why should papers be sold after 8 o'clock at night by anyone? He could get the so-called evening papers where he lived at 4 o'clock in the afternoon, and he saw no reason why children fourteen years of age should be selling them after 8 o'clock. He would rather see boys and girls fourteen years of age at the technical college or in some bright reading-room, where they would be improving themselves, instead of having to carry round the sordid rags of a bloated newspaper company. That was an aspect of the matter that deserved consideration.

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

Mr. WINSTANLEY moved the omission of "five," in line 29, with the view of inserting "six."

Amendment agreed to.

Mr. RYLAND moved that the word "thirteen" on line 34 be omitted with the view of inserting "fourteen." Fourteen was becoming the recognised school age. It had been twelve years in the past, but it was

[9 p.m.] now agreed that the years between twelve and fourteen were the most profitable in a child's school career, so that he hoped the Minister would accept the amendment.

The SECRETARY FOR PUBLIC INSTRUCTION: He could not accept the amendment at the present time, not that he thought fourteen was too high an age, but because it was not desirable to deal with the matter in this measure. He hoped to have the pleasure of introducing an Education Bill, in which they should bring Queensland into line with the other States, and make the school age fourteen years, but they could not do that in the present Bill. He therefore suggested that the hon. member should withdraw his amendment, with the view of proposing an amendment which would make the age correspond with the school age.

Mr. RYLAND: With the permission of the Committee, he would withdraw his amendment, in order to amend the clause as suggested by the Minister.

Amendment, by leave, withdrawn.

The SECRETARY FOR PUBLIC INSTRUCTION moved that the words "under the age of thirteen years" be omitted, with the view of inserting the words "of the compulsory school age."

Amendment agreed to.

{*Mr. Lesina.*

Mr. MANN did not like the latter part of paragraph (j), as it left too much room for the possible arrest of a decent girl. This paragraph empowered a policeman to arrest, as a neglected child, a girl who—
"in a public place, by day or night solicits men or otherwise behaves in an indecent, improper, or disorderly manner, or by night habitually wanders or loiters without reasonable cause."

The first part of the paragraph down to and including "disorderly manner" was all right, but it would be wise to omit the words "or by night wanders or loiters without reasonable cause." If those words were retained, a policeman might arrest a girl who did not "habitually loiter," but whom he had seen loitering on one occasion, and he might take her to the watchhouse. Inspector Wyness, in Aberdeen, got into trouble on one occasion through one of his constables arresting a dressmaker who was going home with a dress to one of her customers, and who stopped to look into a shop window. While he agreed that it was desirable to give the police all the power necessary to deal with children who wandered about for immoral purposes, he thought that paragraph (j) was rather loosely drafted, and that the Minister would act wisely if he omitted the latter clause. A girl might have an hour or half an hour to wait for a train, and she might prefer to spend the time looking at the shops in the street to waiting on the station, but, if the paragraph was passed as it stood, she would in so doing run the risk of being arrested. He moved the omission of the words "or by night habitually wanders or loiters without reasonable cause." The subclause would be strong enough without those words.

The SECRETARY FOR PUBLIC INSTRUCTION pointed out that a child was defined as a girl under the apparent age of seventeen years. The subclause was exactly the same as in the South Australian Act. He pointed out that at the conference, at which there were delegates from all the States of the Commonwealth, the South Australian Act was taken as a basis for any proposed legislation in any other State. After all said and done, he did not know that a girl under seventeen years of age should be allowed to habitually wander about the streets at night.

Mr. MANN: A girl might do it once, and a policeman may mistake her for someone else.

Mr. MURPHY: A policeman nearly arrested me one night. (Laughter.)

The SECRETARY FOR PUBLIC INSTRUCTION: They must give some credit for common sense to the officers of the department who had to administer the Act. He thought the words were very necessary.

Mr. MANN: That might be all very well, but, as the member for Croydon mentioned, he was very nearly arrested on one occasion. The offence was: a policeman had a prisoner, and the hon. member for Croydon spoke to the prisoner, and the policeman said, "If you do not go away I will run you in." The member for Croydon did not know that the man was a prisoner.

Mr. MURPHY: He was a Pressman.

Mr. MANN: He was a newspaper man, and the hon. member for Croydon wanted some

information, and a policeman like that might run in a girl who resisted his advances, and he might claim that she was in the habit of wandering about the streets and that kind of thing. The girl might be going home from work every night, and might have been in the habit of looking in shop windows. Most persons, if they had a few minutes to spare, would turn round and look in at the shop windows, and no harm was done. He hoped the Minister would accept the amendment, because the subclause was strong enough without those words. If a girl behaved in an improper, indecent, or disorderly manner, that was sufficient.

Mr. MORGAN thought the hon. member for Cairns was going too far. The police might arrest any man in the street at the present time, and the same thing applied to women under the present laws. A policeman might go up to a woman at present and arrest her, and she had to prove that she was respectable.

Mr. MURPHY: It is pretty rough on a woman to have to go to court to prove she is respectable.

Mr. MORGAN: It was the same all the world over. The police were there to do their duty, and if they exceeded their duty, they were dealt with severely. The subclause read "or by night habitually wanders or loiters without reasonable cause." That was plain enough for anybody. He thought that there should be some control over girls under seventeen, in the large towns especially, as that was just a bad age, as men of experience knew. He was sure that the Queensland police compared favourably with the police in other parts of the world.

Mr. COYNE: He would support the amendment as the words were entirely unnecessary. He did not know why it was, but when anything was brought down for discussion, the whole thing seemed to rest on whether a policeman was intelligent or not. What had that to do with the matter? No matter how intelligent a man was, no such power as was given under this clause should be placed in his hands. Take the most intelligent man in the force, as the hon. member for Cairns had stated, his advances might have been resented by a certain girl—he was only waiting till the end of the month to leave the force, and he took hold of that respectable girl and locked her up. Where could she prove that she had a reasonable excuse for wandering about the street? Only in the police court. And the fact of her having been locked up might tend to ruin that girl for all time. There was quite sufficient power placed in the hands of the police under subclause (f). If they behaved in an indecent or disorderly manner, that was all the police wanted to justify arrest.

Mr. PAYNE thought the Minister would be wise in accepting the amendment. To him there was a vagueness about the words—there was no certainty which way they read. The paragraph read "or by night habitually wanders or loiters without reasonable cause." What did they call "loitering"? Suppose a young girl was looking in a window, would they call that loitering? If a girl said she was looking in a window, would that be taken as a reasonable excuse? The latter part of subclause (f) was unnecessary, and it was only loading the Bill up with uncer-

tainties. He did not want to say anything indifferent or good about the police. He supposed there were some good men among the Police Force, but there were men in the Police Force who were just as liable to make mistakes as any man in Queensland.

Mr. MURPHY: And just as shortsighted.

Mr. PAYNE: Some of them wilfully made mistakes, too.

The HOME SECRETARY: No, no!

Mr. PAYNE: He was speaking of what he knew. He was not there to say anything unkind about the police, as he had been very fortunate through life.

Mr. MURPHY: You are very lucky.

Mr. PAYNE said no policeman had ever had the pleasure of putting his hand on him, and he was not saying that he did not deserve it. (Laughter.) It was not necessary to give the police the power proposed to be given in the latter part of the subclause. There was no sense in it, and he repeated that the Minister would be wise to accept the amendment.

Mr. D. HUNTER had no hesitation in saying that he intended to support the subclause as it stood, as it would exercise a deterrent effect upon young girls who were inclined to run about the streets at night loitering and probably getting into mischief. It was better to give the police power to say to such a girl, "If you don't go home, I shall have to run you in," than to have that girl loitering about the streets at night.

Mr. PAYNE: How would you like a policeman to say that to your daughter?

Mr. D. HUNTER: If a daughter of his was in the habit of loitering about the streets at night, he would be only too glad if a policeman said such a thing to her. He thought any decent man would welcome such a provision. If they had any confidence in the police, it was a very good power to place in their hands. When they came to discuss the Police Estimates, hon. members were in the habit of telling them what confidence they had in the Police Force.

Mr. ALLEN: In some of them.

Mr. D. HUNTER: There was a bad one here and there, just as there was in all classes of society.

Mr. ALLEN: They are not bad—they are tactless.

Mr. D. HUNTER: There were a great many young girls who were tactless, too, and who liked to run about the streets at night, and it would be much better for them if the police were given the power to warn them that they would be arrested if they did not go home. They had just agreed that boys under fourteen years of age should not sell papers on the streets after 7 o'clock at night, and it was much more necessary to keep girls off the streets after dark. When they reached the age of seventeen years, they were free to do as they liked. He did not care whether he was called a "wowsler" or not; he was going to vote for the clause as it stood.

Mr. LENNON was of opinion that the subclause should be allowed to remain as it

Mr. Lennon—

was. For the protection of the girls themselves, without any regard to what an evil-minded policeman might do to them, it was better to leave it as it was, and not allow young girls to loiter habitually about the streets at night without reasonable cause. If they were waiting for a train or a tram, it was not likely they would be arrested, and they should try to do away with the habit girls might have of loitering about at night. It was certainly a great danger to a girl to do that. He considered the subclause was a very wise one, and he would vote against the amendment.

Mr. MANN pointed out that very often there was a shortage of trams. He had seen three or four crowded trams come along, say, for Ipswich road, and girls had been unable to get into any one of them. A girl got tired standing in the one place in Queen street, and if she walked round the corner, and a policeman saw her do that three or four times, he might arrest her on a charge of loitering. He might not know that every evening she was unable to get into a tram.

Mr. MURPHY: That often happens. You cannot get into a tram about 6 o'clock at night. Sometimes you have to wait until about 8 o'clock.

The HOME SECRETARY: She will have "reasonable cause" then.

Mr. MANN: She might have a reasonable cause, but if a policeman wanted to win his case he might say that he saw a tram going to her destination in which there was room. He had had occasion to go out to Ipswich road sometimes, and he had had to wait from before 6 o'clock until nearly 8 o'clock before he could get into a car. He did not like to stand in the one place all the time, and, knowing that another car would not come along for ten minutes, he took a stroll and came back to where he was before. A girl might do the same thing three or four times, because, unless you went half-way down Queen street, you could not get into a car, as they were all crowded by the time they got to the bridge. From 5 o'clock till 7 o'clock it was very hard to get a car.

Mr. BRENNAN: A policeman could not touch her at those hours.

Mr. MANN: There was no time mentioned. The wording of the clause was "or by night habitually wanders or loiters." Supposing she was employed in one of the numerous shops in the city, and had to catch a car on a Friday night, she might have to wait about until after 10 o'clock before she could get into one.

A GOVERNMENT MEMBER: Then she has "reasonable cause."

Mr. MANN: Every hon. member would admit that from 5 till 7 o'clock and after the shops closed on Friday night it was very hard to get a car. He hoped the Minister would accept the amendment.

Mr. MURPHY: It seemed to him that the whole trend of legislation nowadays was to make people prove their innocence. In the old days the Crown had to prove a man guilty, but in most measures that had been introduced recently the accused person had to prove his innocence.

Mr. LESINA: That is the French system.

[Mr. Lennon

Mr. MURPHY: It was the Russian system too, but it was a rotten system. He was against the overturning of the good old British system. Hon. members on the front Treasury bench declaimed about their loyalty when it suited them, but he believed in being loyal to the good old British institutions which had stood the test of centuries.

The HOME SECRETARY: Hear, hear!

Mr. MURPHY: There was no claptrap loyalty about him in that respect. He was not in favour of introducing French law or Russian law into Queensland. The amendment was a reasonable one, and did not ask the Minister to drop any of the fundamental principles of the Bill. It was intended to safeguard the liberty of girls. They knew that the climate of Queensland was not like the climate in other parts of Australia, and the Government had opened the Gardens at night and lighted them with electricity in order that the people of Brisbane, including the children, might have an opportunity of going there on a summer night and staying until 10 o'clock. Where were the working-class girls to go? If hon. members would move in the direction of compelling landlords to provide better houses, there would be some sense in it. The working classes had to go out at night. The hovels in which some of them lived would drive anybody out.

Mr. D. HUNTER: We are going to alter that.

Mr. MURPHY: He hoped the Government would do something in that direction, as it was badly wanted. If it came to a division, he would vote for the amendment. It was very desirable that the Home Secretary should make the goals more comfortable than they had been, because with the legislation they were putting through most of them would be in gaol shortly. (Laughter).

The HOME SECRETARY: I will have a special cell prepared for the hon. member.

Mr. COLLINS (*Burke*) intended to support the amendment, because, like others, he thought we should not want this legislation if we had proper economic conditions. It was the bad economic conditions which made girls go on the street soliciting at night time, and until we changed the economic conditions it might be that some of them would have to continue soliciting. At the same time, he was not in favour of penalising the working-class girls. It might not be necessary for the well-to-do girls to wander about the streets, but, as pointed out by the hon. member for Croydon, there were many young girls in Brisbane—sometimes two of them, he believed, living in one room—and where did they go and spend their time? Under this particular clause it might be that if they were looking in a shop window, or loitering too long, they could be arrested as being neglected children. He, for one, did not want to curtail the privileges of working-class girls who had to walk up and down our streets owing to bad economic conditions.

Mr. COYNE hoped hon. members would not be misled by thinking that this amendment of the hon. member for Cairns would allow girls to solicit in the street, because that was already provided for.

Mr. LESINA: It is provided for in the Police Offences Bill.

Mr. COYNE: That was clearly provided here, and the hon. member did not desire to dispute that. He thought everybody agreed with such a provision as that, but the trouble with him was that young women could be arrested for loitering or wandering. What was the definition of "wandering and loitering" about the street?

The SECRETARY FOR PUBLIC INSTRUCTION: They must be under the age of seventeen.

Mr. COYNE: Quite so, and they got quite as respectable a girl under seventeen as over seventeen, who might be looking in a shop window.

Mr. MURPHY: Waiting for a girl friend to come along.

Mr. COYNE: It appeared to him that the terms "loitering and wandering" might be construed widely by officious policemen in this connection, as an illegal assembly would be in a strike time, when three persons got locked up for being in an illegal assembly, and were remanded from week to week, or for conspiracy, and all that kind of thing. It seemed to him that this was in the same category.

Mr. MURPHY: Just have a look at the definition of "public place."

Mr. COYNE: He had looked for a definition of "night" and could not find it. It might mean after sunset. We had a very early sunset in winter—at half-past 5 or 6 o'clock—which would be too early to run anybody in because he happened to be walking about the street.

Mr. MANN: It may be a park.

Mr. COYNE: It might be the Botanic Gardens. He would like to see something done with our Botanic Gardens, the same as was done in Sydney and other places—that was to pull down the fence and leave it open to the public.

OPPOSITION MEMBERS: Hear, hear!

Mr. COYNE: They should be able to take advantage of that park the same as any other park in Sydney.

Mr. CORSER: The Botanic Gardens in Sydney are not open, they are closed at 6 o'clock.

Mr. COYNE: Hyde Park in Sydney was open all hours of the day and night; there were no rails at all, and it was just as well carried on as the Botanic Gardens here. It appeared to him that this was loading the Bill up; he did not know whether it was pandering to a certain section of the public.

Mr. MURPHY: It is the poor man's girl that will always be penalised.

Mr. COYNE: Yes, he was just going to refer to that. There would be certain sections of the community—people who clubbed together and called themselves social purists, and all that sort of thing. He claimed that if ninety-nine girls were guilty of wandering and loitering about the streets for improper purposes and escaped from justice, that would be more than counteracted if they locked up one innocent girl charged with this offence, because it would ruin that girl's reputation for life. He wanted to provide for that, and that was the reason why he voted for this.

The SECRETARY FOR PUBLIC INSTRUCTION: Hon. members must not think that, even if a policeman accosted a girl and asked the reason for loitering at night, he would immediately lock her up.

Mr. MURPHY: No, but he would the second time.

The SECRETARY FOR PUBLIC INSTRUCTION: She simply then came under the definition of a neglected child. If, as the hon. member for Warrego insinuated, they had desired to cater for a particular vote, they should do as they now did in Tasmania—introduce a Culpit Bill; but, as a matter of fact, they had gone to the Act in South Australia, where this provision had worked well.

Mr. MURPHY: There is a "wowser" Government there, you know.

The SECRETARY FOR PUBLIC INSTRUCTION: It was a Labour Government—he did not know whether the two terms were synonymous or not. It was the same in Victoria, New South Wales, and Western Australia. It had worked well there, and members must not think that immediately after the passing of this Bill decent young girls who loitered on the way home looking at a shop window would immediately be seized by a policeman.

Mr. COYNE: Her liberty is in danger.

The SECRETARY FOR PUBLIC INSTRUCTION: It was ridiculous. It was for the protection of the girls themselves that this clause was in. As the hon. member for Woolloongabba had said, many a poor girl had gone wrong by being out too much at night, and being under no care.

Mr. D. HUNTER: By going to the Trades Hall. (Opposition dissent.)

Mr. BARBER: You are a scavenger.

The SECRETARY FOR PUBLIC INSTRUCTION: If this clause was passed there would not be a moral revolution in Queensland; there would be very little change; but it was desirable that we should have some control over these young children. They must remember that it was not girls who had come to years of discretion, but young girls under seventeen. Members had now fairly discussed the matter; they had done very little business to-night, and the clause should go through.

Mr. MULCAHY must express regret at the discordant note introduced by the hon. member for Woolloongabba. They did not want to deal with the Bill in a party sense. It seemed to him that ample provision would still be made if they left out the last two lines, "or by night habitually wanders or loiters without reasonable cause," because the previous part of the clause covered all that was required. It read—

"Being a girl, in a public place, by day or night solicits men or otherwise behaves in an indecent, improper, or disorderly manner."

Surely that gave a policeman ample power. It was all very well for hon. members to say that girls would not be interfered with by members of the Police Force. Taking the police generally, he found them a very efficient body of men—(hear, hear!)—but among them they would find some very stupid men and some very vindictive men, and in the latter part of the paragraph they

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were placing too much power in the hands of policemen to mark out and ruin any young girl. Once a girl was brought up before a court by a policeman, even if she was discharged, still a great number of the community would say that there was something wrong.

The SECRETARY FOR PUBLIC INSTRUCTION: She will be tried in the children's court.

Mr. MULCAHY: The Minister could not speak from his own personal feelings, as he was not married, and had no daughters, but he (Mr. Mulcahy) had daughters under seventeen years, and they liked to look in the shop windows on Friday nights, and if any policeman interfered with them he would take certain measures to stop him. (Hear, hear!) It was no use the Minister saying that nothing would happen to them. It would never be the daughters of the privileged class who would be interfered with. It would be the daughters of the poor people who would be hauled over the coals—the daughters of the poorer classes who wanted to go out for a little recreation after a long hard day in badly ventilated rooms. There was ample provision in the clause without those words, and he supported the amendment.

Mr. LESINA supported the amendment. The paragraph stated—

“(j) Being a girl, in a public place, by day or night solicits men or otherwise behaves in an indecent, improper, or disorderly manner, or by night habitually wanders or loiters without reasonable cause.”

What was a public place?

“Public place” includes every road, and also every place of public resort open to or used by the public as of right: the term also includes—

“(a) Any vessel, vehicle, building, room, licensed premises, field, ground, park, reserve, garden, wharf, pier, jetty, platform, market, passage, or other place for the time being used for a public purpose or open to access by the public, whether on payment or otherwise, or open to access by the public by the express or tacit consent or sufferance of the owner, and whether the same is or is not at all times so open; and

“(b) Any place declared by the Governor in Council, by Order in Council, to be a public place for the purposes of this Act.”

Girls and young fellows loitered in Queen street every night in the week, and particularly on Friday, Saturday, and Sunday nights. The clause provided that any girl who loitered along the street with a young fellow backwards and forwards, “doing the block,” as it was called, could be stopped by a policeman and warned that if she continued to do it she would be arrested? Where else would they go to if they could not go along the street? They would go into one of the parks. Then persons of unhealthy minds, and sanctimonious people who supported the Society for Public Morality and the “Keyhole and Gimlet Brigade,” would tell the police that they ought to do their duty and arrest the girls for doing so. Instead of allowing the girls to walk up and down in the bright electric light, they were driving them into the dark places. They did not want to drive them into dark places, but to encourage them to keep in the lighted places, where they would be

free from any harm. That was why they lighted their parks and had music in them—at least they did down South—and down South they also pulled down the railings which formerly surrounded the parks and now made them more homelike and open and free to all; not like they had in Queensland, where they were railed in like gaols, religiously closed at 6 o'clock at night, when they were handed over to the bats, both human and otherwise, and to thieves and prostitutes and the scum of humanity. Under the clause a policeman might ask any girl what she was doing out at night; she might want to argue the point, when he would grab her arm and run her off to the police station. At least, some of them would do so. Some unscrupulous policeman might make overtures to any girl. In Melbourne the police gave instructions to cabmen that if they allowed certain women to go in their cabs they would lose their license. The result was that the cabmen were suspicious of all women who wanted to hire a cab, and many respectable women were asked very personal questions by the cabmen. On one occasion a wife of a member of Parliament was questioned in that way by a cabman. The more they surrounded the girls with limitations of any sort, the more they would rebel against it. They must rely on their self-respect, and not hedge them like the Turk hedged in his harem. The girl seventeen years of age who was caught soliciting would not be taken to the children's court, or sent to school, but she would be taken to the lockup and prosecuted as a prostitute. In a former paragraph in that clause they gave power to girls of fourteen years to sell flowers and matches in the public streets up till 12 o'clock at night if they wanted to, or even till 5 o'clock the next morning. Yet in another paragraph they provided that if a girl loitered about she could be arrested by the police. A girl could take a basket of flowers and stop out all night and she would be protected by the Bill now before them.

Mr. MORGAN: We can deal with that under the Police Offences Bill.

Mr. LESINA: If they passed a certain thing in one Act, and repealed it in another, they were only making fools of themselves. If he were coming out of the theatre one night and a girl wanted to sell him some flowers or matches, the policeman might look on her with suspicion and arrest her. They had given permission to girls to sell flowers at night, and it was quite possible for them to solicit under the guise of selling flowers in that way. They could not have policemen watching every girl fourteen years of age. Those were things which “wowsers” legislators attempted to do, but which they never would do as long as human nature was constituted as at present. Reference had been made to the Government of South Australia as a Labour Government. The Verran Government might be a Labour Government; but it had a tendency to do more harm than any other Government by adopting puritanical and sanctimonious ideas. The Verran Government was bowing its head deeply to the wave of puritanical agitation that was sweeping all over the Australian States; and he wished the Hon. the Secretary for Public Instruction, who was a level-headed Scotchman, would show a stiff opposition to these puritans who were attempting to

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trammel the personal liberty of the people of the State by legislation of this description. He thought the clause might very well be amended as suggested by the hon. member for Cairns; and he hoped the good sense of members would cause them to see that it was so amended.

The SECRETARY FOR PUBLIC INSTRUCTION said there was nothing new in the provision to which so much exception was taken. It was introduced in 1906 in the Industrial and Reformatory Schools Act.

Mr. MANN: I opposed it then.

The SECRETARY FOR PUBLIC INSTRUCTION: That was so; and the hon. member was the only member who did oppose it. It was introduced in 1906; but none of the fearful things spoken of by the hon. member for Clermont had happened. It was exactly the same clause as was in the Industrial and Reformatory Schools Act.

Mr. MURPHY: Why put it into this Bill?

The SECRETARY FOR PUBLIC INSTRUCTION: Because the Acts dealing with State children were being codified, and the Industrial and Reformatory Schools Act was one of the Acts embodied in the Bill.

Mr. ALLAN: In the best interests of girls of seventeen, he intended to support the clause as it stood. The great majority of girls were naturally modest, and not likely to go astray; but, in the interests of the very few who might be inclined to habitually wander, he thought the clause was best as it stood.

Mr. RYAN intended to support the amendment of the hon. member for Cairns, not because he thought it might be undesirable to have persons who habitually wandered or loitered without reasonable cause declared to be neglected children, but on account of the wide power it would place in the hands of the police or any authorised officer. By clause 20, any authorised officer or police officer might, without warrant, take into custody any child appearing or suspected to be a neglected child. As had already been remarked, if a constable were to arrest a girl he believed to habitually wander about, the mere fact of her being arrested would mean ruin to the girl. He thought there was sufficient protection in the earlier part of the paragraph—"Being a girl, in a public place, by day or night solicits men or otherwise behaves in an indecent, improper, or disorderly manner"; but the latter part—"or by night habitually wanders or loiters without reasonable cause"—was too vague. What would be considered reasonable cause? And who would decide as to reasonable cause?

An HONOURABLE MEMBER: The policeman.

Mr. RYAN: It might be the policeman. And he thought the tendency latterly had been to place too much onus of proof on the defendant. The Government, in some of their measures, had introduced the principle of assuming a man to be guilty until he could prove that he was innocent. He did not believe in that principle; he thought the onus of proof should be on the prosecutor; and if he could prove that a girl solicited men or otherwise behaved in an indecent, improper, or disorderly manner, it was quite right that she should be considered a neglected child; but the mere fact that the police could prove that she wandered about habitually should not be sufficient.

Mr. BRENNAN: Ring the curfew!

Mr. RYAN had too much respect for the good sense of the hon. member to think he believed in the curfew. He would support the amendment.

Mr. FOLEY intended to support the amendment moved by the hon. member for Cairns. Like the hon. member [10 p.m.] who had just sat down, he thought there was sufficient protection in the first part of the paragraph, and the last two lines might very well be left out. A large number of the population of Brisbane might be found on the streets at night—particularly girls—at a much later hour than was allowed under the Bill. Some energetic policeman might think a girl was loitering when she was merely on a message for her parents. He was of opinion that the morals of the young people were sufficiently guarded by the first part of the paragraph.

The SECRETARY FOR PUBLIC INSTRUCTION: Considering that there were very few novel features in this clause, he thought there had been more than a fair amount of discussion on it. He moved that the Chairman do now leave the chair, report progress, and ask leave to sit again.

Question put and passed.

The House resumed. The CHAIRMAN reported progress, and the Committee obtained leave to sit again on Tuesday next.

The House adjourned at one minute past 10 o'clock.