

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 22 SEPTEMBER 1915**

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**LEGISLATIVE ASSEMBLY.**

WEDNESDAY, 22 SEPTEMBER, 1915.

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

**QUESTIONS.**

**LOAN STATISTICS.**

Mr. BERTRAM (*Marce*) asked the Treasurer—

"1. What portion of the loan which matured in June last was (a) taken up by original bondholders; (b) placed by underwriters?

"2. What were the total charges in connection with such loan?

"3. What is the charge on revenue per annum in respect of (a) interest on loan; (b) sinking fund?"

The TREASURER (Hon. E. G. Theodore, *Chillagoe*) replied—

	£	s.	d.
"1. (a) Conversions	7,794,103	18	9
(b) Cash applications	3,954,696	1	3

£11,728,800 0 0

£4,000,000 of the loan were underwritten.

"2. Account sales have not yet been received, but the approximate charges total £103,340, exclusive of depreciation £117,288.

"3. (a) £527,796; (b) £18,112. The loan was issued in inscribed stock £3,622,400 and debentures £8,106,400. The amount of £18,112 is on the inscribed stock only; the debentures being issued under the Government Stock Act of 1912 do not carry any sinking fund payments."

**SPECIAL CONSTABLES' APPOINTMENTS.**

Mr. COLLINS (*Bowen*) asked the Home Secretary—

"1. What was the reason that Nugent Wade Brown, Hubert Reginald Carter, Guy Stuart Lestrangle, Charles Arthur Henry Watson, Hubert Harris, Robert Hamilton, George Andrew Ferguson, John William Green, Robert M. Stodart, Frank B. Knyvett, Edgar C. McConnel, Thomas Logan, Thomas William Glasgow, James Patrick Orr, T. Pye, Ernest Lord, and H. H. Hemley, who were special constables during the Brisbane strike of 1912, were made acting sub-inspectors of police throughout the State of Queensland above the heads of the other special constables who enrolled about the same time as they did?

"2. Do the above late special constables still hold the rank to which they were then appointed?"

Hon. J. HUXHAM (*Buranda*) replied—

"1. I have been informed by the Commissioner of Police that these gentlemen were appointed acting sub-inspectors for the purpose of superintending other special constables of lesser rank. They had no jurisdiction outside the city of Brisbane.

"2. No; unless called on for duty."

**SUNDAY CLOSING OF HOTELS.**

Mr. McPHAIL (*Windsor*) asked the Home Secretary—

"1. Has his attention been drawn to the fact that numbers of soldiers, and some civilians also, have been seen drunk on the streets of Brisbane during the last two Sundays?

"2. Is he aware that the provisions of the Licensing Act are being openly flouted in both the city and country centres?

"3. Will he instruct his officers to take stringent action against those who are defying the Act with relation to Sunday closing?"

Hon. J. HUXHAM replied—

"1. No.

"2. No.

"3. Instructions have already been issued."

**SOUTHERN AND WESTERN RAILWAY TIMETABLE.**

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

"1. Is he aware that for the past week almost the whole of the train service on the Southern and Western Railway line has been running behind schedule time?

"2. Is this the result of the new type of railway engine having been replaced by old engines?

"3. Will he cause the necessary inquiries to be made into this matter, as passengers who wish to travel by through trains from the West to Brisbane have been seriously inconvenienced thereby?"

**THE SECRETARY FOR RAILWAYS**

(Hon. J. Adamson, *Rockhampton*) replied—

"1. Many of the goods trains carrying passengers between Toowoomba and Chinchilla were late last week.

"2. No.

"3. The matter is having attention, but I am not aware of much inconvenience to through passengers. The eight passenger trains from Brisbane to Roma and Cunnamulla and back kept good time with the exception of the train to Roma on 13th September, which was thirty minutes late owing to a carriage roof taking fire."

**FOOD PRICES IN COUNTRY DISTRICTS.**

Mr. PETRIE (*Toombul*) asked the Chief Secretary—

"1. Is he aware that in many country towns prices fixed by the Board of Control for the retail prices for bread, butter, and other food commodities are not being recognised, and higher prices are being obtained?

"2. What action, if any, will be taken to see that the decision of the Commissioner is carried out in all parts of the State?"

The PREMIER (Hon. T. J. Ryan, *Barcoo*) replied—

"1 and 2. The matter is receiving attention."

## DELIVERY OF FINANCIAL STATEMENT.

HON. J. TOLMIE (*Toowoomba*) asked the Treasurer, without notice—

“Can he give any information, with any degree of definiteness, as to when he proposes to introduce the Financial Statement?”

The TREASURER replied—

“I regret to inform the hon. member that I am not able to give an answer to his question as to the precise date, but I think it may be expected shortly.”

## PAPER.

The following paper, laid on the table, was ordered to be printed:—

Report of the Agent-General for the State for the year 1914.

## WESTBROOK REFORMATORY STATISTICS.

On the motion of Mr. BEBBINGTON (*Drayton*), it was formally resolved—

“That there be laid upon the table of the House a return showing—

1. Number of cattle attached to the Westbrook Reformatory Farm on 1st March, 1915; number on 30th August, 1915.
2. Estimated amount of fodder and feed crops on hand on 1st March, 1915; amount on hand 30th August, 1915. Estimated value of fodder consumed from 1st March to 30th August, 1915; amount purchased and value, if any.
3. Number of gallons of milk supplied to the institution. Number of gallons sold in cream or butter returns, calculating 2½ gallons of milk to 1 lb. butter, from 1st March to 30th August, 1915.
4. The number of boys who were engaged attending to cattle, and their average age.
5. The value of any other labour employed attending cattle between 1st March and 30th August, 1915.
6. The average wages of the boys employed if working for farmers.”

## PERMITS TO SLOW WORKERS.

On the motion of Mr. MCPHAIL, it was formally resolved—

“That there be laid on the table of the House a return showing—

1. The total number of permits granted during the last twelve months to slow workers by the Registrar of the Industrial Court, in each trade and calling.
2. The names of employees to whom such permits were granted in the clothing trade and shop assistants.
3. The names of the firms who were permitted to employ such slow workers.”

## ORDER OF BUSINESS.

The PREMIER, in moving—

“That, during the remainder of this session, unless otherwise ordered, Government business do take precedence of all other business at 3 o'clock p.m. on Thursday in each week,”

said: I understand that the leader of the Opposition called “Not formal” to this motion with a view to ascertaining the intentions of the Government on the question of whether they would grant any further time during the present session to discuss the private motions now on the sheet. I cannot give the hon. member a definite answer at the present moment.

HON. J. TOLMIE: Will you take divisions on or before the end of the session?

The PREMIER: I can assure the hon. member that the matter will receive consideration in due course. (Laughter.)

HON. J. TOLMIE: The reply of the Chief Secretary that the matter will receive consideration will hardly give satisfaction, because there are matters on the business-paper at present which require the serious consideration of the Government. Such a question is the motion involving the intentions of the Government with regard to the construction of roads, and thus give assistance to settlement, and there is quite a number of matters of equal importance on the paper. I do not wish to initiate a discussion on this motion. Private members' day plays a somewhat important part during the session in bringing into prominence matters which probably the Government for the time being have not considered, and it is very desirous that the country should know their attitude with regard to them. There is the question of the construction of roads, on which it is very important to know the attitude of this House before the session closes.

The PREMIER: The attitude of this Government was in the policy speech.

HON. J. TOLMIE: We want to know the attitude of the House. That is the reason I asked for a statement in regard to this matter.

The SECRETARY FOR AGRICULTURE: What was the attitude of your Government on the matter?

HON. J. TOLMIE: You remember, Mr. Speaker—the Secretary for Agriculture may not remember—that the late Government, at any rate, were courteous in their attitude with regard to these matters, and gave an opportunity during the session for a division to take place on each motion. They even went so far as to allow a discussion on a rather important motion on the paper. I am not asking for that; I am only asking that the country might know what the attitude of the House is in regard to these motions which have been brought forward.

Question put and passed.

## INDUSTRIAL ARBITRATION BILL.

## SECOND READING—RESUMPTION OF DEBATE.

Mr. VOWLES (*Dalby*): In speaking on the second reading of this Bill, I should like, first of all, to congratulate the Minister on the great pains he took in explaining to the House the nature of the provisions of this very complex measure.

I have had a good look through the Bill, and I can say that it will scarcely be possible to find an interpretation clause in any Act of Parliament more complex than the interpretation clause in this Bill. We know that in the programme enunciated by the Government at the last general election it was stated that one of the first things they would do, if returned to power, would be to repeal the Industrial Peace Act, and we have this measure as the result. It will be remembered that in 1912 when the Denham Government were returned to power the election took place immediately after the Brisbane strike. The elections were hurried on because of the unrest amongst workmen, and the Denham party had a mandate from the people of Queensland, a very large majority of whom voted for them, to introduce legislation which would effectively deal with strikes for ever in Queensland. As a result, the Industrial Peace Bill was brought forward and became law. As to whether that Act has been a benefit to the people, we have only to take a comparison between the industrial position in Queensland and the industrial position in other States of the Commonwealth in order to arrive at a definite conclusion. On this point we have the figures of Knibbs, which show that in New South Wales in 1914 there were 255 strikes under their Compulsory Arbitration Act, while in Queensland, under the Industrial Peace Act, we had only 18 strikes during the same period. The people affected by these disputes in New South Wales numbered nearly three-quarters of a million, whereas in Queensland the number of people affected was only 27,000. Knibbs estimates the losses in wages by the strikes in New South Wales at £363,326, and the losses in Queensland at £13,170. Just previous to the Industrial Peace Act coming into operation we had one of the biggest strikes in Brisbane that have ever occurred in Queensland, and the same authority estimates that the loss in wages to the workers by that strike was £500,000. In face of the fact that the Industrial Peace Act has proved to be effective, I cannot see why Parliament should now be asked to undo that legislation and put in its place legislation of a very doubtful character. This Bill—I say this without any hesitation—seeks to destroy the good feeling which exists between employers and employees, and to create a system of terrorism and Trades Hall dominance over the workers. The Minister in charge of this measure referred in his second reading speech to the limited powers which are conferred upon the court by the Industrial Peace Act, and said that in this measure he seeks to give further and increased powers to the court. But, if you analyse those powers you will find that they are unlimited. It is not a question of giving the court powers; it is a question of giving the court everything.

The SECRETARY FOR AGRICULTURE: Quite right, too.

Mr. VOWLES: In addition to that, it is provided that we are to have only one judge, and that one judge is to be on a par with a judge of the Supreme Court, and rank next to the Chief Justice. He is to take a superior position to the puisne judges. That practically amounts to an amendment of the Supreme Court Act, and is an interference with the existing rights of the present occupants of the Supreme Court bench. No one judge should be placed in the posi-

tion that a judge under this Bill will be placed in. There is no appeal from his decision.

The SECRETARY FOR AGRICULTURE: Doesn't Mr. Justice Higgins occupy that position?

Mr. VOWLES: Mr. Justice Higgins does occupy that position, but he says no judge should be placed in the position that he occupies—that no judge should have legislative power, but that he should administer the laws of the country and not make those laws. That being so, I say that we should have, not one judge, but three judges, under this Bill, because there is always wisdom in numbers. It was suggested last night that a certain member of this Chamber is going to be that judge. I do not know whether that is correct or not, but there is a certain amount of colour lent to the suggestion by the fact that an article appeared in a Brisbane newspaper in which it is suggested that a member of this Chamber has claims to the position, and we are given to understand that political articles in that paper are inspired by members of the front Treasury bench.

Mr. O'SULLIVAN: That is not true.

Mr. VOWLES: I do not know whether it is true or not.

The PREMIER: I can assure the hon. member that the member of this House referred to is a non-starter—to use a sporting phrase.

Mr. VOWLES: I only said that the article in the newspaper referred to gives some colour to the statement that a member of this Chamber is going to be appointed to that position, as that article advanced his claim for such an appointment.

The SECRETARY FOR AGRICULTURE: Will you withdraw your remark?

Mr. VOWLES: I never made any remark of my own on the subject, and I have nothing to withdraw. (Government laughter.) I was referring to the unique position that the judge of the court will hold under this Bill. It has been stated that Mr. Justice Higgins holds a similar position. I am going to quote to the House the opinion of Mr. Justice Higgins himself on the position he holds, as showing how undesirable it is that he should be placed in such a position. The opinion has already been quoted, but it will bear repetition. In the case of the King v. McKay, Mr. Justice Higgins said—

“It is the function of the Legislature, not of the judiciary, to deal with social and economic problems; it is for the judiciary to apply, and, when necessary, to interpret the enactments of the Legislature. But here, this whole controversial problem, with its grave social and economic bearings, has been committed to a judge, who is not, at least directly, responsible, and who ought not to be responsive, to public opinion. Even if the delegation of duty should be successful in this case, it by no means follows that it will be so hereafter. I do not protest against the difficulty of the problem, but against the confusion of functions, against the failure to define, the shunting of legislative responsibility. It would be almost as reasonable to tell a court to do what is ‘right’ with regard to real estate, and yet lay down no laws or principles for its guidance. In the course of the long discussion of this case

*Mr. Vowles.]*

I have become convinced that the President of this court is put in a false position. The strength of the judiciary in the public confidence is largely owing to the fact that the judge has not to devise great principles of action as between great classes, or to lay down what is fair and reasonable as between contending interests in the community; but has to carry out mandates of the Legislature evolved out of the conflict of public opinion after debate in Parliament. I venture to think that it will not be found wise thus to bring the Judicial Department within the range of political fire."

Mr. Justice Higgins in that judgment said he is placed in a false position, and yet the Government here are going to place another judge in a similarly false position.

The SECRETARY FOR AGRICULTURE: Will the hon. member accept the position?

Mr. VOWLES: I know what the hon. gentleman would do; he would accept anything. An interjection of that sort from a Minister who is supposed to show a lead in decorum in the House is unworthy of him.

The SECRETARY FOR AGRICULTURE: Your example is not worth following, at all events.

Mr. VOWLES: One of the most controversial portions of this Bill is the interpretation clause. The definition of "industrial matters" takes up three pages of print, and is the most complex definition ever placed on the statute-book. It is one to which there will be constant reference and it will require constant interpreting. If the Government want to avoid litigation and to cheapen legal procedure, it is not desirable that such a complex definition should be inserted in the interpretation clause in an Act of Parliament. The definitions of "employer" and "employee" were also complex. Under the old Act "employee" was strictly defined, but under the definition of the present Bill certain persons who were not included as employees under the old Act are included, and the measure will be far-reaching in its effect. In the definition of "employee" as given in this Bill it is said that—

"The fact that a person is working under a contract for labour only or substantially for labour only, or as lessee of any tools or other implements of production or any vehicle used in the delivery of goods, shall not in itself prevent such person being held to be an employee."

Under that definition, if a cabdriver hired a cab from a livery stable, the relationship of master and employee would exist between him and the owner of the livery stable, although the hirer has nothing in common with the owner of the livery stable. If a builder lets his drays and his plant to workmen, the relationship of employer and employee begins immediately, and the person who hires those tools becomes an employee under this definition. Those are cases in which the persons employed should not have been brought under the jurisdiction of this measure as employees, as there is no relationship between the employer and the employed. The definition of "employer" is the most comprehensive one that we can possibly imagine. It practically includes everybody. There are many primary industries in the State to which a measure such as this is not applicable. I refer particu-

larly to the pastoral industry, the farming industry, the horticultural industry, and the viticultural industry. Surely it was never intended, when this Bill was originally drafted, that persons engaged in these industries should be placed in the position of employers and come under drastic provisions which are altogether unsuitable for such vocations. Take the case of the dairy farmer, in the first instance. We know that the eight hours a day or forty-eight hours a week are not workable in that industry. (Hear.

[4 p.m.] hear.) Cows have to be milked on a Sunday just the same as they have to be milked on a Monday, but you cannot, according to this Bill, work at all on Sunday, unless you pay extra wages. You are getting at one of the main industries of Queensland in such a way that you are going to cripple it. You are going to increase the wages the employees get, you are going to reduce the hours they have to work, you are going to impose impossible conditions on the employer, and then you expect the export trade of butter to go on as usual, and all the good which has been done to Queensland and Australia incidental to that industry to keep still going on. Hon. members know that, so far as the export trade of butter is concerned, it will be impossible to carry that on if this legislation is going to be passed.

Mr. BEBBINGTON: It means £1,000,000 a year.

Mr. VOWLES: It is much more; it is £1,250,000. The amount of wages which will require to be paid for forty-eight hours a week, with the additional wages for Sunday, will be more than the worker is actually able to produce from his work. I can prove that to you from figures. If you ask practical butter men, or if you ask Mr. Jones, the hon. member for Oxley, he will tell you it is true as far as the export trade is concerned. Coming to the definition clause, we have been told by the Minister in charge of the Bill that he proposes to relax to some extent the provisions of the Bill as far as certain industries are concerned, but in what direction we do not know exactly. I am glad to know he is open to reason, and that he is not going to insist on this hard-and-fast definition to include all these industries. There are many persons with whom I come into contact in my own locality—men who are engaged in droving and in mustering, and men who are engaged in harvesting during the harvesting season. As far as their particular avocation is concerned—it may happen in connection with mustering—that some parts of the year the men who are working on stations have to work during one or two weeks much longer hours than they have to work on any other week in the year. Sometimes in wet weather they are nearly always in the house, and at other times they are doing nothing, but they are kept on pottering about because their chief work is in connection with mustering. During the mustering, would it not be an iniquitous state of affairs to think that men who had gone out at daybreak to get cattle together had to let them go at whatever stage they were on the road when their eight hours were up? Or is it suggested that there should be double shifts of men to take on that work? The same thing applies to drovers. During the night in a cattle camp they work two hours about and sleep and watch; how are you going to regulate that work with eight hours a day?

[Mr. Vowles.]

I say it is an impossibility, and I say that practical men—and there are plenty of practical men on the other side who have been engaged in those avocations—know that to apply those conditions to the industries I have been referring to is absolutely impossible. In clause 3, the court is given power to fix the quantity of work that a worker has to do. To my mind, that is a wrong principle. Once you start to limit a man's working capacity you are killing everything that is good in him; you are killing his initiative, you are killing his spirit, and you are making him simply a working machine. If one man is physically capable of doing more work than another, why on earth should he not do it? Is it a fair thing that in the brick trade you should regulate the number of bricks that a man has to handle? No man is entitled to handle more, but he can handle less. I say that principle is no good to the good man, and the only object is to level him not up, but to level him down to the level of the worst of the workers. It kills initiative in men and it destroys everything that is good in a man where you allow that principle to be adopted.

Mr. POLLOCK: It destroys profit.

Mr. VOWLES: If you will not allow one man to do more than another, you are going against Nature. Nature itself intended one man to do more work than another, from the very fact that one man is endowed with more strength than another. It was never intended that the hours for working should be regulated. Everyone should be entitled, if he wants to, to do what his strength is capable of earning; and if he is not allowed to do so, then he is placed in the position that he is not entitled to provide the comforts that Nature intended him to provide for himself and his family. There is another most remarkable principle introduced into the same clause referring to the powers given to the court. It says that the court shall be entitled to consider the prosperity of the calling and the value of an employee's labour to his employer in addition to the standard of living. I do not know what that means. It says it shall not be less than the minimum wage. Does that mean as far as the dairying industry is concerned, or does it mean that if the business will not pay the judge cannot take it into consideration and make a lower award? Suppose there are two mines side by side, the one paying dividends and the other a duffer; are the men working in the duffer, doing the same work to-day exactly as the men in the good mine, to receive a different rate of pay?

The SECRETARY FOR PUBLIC WORKS: They do not work mines if they are duffers.

Mr. VOWLES: Don't they? We know many thousands of pounds have been sunk in mining, and it has nearly all gone in wages. What does that clause mean? Does it mean that the court has power to consider the prosperity of a calling, and if it is a prosperous calling he can give good wages, but if it is not a prosperous calling he cannot go below the standard wages? It simply means that the employee becomes a partner with the employer in everything that is good, but he ceases to become a partner when everything gets bad.

The SECRETARY FOR PUBLIC WORKS: Do you charge the same fees to a poor client as to anybody else?

Mr. VOWLES: No; neither does any other professional man. Besides that, with regard to the judge, it contains other principles. There is a principle here of abrogating and varying contracts for labour. I am thoroughly opposed to that. Once a contract has been solemnly entered into, I say that no parties, unless it be an immoral contract, should seek to have it destroyed, and no judge or other person should seek to be in a position to abrogate contracts which would prejudice any individual, whether employee or employer. Then again, the judge has power to give retrospective effect as the court may consider right, fair, and honest, to the whole or any part of an award. That has already been foreshadowed in a Bill which has been brought before this House in reference to a certain water and sewerage contract in Brisbane, where it is sought to make an award retrospective. That principle, so far as that award is concerned, is embodied in this Bill, which it is sought to pass into law. I say that retrospective legislation is bad at the best of times. Retrospective legislation which affects the general community is bad, but if it is legislation which is going to affect private interests and private individuals only, it is distinctly bad, yet that power is given to the judge if he thinks fit to use it. Again, in subclause (ix.) of the same clause, the judge has the power to modify or alter the early closing provisions of the Acts relating to factories; in fact, he is given a general power there to help to alter at his sweet will the whole of the legislation on the statute-book of Queensland which will in any way affect an employee. He can rescind it and bring it backwards and forwards, just as he thinks fit, with a stroke of the pen. What on earth is the good of having Parliament at all if we are going to place a man on a pedestal—a man who cannot be got rid of if his decisions are bad—a man who can even act inconsistently—if we can imagine a judge acting in a way he should not—in a partisan way, and if these things happen, we are in the position that Parliament cannot interfere with him in the course of his appointment. In addition to that, he has the power to continue in his bad work—if you may call it that—alter all the laws which have been passed in this Assembly, or vary them at his own sweet will, whether it affects the employer or the employee. It cuts both ways, and I say that the principle is distinctly bad. The same clause introduces what, to my mind, is the whole gist of the Bill, and that is the sanctioning of preference to unionists. It will become an impossibility for any man to obtain employment unless he obtains it through a union secretary. Provision is made by which unions, through their secretaries and officials, will have certain powers. Those powers will be the means of stirring up strife: political organisers will travel the country stirring up trouble.

Mr. COLLINS: Are you talking about Liberal organisers?

Mr. VOWLES: I am talking about unionists referred to in this clause. I have always opposed the system of trade unionism.

Mr. O'SULLIVAN: How about the lawyers' union?

Mr. VOWLES: The lawyers' union is a good union, because you have to qualify to join it, but you have not to qualify to join a labour union.

Mr. H. L. HARTLEY: You have to pay.

*Mr. Vowles.]*

Mr. VOWLES: Yes, you have to pay. As far as unions are concerned, they are political, and why should every man be forced to join a union and contribute fees which are going to be used for political purposes, which are contrary to his political convictions? No union should be sanctioned under this Bill the funds of which are devoted, or are to be devoted, to political purposes. Once you do that you are simply establishing a fighting fund, which will have to be provided by the willing and the unwilling. People will have to contribute for political purposes whether they want to or not.

Mr. POLLOCK: The employers' organisation use their funds for political purposes.

Mr. VOWLES: The membership of the employers' organisation is not compulsory, but in regard to the trade unions, whether a man is in work or out of work, he will have to pay; whether he is in sympathy with the political objects of the union or not, he will have to allow his money to be devoted for that purpose. When strikes are in existence, men who are opposed to the strike will have to permit the funds accumulated in the union to be given to the persons who are depriving them and their families of their means of existence. That is distinctly wrong, and should not be allowed. What is unionism, when all is said and done? In the olden days—the days of the guilds—when membership meant that a man was a skilled workman, there was something in it, but to-day anybody can join a union; it does not matter what his profession may be, as long as he pays his fees. We saw that recently, as far as the Australian Workers' Union was concerned, exposed in the Arbitration Court. Legislation is being sought so that everybody, whether employed or not, can be a member of a union and funds can be received. Under the guild system, membership meant that a man was a good tradesman. If you go now and engage a man from the secretary or other official of a union, even if you engage him privately as a carpenter, what guarantee have you got that he is a skilled workman from the fact that he is a member of the union? There is no guarantee, and for that reason alone unionism fails. Unionism is only kept alive for political purposes and for the purpose of organisation.

Mr. POLLOCK: Some members of Parliament are superior to others, and they all get £300 a year.

Mr. VOWLES: That has nothing to do with the question. Then, again, this Bill recognises the principle of industrial agreements. It strikes one as being rather strange that we should find that principle embodied in the Bill when this Bill comes right on top of another Bill which has gone through the House, in which an industrial agreement was rescinded by this House. I refer to the Workers' Compensation Bill and that agreement which was made between the employers and employees of the Colonial Sugar Refining Company. They are sanctioning the principle here, and yet, two or three days ago, they cancelled an agreement which was registered. Where does the consistency come in? There was no attempt made to show that that agreement which was cancelled was an immoral one. On the other hand, there were reasons that could be advanced to show that it was a very desirable agreement, and many benefits were derived from it which a man would not get under the Act in the

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form of sick allowance, and in the form of a pension, in addition to protection against accidents and old age. Now, while an agreement containing all those benefits was rescinded, here we have the same Government in this Bill sanctioning agreements between employer and employee. I know it is true that the police and certain other public servants can join unions and register. It is a very undesirable thing that the police should be in unions. We have only seen one serious outbreak of unionism here for a good many years, and had the police been in the position then of unionists and been compelled to obey the instruction of the unions and come out, what state of law would we have had in Queensland? The police should be in the same position as the military force. They should be completely outside any interference, whether it be political or otherwise; they should be governed as they are, by a Commissioner, and that Commissioner should have sole control over them without parliamentary or other interference. Once you introduce that principle of putting members of the public service in the unions, you are doing something that is bad. When the Industrial Peace Act was being passed, there were certain sections which received particular attention, one of them being section 31. That is the section which limits the time in which an employee can take action for wages which have not been paid under an award. After due consideration here it was decided that the maximum time for a prosecution should be sixty days. I see that under this Bill that limitation has been extended to two years. Why extend it to two years? Why not make it fifteen years, as one would be just as reasonable as the other? Why not allow it to go on perpetually? It gives another year and nine months in which these agitators, these delegates of the union, can go round fomenting strikes and go round looking for business, looking for legal proceedings on behalf of the employees against the employer, or vice versa. I know it is true that as far as ordinary prosecutions for breaches of the Act are concerned the limitation there is one year. Why should that be? Why not have the same limitation that you have under the Justice's Act in respect of every other offence that comes before the justices? Why not make it six months? It leads to only one conclusion: that they are put there for the purpose of allowing these agitators, or whatever you like to call them, these inspectors, these officials of the unions, to go round fomenting trouble. The hon. member for Gregory, in speaking last night, made reference to the Trades Hall. He said he hoped the time would come when the Trades Hall would have power to dictate to every Parliament in Queensland. He admitted that this Government has accepted suggestions from the Trades Hall. He may have gone even a little further. He certainly got a little deep in it, because the "Whip" of the party and others came along and hinted to him to ease off as he was going too far.

Mr. WINSTANLEY: Confine yourself to the truth.

Mr. VOWLES: The hon. member for Gregory said these suggestions have been made. I think we might go a little further and say that instructions have been issued, and we would be getting nearer the truth.

Mr. SWAYNE: Their commands have been obeyed.

Mr. VOWLES: They have, as far as that deputation is concerned. We have read in the "Daily Standard" reports of certain things that happened at meetings at the Trades Hall, and that the Trades Hall is to dominate the whole of the Parliaments of Queensland. Statements like this have been made—

"As far as he could see, we have nothing more to fear from German capitalism than from British or Australian capitalism, and he thought the conditions of workers in Germany equally good as in England. If forced to fight, he would try to save his own skin as far as he was able."

That was said by Mr. James, who is one of the members of the Trades Hall. That is one of the gentlemen whom the member for Gregory hoped would in the course of time be able to dictate to the whole of the Parliaments of Queensland. Another one said he had a brother at the war.

The SPEAKER: Order! The hon. member will not be in order in quoting that.

Mr. VOWLES: The hon. member for Gregory made reference to the Trades Hall, and I think I am entitled to reply to his remarks.

The SPEAKER: Order! The hon. member will be in order in making passing reference to the matter.

Mr. VOWLES: I won't read the whole of it. Another gentleman said that he had a brother at the war, and that every family had one "mug" in it. Evidently the brother was the "mug" and he went away to be shot. These are the people that the hon. member for Gregory said he hoped would control the whole of the Parliaments of Queensland. The hon. member for Normanby, in speaking, said there was an analogy between members of friendly societies and members of unions. I cannot for the life of me see where that comes in. In the first place, you are not compelled to become a member of a friendly society in order to receive the benefit of medical comfort, but if you want to receive work you will have to become a member of a union. If you require the services of a doctor, you need not join a friendly society, and even if you are a member of a friendly society you can get some other doctor if you want him. Where does the analogy come in?

The SPEAKER: Order! The hon. member has exhausted the time allowed him by the Standing Orders.

Mr. STOPFORD (*Mount Morgan*): The measure before the House is, perhaps, the most important one we shall have before us this session, and I have no desire to see it pass its second reading without offering some comment. I hold the opinion that no legislation that we may pass will ever bring about absolute industrial peace while the machinery of production remains in the hands of the few who use that machinery merely for profit-making purposes, and while the vast army of workers, who must have access to that machinery in order to live, are compelled to bargain with the owners of the machinery for the return that they shall receive for the amount of wealth produced by their skill and industry. I recognise that a lot of water will run under the bridge before we get that far. I am very

gratified to think that we have a measure before us which will bring us at least a step nearer to the goal we are aiming for. I remember the time when we had no industrial legislation at all, when the contending parties pitted their strength against each other, and it was practically the survival of the fittest. It was only when the party or their predecessors who are to-day in opposition became class conscious enough to use the military machine of the country to settle industrial disputes, that the public realised that the time had arrived when a better method should be introduced to settle industrial disputes and problems. The first industrial legislation of any note was the wages board system introduced during the régime of the Kidston Government. Those wages boards were doomed to failure from the start simply because they failed to recognise that there were more than two parties concerned in every industrial dispute. They failed to recognise that there was a third party, who, though not directly concerned in the dispute, was very much concerned indirectly, and that third party was the general public. We must concede credit to our friends on the opposite side to be the first to introduce legislation giving representation to the third party in industrial disputes. The principle had been advocated by members of this party for many years, and after the great industrial upheaval of 1912 members on the opposite side introduced legislation with the object—perhaps honest in their minds—of giving the third party who has to suffer equally with the combatants, some representation in determining whether an industry shall become dislocated or whether it shall work harmoniously. The only fault I have to find with the efforts of our friends on the other side is that they limited the powers of the public representative in such a manner and surrounded the seat upon which the judge sat with so many entanglements of red tape that a man starting out to get an award in middle age would have a better chance, perhaps, of receiving the old-age pension than of getting the award owing to the obstacles he found in the path that he would have to pursue to get his ultimate goal. While I concede to hon. members the right to introduce that legislation, I am not going to allow the leader of the Opposition to make good the claim he has made to this House, that the passing of the Industrial Peace Act has made for industrial peace in Queensland during the past three years. The hon. member claims that that legislation has brought about that result in Queensland when compared with New South Wales, and he claims for that legislation the credit of the industrial peace which has reigned in this State during the time that that measure has been in operation.

Mr. BEBBINGTON: Rightly so.

Mr. STOPFORD: Rightly so, my friend says. Well, I am here to show that it is not rightly so. In the first place, the Industrial Peace Act does not affect one-third of the workers of Queensland. The Industrial Peace Act has never been put into operation by one-tenth of the workers of Queensland. Now, to arrive at the conclusion of my argument—

Hon. J. TOLMIE: That is because they did not strike.

Mr. STOPFORD: Not at all. I will show hon. members where the fault lies. The

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fault lies in this direction: I will divide industry into three divisions—the men engaged in production, the men engaged in transport, and the general occupations outside of them. Let us look at the various workers engaged in primary production in Queensland. Take the pastoral workers—a vast army of men working and producing a necessary commodity. Do hon. members on the opposite side claim that the industrial peace which has reigned in that industry is in any way due to the Industrial Peace Act? If they do, I think they are laying claim to something to which they are not entitled. The peace that has reigned in the pastoral industry for the last three years has reigned because the workers have preference to unionism through the Federal award, because they are working under a Federal award, and they are—by their very strength—able to see that the award, when it is granted, is interpreted in a proper manner. (Hear, hear!) Let us come down and have a look at the dairying industry and the agricultural industry. Do hon. members state that the peace that has reigned in that industry for the past three years is the result of the Industrial Peace Act? I venture to say that they will admit that the workers in those industries are exempt from the provisions of the Act.

Hon. J. TOLMIE: Have they not got those conditions in New South Wales?

Mr. STOPFORD: I am not talking about New South Wales; I am talking about the legislation in Queensland. The only primary producers who availed themselves of the Act were the sugar workers, and what do we find after they sought protection under the Act? We find that they gained nothing at all from it. The Tudor regulation had granted them 8s. per day. They sought an appeal to the Industrial Court. The judge of that court granted them an increase of 8d. per day or 4s. per week. But we find that a protest was lodged against that decision by the Colonial Sugar Refining Company, and that, although the judge did not revoke the 4s. increase, he allowed the Colonial Sugar Refining Company and the other sugar monopolies to increase the cost of commodities to the worker by 3s.—an increase of from 12s. to 15s.—taking back in that manner 3s. of the 4s. he had already awarded as an increase to the workers in that industry. Do hon. members on that side mean to tell an intelligent public that because workers in that particular industry were paid over 1s. per week is the reason why there has been industrial peace in the sugar industry? The reason why there has been industrial peace in the sugar industry is because the walking delegate and the union secretary realised that the time was not far distant when the treatment meted out to the workers by the Liberal Government would bring about its own result—and it shows that the walking delegate was a fairly good prophet. (Hear, hear!) We find that where workers are engaged in direct production, the industrial peace that prevails in Queensland can be in no way attributed to the Act of which we have just spoken. Now let us look at the workers engaged in the transport service. Under the head of "Transport," may I presume to place the waterside workers of the State? Do hon. members on that side mean to tell me that the waterside workers of the State owe the industrial peace in their occupation to anything in the Industrial Peace

Act? They are working under a Federal award. They have got preference to unionists of the pure sort—preference to unionists that they can demand by their own strength, and that very preference makes it possible for them, not only to obtain an award, but also to see that the shipping companies give sympathetic interpretation to the award. (Hear, hear!) Then we have the tramway workers. Do hon. members claim that there has been industrial peace in the tramway service, when the real truth is that the men are afraid to raise their voices in protest? Would they claim that that is industrial peace in an industry? The reason that there has been industrial peace in that occupation is because the Yankee boss has stood over the men with a great big club, prepared to club them, knowing that as he held that over their heads he had a sympathetic Government sitting on those benches to protect him against any result.

GOVERNMENT MEMBERS: Hear, hear!

Mr. STOPFORD: Then let us look at another part of the transport service. Let us look at the railway service to-day. Hon. members stated that we had to send a special Minister round the country to quell disturbances. Did hon. members know that they were condemning themselves when they made that statement? Did they realise the position of the railway service to-day and ever since the first day that this Government took office? They found the railway service and the whole of the public service of the State seething with discontent, and I ask hon. members has the Industrial Peace Act given us the three years' peace in the railway service? Do hon. members not know that they themselves exempted the railway servants from the provisions of the Act? As the railway servants had no access to the court, how can hon. members claim that any industrial peace that has existed was brought about by the Act which they so much glory in? Now, I desire to ask hon. members for a moment to consider the position of the railway service in Queensland to-day. Here we find a body of men controlling a public utility, controlling a utility which, if it were dislocated, would dislocate the whole of the commercial life of the State. And yet we find hon. members telling us that they exempted these men from the provisions of an Act which they thought was good enough for the private employer. We find that the railway servants, perhaps as well organised as any workers in any other industry outside the public service, receive as much as 3s. per day less than workers outside the service. Is there any justice in that? Have hon. members the right to prate of their industrial peace if it has been purchased at that price? And it was a painful thing to listen to the leader of the Opposition the other night actually gloating in this House over the fact that perhaps there might be a dislocation of the railway service—actually gloating at the thought in his mind that he might harass this Government.

Hon. J. TOLMIE: That is untrue.

Mr. STOPFORD: What did he care if the farmers produce rotted in their barns? What did he care if the cry from the Dardanelles could not be answered by the men in North Queensland? All that he tried to do was to harass the Government.

Hon. J. TOLMIE: That is all bathos.

[*Mr. Stopford.*]

Mr. STOPFORD: It is all very nice to shut out from the Industrial Peace Act the servants of the State, and then come forward and tell us that the industrial peace which has reigned in Queensland the last three years is a result of that much-vaunted Act. I could go on and quote the domestic servants of the State who were not allowed to use the Act. I could give hon. members hundreds of cases to support the contention that the Industrial Peace Act contributed in no way to the industrial peace of the State. The only industrial upheavals or troubles we have had in Queensland during the last two or three years were the result of awards that had been given under that Act and which had never been administered. Now, there is one provision in this measure upon which I wish to briefly touch, and that is the preference to unionism clause. I hold different views, perhaps, from other men on this important matter, but I want to say that if you are going to pass legislation in this House, that legislation will be so much ink upon paper unless you are prepared to administer it. When you passed through this Parliament a Liquor Bill claiming that the hotels should not dispense liquor on Sunday, you did not sit down and trust to the generosity of the publican. You immediately started your police out in plain clothes and told them to endeavour to detect those who were evading the Act, and I claim that if it was right for this State to secure industrial peace, if industrial peace is such an asset to the State, that we are justified in going to the expense of creating courts and other things to grant awards, I claim that the asset is so great that nothing that we can do should be left undone to see that those awards, after they have been granted, are sympathetically administered.

GOVERNMENT MEMBERS: Hear, hear!

Mr. STOPFORD: And how are you going to do it? Why, history here in Queensland teaches you how to do it. Have you ever seen a waterside worker compelled to sue a shipping company to get an award administered? Did you ever see a man working in the meat industry—men who have never sought anything from the Industrial Peace Act—having to bring the meat companies into the court? Not at all. The reason is that every man working in the industry that is covered by an award is compelled to be a member of the union that is out to protect the workers in that industry. Every member becomes a policeman to police the awards that exist for him and those who may work in the industry after him, and I claim that when this opportunity is in the hands of the Government, if they are honest in their intention to bring about industrial peace, they will avail themselves of the opportunity. The Bill makes provision to protect an employer from an unscrupulous employer. If an employer shirks his responsibility, will not assist in a matter of fighting a case for the employers, it is within the power of the court, if he holds aloof and leaves his fellow-employer to do all the work, to make common rules so that he will have to pay up. If it is right to legislate to protect an employer in that direction, have we not a right to say that the worker who shirks his responsibility, who allows other men to bear the brunt of fighting a case in the court, should pay something towards policing the awards after they are granted and preventing them from being defeated?

HONOURABLE MEMBERS: Hear, hear!

Mr. FORSYTH (*Murrumba*): I think that the speech which was delivered this afternoon by the hon. member for Dalby was one of the best speeches which have been delivered on this measure. He gave very strong arguments in favour of clauses in the old Act being retained. He gave reasons why a considerable number of clauses in this Bill should not be allowed to remain, and altogether his criticisms were of such a nature that I think even the Minister should stop and consider before passing this measure. It is quite true that the Minister, in introducing this measure, was very clear in his remarks, and I compliment him upon that fact; he certainly tried to explain the provisions of the Bill as far as he possibly could, and in that he acted wisely. One of the principal reasons the Minister gave for his desire to repeal the Industrial Peace Act was that there was great delay in connection with the making of awards by the board. There is no doubt that there has been some delay—possibly unnecessary delay—in arriving at awards; but that difficulty might be met by restricting the time which should be allowed to a board for coming to a decision. We can easily understand that the present Act requires amendment in some particulars. You can never tell how a measure will work until you have had actual experience of its working, and when we find that there are defects in a measure that has been passed by Parliament, we should seek to remedy those defects by passing an amending Bill. That is what should have been done with regard to the Industrial Peace Act. About 75 per cent. of the provisions contained in this measure are taken from the Industrial Peace Act. Therefore, that Act could not have been as bad as the Minister for Works and other speakers on that side of the House would have us believe.

THE SECRETARY FOR PUBLIC WORKS: I always admitted that there was the skeleton of a good Act in that measure.

Mr. FORSYTH: There is a great deal of good in the existing Act. There are some provisions inserted in this Bill which do not appear in any other arbitration measure in Australia, and the wisdom of introducing those provisions is questionable. We have in the Industrial Peace Act a section which provides that in the event of a board taking too long to come to a decision—and I say it is a mistake for a board to take too long, and that their time for making an award should be restricted, so that men should not have to wait for twelve or eighteen months before getting a decision—there is, I say, a provision in the existing Act to the effect that if a board takes too long to arrive at an award, either party may call the attention of the court to the delay, and the court may then take the matter into its own hands and make an award. It will, therefore, be seen that provision against delay is made in the existing Act. There may have been delays, and I believe there were delays, but I am sure that no one would object to prescribing the time within which an award should be made, so as to avoid any unnecessary delay taking place. The first point made by the hon. gentleman in charge of the Bill was that the existing Act is somewhat cumbersome and ill-digested, but I would point out that in the opinion of persons conversant with such matters the Industrial Peace Act is one of the best measures of the kind that has ever been passed in Australia. It has done a great deal of

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good. Whether this new measure will do the same amount of good remains to be seen. Under this measure everything must now go to the court in the first instance. The judge may then remit the business to a board, and the board has to go through the same procedure as the board follows under the existing Act, and they may take a long time in giving their award.

The SECRETARY FOR PUBLIC WORKS: No. The essential difference is that they are not required to take a ballot in order to elect representatives before the board is constituted.

Mr. FORSYTH: But when the board is really established, it stands to reason that the parties concerned will want to bring forward all sorts of voluminous evidence for the purpose of bolstering up their individual cases, and if the employees or employers do that, a great deal of time may be occupied before an award is determined upon. Even when the court or judge takes the business into his own hands and does not remit it to the board, there will be a certain amount of delay. It is essential that the judge should know all the details of the case before giving a decision, and the evidence necessary to bring those details under his notice will take up considerable time. I think the whole thing could have been met by an amendment of the existing Act restricting the time within which an award must be made by the board, and giving power to extend the time if the time allotted was found insufficient. By one clause of this Bill strikes are made lawful. As a matter of fact, strikes are also lawful under the Industrial Peace Act, but it will be very much easier to have a strike under this measure than it is under the existing Act. Our policy should be to do everything we possibly can to avoid strikes and prevent lockouts.

The SECRETARY FOR PUBLIC WORKS: This Bill makes for that.

Mr. FORSYTH: I think I can show the hon. gentleman that the existing Act is infinitely superior in that respect. Under the Industrial Peace Act no strike could take place in connection with public utilities until a compulsory conference had been held between the parties. If the compulsory conference proved abortive, then the men had to give fourteen days' notice of their desire to strike, and during that fourteen days a secret ballot was taken before the registrar. If the voting at that ballot was in favour of the strike, then the men could go on strike. Have we any such condition in this Bill?

The SECRETARY FOR PUBLIC WORKS: Were those conditions observed under the old Act?

Mr. FORSYTH: Has there ever been a strike under those conditions? The conditions are laid down in the Act, and no men could strike until they had gone through the procedure I have described.

The SECRETARY FOR PUBLIC WORKS: There was a strike under those provisions when the Liberal Government were in power, and yet the provisions were inoperative—a strike in reference to the delivery of bread.

Mr. FORSYTH: I do not know anything about that, but I do know that no men could strike in connection with certain utilities without going through the procedure I have indicated. That procedure was prescribed for the purpose of getting the parties to-

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gether to discuss their differences with a view to settling the matters in dispute without resorting to a strike, and it must have been fairly effective when, as the hon. gentleman says, there was only one strike under the Act. I think it is a desirable thing to prevent strikes which will prevent the delivery of bread and other necessities of life, and I should like to know if there is anything in this measure to stop that kind of thing.

The SECRETARY FOR PUBLIC WORKS: There is nothing in the old Act to stop it.

Mr. FORSYTH: I contend that we should adopt every means in our power to prevent a strike. Every possible effort should be made to get the parties together, so that a strike may be obviated, and I feel sure that if there were such a provision in this Bill it would meet with general approval. Even in cases of strikes outside public utilities, men had to give fourteen days' notice of their intention to strike and to take a secret ballot before they could adopt that course. This Bill does not provide for a secret ballot, and I think that is a great mistake. Under the existing Act the ballot is taken before the registrar, who is an unprejudiced and unbiased person, and every man can give his vote without fear of interference. The judge of the Industrial Court can act as mediator without a compulsory conference, and that is an excellent provision tending in the direction of preventing strikes. The principle of fixing the quantum of work to be done by a worker is proposed in this Bill, but I am afraid it will prove somewhat difficult of application. How are you going to fix the quantum of work? You may do it for some trades or businesses. For instance, in the case of a bricklayer you can fix the quantum of work for a day of eight hours. There are some bricklayers who lay only 400 bricks in a day, but there are plenty of men who can lay 1,000 bricks per day, and why should the man who is quick at his work be brought down to the level of the slow worker? Again, how are you going to fix the quantum of work that shall be done by a clerk in an office?

The SECRETARY FOR PUBLIC WORKS: If it cannot be done it will not be done, but you have admitted that it can be done in some cases.

Mr. FORSYTH: It would be impossible to define what quantum of work a clerk in an office should do.

The SECRETARY FOR PUBLIC WORKS: It will not be necessary to fix the quantum in every case.

Mr. FORSYTH: Suppose you fix a certain limit as the quantum of work, and a man is able to do considerably more than that quantum, will you then have piecework? The basis having been fixed, a man will naturally say that having done that quantity of work he could do as much piecework as he likes.

Mr. BERTRAM: Cannot that be left to the good sense of the board?

Mr. FORSYTH: We should not leave too much to the board. I have no doubt that the board and the conciliation court will do their best, but there will be a difficulty in working out that principle in practice. I think the chief reason for the

[5 p.m.] introduction of this measure is, as the hon. member for Dalby and other members have stated, to establish

preference to unionists. That is a bad principle. Every man is supposed to be equal before the law; every man is a citizen of the State, and should be served in the same way; but every man is not going to be served in the same way under this Bill. A man who is in a union is to get the preference, and a man who is not in a union may be refused work. I have here a statement made by ex-President Roosevelt in reply to an application from the American Federation of Labour to grant preference to unionists in their States.

Mr. McMINN: That was read last night.

Mr. FORSYTH: It is a very good thing to read it again. It says—

“I am the president of the people of the United States, without regard to creed, colour, birthplace, occupation, or social conditions. My aim is to do equal and exact justice as among them all. In the employment and dismissal of men in the Government service I can no more recognise the fact that a man does not belong to a union, as being for or against him, than I can recognise the fact that he is a Protestant, or a Catholic, or a Jew or a Gentile, as being for or against him.”

I think that is a fair principle. It gives exact and equal justice to all. That is the aim of the Industrial Peace Act.

Mr. COOPER: Is not America rotten with “spoils to the victors”? Does not Roosevelt recognise that principle?

Mr. FORSYTH: He is a very good man, and has occupied a very high position. Then the “Age” newspaper, which is a paper that has helped the Liberal party to get into power in Victoria, says—

“Unionists are the particular constituents of Labour legislators. Mr. Fisher and his colleagues intend to make them a particularly privileged class. They are to have the first refusal of all public work. They are to be preferred before all the other citizens. And the sole reason vouchsafed us is that Mr. Fisher thinks all workers ought to be unionists—in other words, they ought all to be members of an organisation which is pledged down to the last man to vote for his party at elections. The policy is radically immoral. It is rank with tyranny, and it reeks of corruption. But it is not only a piece of gross political indecency. We believe that it violates the Constitution. The Federal Constitution was moulded by honest democrats, and it will indeed fail of its purpose if it proves incompetent to prevent the oppression of a freedom-loving people by a party or a class.”

We all know that in connection with the Federal Government they used to send out notices about preference to unionists. Mr. O'Malley, when he was Minister, issued the following notice:—

“Please note that the Minister has directed that absolute preference is to be given to unionists. See that this is given effect to in any future engagement, and in discharging any present men, discharge non-unionists. The Minister also desires to be furnished at once with a list of non-unionists employed. Please make necessary inquiries and reply at once.”

Those are the sort of statements which have

come from Ministers. Why should a man who is working in any profession be discharged because he does not happen to belong to a union? If a union was only purely for industrial purposes, no one could object, but if it is for political purposes, it is quite a different thing. Why should a man be forced to pay into a union every year when he knows that a great deal of the money is spent in a way that he does not approve of, either in political propaganda or helping newspapers, or otherwise? I say that the great benefits that should accrue to the men are absolutely shorn of their value, and the benefits which the men get from the huge sums of money raised by the unions are very small.

Mr. COOPER: Why do they stick to unionism?

Mr. FORSYTH: I want to compare the conditions of trade unions in Great Britain to-day with trade unions in Australia. New South Wales is the only State where we have complete details of receipts and expenditure, but it is probably typical of the whole. In 1912 the total receipts from the various unions in New South Wales was £199,157. The question arises, How is this money spent?

Mr. COLLINS: Spent in organising.

Mr. FORSYTH: Not all. For benefits for the men in the unions the sum spent was £24,610; for legal charges, including wages boards and arbitration courts, £12,425; and for management and other expenses, £136,438. That is where the bulk of the money is going to. Instead of the men getting the benefits which they should get, the money is going somewhere else.

Mr. McMINN: You forget that that management leads to benefits.

Mr. FORSYTH: Applying these figures to the funds raised by all the unions in the Commonwealth, it means approximately that no less a sum than £335,397 is spent annually in the management of the political trade unions of Australia, or 68.5 of the whole amount contributed, while only 32 per cent. is used for benefits.

Mr. McMINN: Over half a million increase has been gained from the expenditure of that money.

Mr. FORSYTH: I want to be fair. I should like to contrast that with the expenditure of the trade unions in the old country. Taking the expenditure of 100 principal trade unions in England, the men get 13.4 per cent. in dispute benefits, in unemployment benefits 22.1 per cent., in sick and accident funds 19.1 per cent., in superannuation 12.4 per cent., and in funeral fund 11 per cent., or a total benefit of no less than 78 per cent., leaving only 22 per cent. for management and contribution to accumulated funds.

Mr. COOPER: They are on entirely different foundations. The trade unions there are benefit societies as well.

Mr. FORSYTH: Instead of the bulk of the money being spent on organising and political propaganda work, it is spent in benefits to the members. Under this Bill the employers will have to apply to the secretary of a union if they want a hand, and the man sent may be quite incompetent. If I want a clerk, am I to ask the secretary of a union to send me a man? I have never asked a man, when I wanted to engage him,

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as to whether he was a unionist or not. All I want to find out is as to whether the man who applies is competent for the work. I know men who are unionists and I have been glad to have them. Suppose you want a clerk, and the man sent is totally incompetent for the work, are you going to send him back and get another man, and if the next man sent is not suitable, go on and repeat the same process? A man should be entitled to anyone he can get who is suitable for the business. In regard to a bricklayer or contractor it may be right enough, but there are any number of callings in which it would be impossible for the secretary of a union to supply the correct class of labour wanted, because they would not know. You want men trained in certain classes of work. How are you going to fix that matter under this Bill? The thing is absurd. The point is also being raised as to the judge being able to alter the Acts passed by this House. I think that is a thing which should not be allowed. I have always understood that a court or a judge was only there to interpret the law, and not to make the law. If these men are to have the power to modify or alter all the laws in existence, we might just as well have no Parliament at all. What is the good of passing statutes if we find that the judge of the court may come along and modify or alter them at his sweet will, without the matter being brought before Parliament at all? I think that is a power which is not contained in any Act, and I am sure if it were so the Minister would tell us about it. There are a great many first-class sections in the Act of 1912 that have been left out of this Bill, and I think it will lead to a great deal of trouble before all this is over. I need not discuss the principle of forty-eight hours a week at any great length, because it has been dealt with by many hon. members. If you only work on six days a week in the dairies and on farms, how are you going to manage on the Sundays? My suggestion would be that instead of these men working, say eight hours a day, for six days consecutively, they might work seven hours a day for six days, and then the six hours saved during the week might be employed on a Sunday to milk the cows in the morning and evening. In that way you might possibly get over the difficulty, but the Bill says emphatically that you must work for six consecutive days, and not more than forty-eight hours. I think that will kill the dairying industry. There is not a great deal of money in the industry. A man with his wife and family may make a decent living.

The SECRETARY FOR PUBLIC WORKS: This Bill does not say that consecutive days only shall be worked in the dairying industry.

Mr. FORSYTH: It says they can only work forty-eight hours on six consecutive days.

The SECRETARY FOR PUBLIC WORKS: It says that the award of the court must follow those directions when they are making the award.

Mr. FORSYTH: How are you going to do it on Sunday? Are you going to give them double pay?

The SECRETARY FOR PUBLIC WORKS: Not double pay—the overtime rate. I have already intimated to hon. members that I am prepared to modify that clause so far as it relates to the dairying industry.

Mr. FORSYTH: In what way?

[*Mr. Forsyth.*]

The SECRETARY FOR PUBLIC WORKS: Modify it so that it will not be impracticable as far as the dairying industry is concerned.

Mr. FORSYTH: I will be glad to see the amendment. I am glad that the hon. member is prepared to go in that direction. I think he will see that the conditions laid down in the Bill are impossible. I hope he will be careful to see that no legislation of that kind is put into the Bill as it would kill an industry such as the dairying industry, which is of such great benefit to Queensland. A few years ago we scarcely exported any butter at all, and now we are turning out from 2,000,000 to 2,500,000 lb. of butter a year; but under this Bill we are going to introduce legislation to kill the industry by fixing wages which it cannot afford to pay. What will happen will be that the men employed in that industry will have to dispense with paid labour, and carry on with their own families. No person is likely to carry on the business for any length of time if he loses money by it. The Minister will agree with me that a man may perhaps milk twelve, fifteen, or twenty cows a day. The general price of butter is 10d. per lb., and, therefore, the amount of money that is got for the cream does not leave a very big margin in that business, and we must see that that industry is not killed. The farmer is a man who is willing to give a fair wage, but if he is forced to give a wage that the industry cannot afford to pay, then he must either dispense with labour and do the work himself—as a great many do—or the industry will go to ruin. I hope nothing will be done to interfere with any business in Queensland, more especially at the present time. We see notices in the paper every day with regard to the necessity to increase wealth production. The Bills that we are getting now are not likely to lead to that end. The information that we are getting from the Government and the Bills that have been passed during the present session are causing a great deal of unrest throughout the whole of Queensland, and what we want to do in connection with this legislation, or any other, is to try to give the people confidence in the Government, try and give the people some incentive to go on and produce more wealth. I venture to say that there are very few people who are likely to go on with further wealth production under the conditions existing at the present time. We have a big war going on and a big drought on, and all these things are affecting industry, and I trust nothing will be done to cause further unrest. The bringing of the railway people and the police under the provisions of this Bill is something that should not be done. Even the Minister who introduced the Bill actually owned that there might be some difficulty in common with public servants in regard to this particular clause. He says—

“There probably will be some disinclination even on the part of Government employees themselves to be subject to this Bill. They have their salaries arranged by classification, and their promotions are arranged by regulation, and possibly that is the only exception that should be made.”

I want to ask the hon. gentleman does he intend to make that exception?

The SECRETARY FOR PUBLIC WORKS: That is made in the Bill.

Mr. FORSYTH: Is the hon. gentleman going to exclude the police from the operations of this Bill? The police are getting advances, just the same as all classes of public servants are getting advances, and it is most unfair that they should be brought under the operations of the Bill. What would have happened in 1912 if we had had no police to protect the lives and property of the people?

Mr. McMINN: They would have been quite safe.

Mr. FORSYTH: That is what you say, but we do not think so. It is most unwise; it is something that should not occur—that the police who are there for the purpose of protecting the lives and property of the people should be allowed to come into any union, so that when a general strike took place they could be called out the same as anyone else. The same thing applies in regard to the railways. The Railway Department is in charge of the transport of the State to a very large extent, and the men in charge of the transport of the State, working for the Government, have no right whatever to be brought under a Bill like this. Let the Government pay them just as well as if they were under the Bill, but whatever they do, do not bring them in. If the railway men and the police are not too well paid, then pay what you think is a decent wage; enough to keep a man and his family in comfort. Make the conditions so good that the men themselves will not wish to join any union. The Government of the day should be the best employers in the State. (Hear, hear!) They should lead everyone else.

Mr. McMINN: But they are not.

Mr. FORSYTH: Last year I prepared a table of the wages paid between 1905 and 1908 and the wages paid for the last five years, and the wages paid in the Railway Department for the last five years were something enormous in comparison with what were paid under Labour. The conglomeration of the Kidston-Morgan Government, with the unanimous support of the Labour party, gave wages at that particular time which I am sure even hon. members opposite will say was a disgrace. The wages have increased enormously since then under a Liberal Administration. The police have no right to be brought into any political consideration at all. They should be absolutely unbiassed. They should have only one thing to do, that is to protect the lives and property of the people of the State.

Mr. STOPFORD: What if they are discontented?

Mr. FORSYTH: They have the Government to protect them, and they have Parliament to protect them. We find that when the Estimates are on there are any quantity of members of this House who are continually championing the cause of the men in the railway and police services; and, as a matter of fact, when the Liberal Government were in power, they were able to give the police increases and enormous benefits that they never had before. The wages of the police were increased to a very large extent, and I think it cost the Government something like £40,000 a year, but we did not grudge that. The members of the Police Force have often to run the risk of losing their lives, and owing to the dangers that

they must undergo, they are entitled to consideration. In the case of the men whose salaries are increased by classification every year to a certain point, if their conditions are not good, they should be altered. Their conditions should be made as good as anything they could possibly expect, either from an award by a board or by the court; make the conditions so good that the men will not have cause to complain. The Government should be the best employers. They should lead all the time, and if they do that, there will be no occasion to place their employees under the Bill. I sincerely hope that the police will not be included in the Bill, because the time may come when there will be another general strike in Queensland. I hope not. I believe in the principle of industrial peace. Strikes are no good to the working man. They lose money, their families are half-starved, and it takes them a long time to make up the loss. Therefore, we believe in the principle of peace; we do not believe in the principle of strike.

Mr. McMINN: Peace at any price.

Mr. FORSYTH: Not peace at any price. You will find that the conditions of the working men in Queensland are as good as in any part of the world. If you take it all round, you will find that the working men in Queensland and the working men in Australia are better paid than in any other part of the world.

Mr. McMINN: All due to unionism.

Mr. FORSYTH: I do not say it is not due to unionism. I believe in the principle of industrial unionism. When anyone studies the various businesses in connection with trades unionism right from the very jump—away back forty years ago—and thinks of the conditions that the men were working under in those days, he cannot blame the men for forming unions for the purpose of improving their conditions both in regard to hours of labour and wages.

Mr. COLLINS: You used to fight them bitterly.

Mr. FORSYTH: I have gone through it myself, and I know something about it; and the man who has gone through it can speak feelingly. I know what it is to work for a low wage and for long hours, perhaps as well as any man in this House, and I say that the conditions that prevailed many years ago in the old country were no good for the working man, and the industrial unions deserve the very greatest credit for the magnificent work they did in regard to improving the conditions and wages of the working men. We hope the improvement will go on under fair conditions, but see that when you are fixing an award, you are not fixing a rate that is going to kill an industry such as the dairying industry, which I am sure we all want to see go on, and I hope it will go on.

The SPEAKER: Order! The hon. member has exhausted the time allowed him by the Standing Orders.

Mr. CORSER (*Burnett*): I think it is a great pity that at a time like this we should see a measure like the Industrial Peace Act wiped off the statute-book. During the time that the sons of Australia are fighting for disarmament and universal peace, we find that the Government of Queensland are cutting away the bulwark of industrial peace—cutting out an Act which has done much to make

*Mr. Corser.*

the industrial people of Queensland more settled, happier, and more prosperous than under any other Act in this State or in the Commonwealth. When that Act was passed in 1912, it was claimed by members who are at present sitting on the Government side of the House that it had for its aim the doing away with unions; it was claimed that it was the intention of the then Government to cut away the possibility of increasing the strength of the unions in Queensland, and we find now that the Government are going to repeal that Act because it has made peace in the unions and has enabled the unions to extend and prosper. It has been claimed here this afternoon that it is to the credit of the unions that there has been such an increase in wages during the last two years. Would that have been possible if the Industrial Peace Act had for its object the destruction of what we all claim is a good principle—that is, the principle of unionism, as long as it has not too much of the political colour in it? The Industrial Peace Act has brought about prosperity amongst unionists which the present Government do not like, because they do not like to see their people contented and the agitator and union secretary done away with. Their necessity does not exist if it was possible for the Government to control industrial organisation throughout the country. Therefore, in order to sow the seed of discontent they have fulfilled their promise to a section of the people to bring forward something that will enable them from time to time, without any justification, to demand ever increasing wages and an ever increasing reduction of hours; to make it possible for the judge to act, as they claim no man should have the power to act, absolutely on his own and in his own interests and in the interests of those who placed him in that position. He becomes the dictator of the people in regard to the wages paid in the State. The past Government found it necessary to introduce and force through the Industrial Peace Act because of the action of the workers in Brisbane, led by agitators, to the detriment of industry in the country.

Mr. COLLINS: A good many of those agitators are now in the House.

Mr. CORSER: Their jobs were cut from under them to a great extent, and simply because it cut away from the agitator the possibilities which had prevailed before the

Industrial Peace Act, this Bill [5.30 p.m.] is introduced. What I will say further is that the Industrial Peace Act was introduced because these agitators were claiming they were the king of the country, when they were keeping the farmer starving in the bush, whilst his produce on the wharves and in the railway stations lay rotting; and they also threatened not to handle coal for the trains which were running past his door to enable him to get his cream and other commodities to the factories. That is one of the reasons for the passing of that Act, and it is a reason why the present Government have such a set against the measure.

Mr. H. L. HARTLEY: How do you account for the fact that they have returned so many agitators again?

Mr. CORSER: I may say that where it was possible for country members to get on the tracks of those who were misrepresenting that Bill and contradict their statements, there the agitator was defeated.

[Mr. Corser.]

May I say also that, under this Bill, Government clerks or workmen must purchase their right to vote, purchase a right in a free country—in a country which was left free when our soldiers went away, but a country to which they will come back to find that probably their fathers and their brothers have been compelled to hand out their 7s. in cash to get work, and compelled to pay their 5s. quarterly to this huge octopus, to these blood-sucking organisations who are depriving many widows of the earnings of their sons—earnings which they desire and should receive when food is increasing in price every day. Those people probably were deceived at election time, when they gave their vote, thinking, no doubt, the first promise that the Government would honour would be the promise to give them cheap food; but instead they are increasing their burdens every day, and we will find that the sons of those widows will be the persons from whom this octopus will suck the lifeblood. The Industrial Peace Act was too good a measure for hon. members sitting on the other side. It did too much to show unionists that the intentions of the Government at that time and their legislation were to the interests of the masses of the people. I welcome unionism, but not compulsion. One scheme after another has received attention—wages boards and Industrial Court, and so on—and has received the sanction of Parliament, and I think you, Mr. Speaker, will agree with me that none of them, so far, has succeeded to anything like the extent that the Industrial Peace Act has done. This present Bill does not propose to do away with strife. It is a seedbed of strife. It is a field which—well cultivated by various agitators—will produce strife and strikes to an extent which will be a record for Australia. That is the intent. There will be a good crop, whether there be rain or sunshine, whether it be drought or flood. The unions, by their agitators, will make their ever-increasing demands for wages and conditions, independent of what the farmers in the country districts might be producing by the stress and trouble which will come to them by their inclusion in this Bill. The Minister in charge of the Bill made a statement to the effect that he was going to make an alteration in the clause which would not make it so hard for the farmers if they were included in the Bill. I might say that the alterations which the hon. member proposes to make will be of no use to the rural industries at all. We will accept, and can accept, no amendment to the clause. We want the deletion of the rural workers from the Bill altogether. We want a contented people to be left alone. We want those engaged in our rural industries to be able to say to their masters—as they can say—whether they will accept a certain wage or not.

Mr. COLLINS: They did not say that in the sugar industry.

Mr. CORSER: We are not talking about the sugar industry, and I will not be drawn off the track by the hon. member in that way.

Mr. COLLINS: It is the most important agricultural industry in Queensland.

Mr. BEBBINGTON: It is not.

Mr. CORSER: Independent of the sugar industry, we are going to strive to take

out of the operation of the Bill rural industries, because it is impossible for them to be managed and controlled by the Bill, for the simple reason that the farming community are controlled by Nature. It is impossible for us to say just what time it will be necessary for the employees on a farm to work, or what hour it will be necessary for them to work. There certainly should be a limit of hours and living wage insisted upon; and, if these clauses are enforced as they are in the Bill at present, it will mean a tremendous amount of unemployment in the bush, because farmers who are struggling for an existence, and who, by their hard work and perhaps by their loans from the Agricultural Bank and by mortgages, are providing sufficient to pay one hand on their farm, will find that it will be impossible to keep anybody there at all. I know that the Minister for Agriculture will do what is possible and is in his power to remove this obstacle, for it is an obstacle to the cultivation of the soil. It will mean an amount of land out of cultivation. It will mean that areas of our virgin scrub will still stand for years, only growing wallabies and black snakes.

The SECRETARY FOR AGRICULTURE: I take great interest in the farmers.

Mr. CORSER: I know that the hon. member claims to take an interest in farmers, and I trust that it will not be in the direction of farming the farmer, but in the direction of enabling him to cultivate his land. If it is enforced as it is proposed by the Secretary for Public Works, it will mean farming the farmer until probably he is forced off the land, which will then be left to the prickly-pear, because the industrial unionists will not go out into the bush to look for work. (Government laughter.) It is not so very long ago since the Victorian Government wanted a number of workmen to go out into the country districts of that State and assist the farmers. Eight hundred applications were made to the Minister; seventeen of those who applied decided to go, and of those two presented themselves on the farms where these unemployed were to find the means of making a living. That is what we find right throughout the piece—that those who are prepared to work under existing conditions for the country and the people are checked and hampered by those who are there at the suffrage of the farmers, who are there learning to become farmers so that they will be able to take up farms of their own and will be able to overcome the troubles and trials of the farmer by the experience that these farmers have given them free of cost. If Parliament includes those people under this Bill, then we will be placing Queensland years behind what she might be if this industry were left alone. One hon. member who spoke this afternoon said that the railway service was seething with discontent industrially. Is there not there a field for the energies of hon. members opposite—the Railway Department—seething possibly, just as they always will be seething and as the industrial world of Queensland to-day is seething, with discontent, because of one award which was given in Brisbane at a time when people ought to be proud to have work at all. The employees refused to take work because they were dissatisfied with the award of the court, and so it will be throughout the State when the various industries step along and make their demand. And when all that is done, it

means that it is ever increasing the cost of production—ever increasing to the farmer the cost of what these people produce. But what are the Government bringing forward on the other side to enable the farmer to receive more for what he produces? If they are going to persevere, they will have to bring forward a measure which will provide for an increase or a minimum price for the farmers' produce to enable them, under such legislation as this, to secure a higher rate for their produce, or, as it were, a higher wage to meet the higher wages of the men they employ.

Mr. H. L. HARTLEY: Did not your Government encourage discontent in the railway service?

Mr. CORSER: We know that when the past Government were in office the trouble in the department was practically nil.

Mr. H. L. HARTLEY: What about the Townsville strike?

Mr. CORSER: This strike was organised by a loyal and true Briton, and supported by others. They did their duty to Queensland by abandoning the strike when war broke out. I had the pleasure of travelling and recruiting with that organiser, and I honour him as a man.

Mr. H. L. HARTLEY: And your Government broke faith with them when they did give it up; did not put them back.

Mr. CORSER: The hon. member can satisfy them by saying that faith was broken. It is in their hands to keep it now.

Mr. H. L. HARTLEY: And they are going to do it.

Mr. CORSER: I have no doubt that from time to time hon. members opposite will endeavour to satisfy them by endeavouring to meet their requests, but they will never do anything to satisfy the rural workers of the country. On the other hand, they will do everything to cause them dissatisfaction. One of the troubles is that under such legislation as this the men are not made answerable for the faults of the unions. The unions may be at fault, and yet there is no means of sheeting home to them any award that may be given against them. The individual members of the union should be made to pay anything which the unions have debited against them in the courts, and unless we do that, how is it possible for us to prevent strikes at all? The penalties for striking should be made recoverable by the issue by the court of a garnishee order on any money due or becoming due, and, until that is possible, we have no hold over those who might wish to break the laws of a country, whether it be the Industrial Peace Act or the proposed Bill.

Mr. FREE: Would you apply that to the bosses?

Mr. CORSER: Yes, I would. Hon. members opposite seem to imagine that because they look only to one side, members on this side look only to the other. We want fairness between employer and employee; and we claim that the bosses should be compelled—as they are compelled—to pay, and so should the men when they are fined by the court.

Mr. FREE: What about when they go on strike?

*Mr. Corser.]*

Mr. CORSER: If the hon. member persists in legislation similar to this Bill, he will very soon see that those who are engaged in the rural industries will give him more trouble than he has had or expects to have. I can assure hon. members that the patience of those who have the progress of Queensland at heart may some day be tried too greatly, if legislation similar to this is persisted in. Even they have a limit to their endurance, and they will have to take what is theirs even from the foes of fairness who may be abroad in the country. The Labour Governments throughout the States of Australia do not enforce the penalties. The penalties imposed on various unions and men in the year 1913-14 amounted to £9,141. Of that amount £2,325 only was paid, and of the amount paid no less a sum than £1,792 was remitted to the unions owing to parliamentary and other pressure on the Governments.

Mr. FREE: Where was that?

Mr. CORSER: In the Commonwealth. Those figures are compiled from Knibbs's statistics. With all the industrial legislation that we have introduced and passed, it is a great pity that there is not some time specified, one year or three years, for the duration of an award. As that is not done, a man cannot make a reliable estimate when tendering for work, and if a contractor secures a contract based on certain rates of wages and an award is afterwards made increasing the rates of wages, as has been done in the case of the sewerage board contract, that increase of wages may render him insolvent.

Hon. J. HUXHAM: You ought to encourage day labour.

Mr. CORSER: We did encourage day labour, and we also encouraged private contractors to undertake work and compel them to pay the union wage to their men. We ought to use the brains of the country, and if private engineers have more brains and can use them better than the Government engineers, we should use their brains for the benefit of the State.

Hon. J. HUXHAM: The ex-Secretary for Railways said that work was better done by day labour than by contract.

Mr. CORSER: He is the exception which proves the rule. Were members on that side of the House always in agreement with the ex-Secretary for Railways? I do not know whether I ever agreed with him.

Mr. COLLINS: Did he give you a railway?

Mr. CORSER: We got a promise of railways from him. (Laughter.) I contend that any person who looks at the figures connected with the construction of our railways will come to the conclusion that the ex-Secretary for Railways was wrong in making the statement, though the Labour Press throughout the Commonwealth and Labour members here have quoted it with approval.

Hon. J. HUXHAM: Why didn't the late Government go back to the contract system in place of day labour?

Mr. CORSER: They had some work done by contract and some by day labour. In New South Wales they have gone back to the contract system, and have got a financial firm to help them over their troubles. The biggest contractors that have ever been im-

ported into Australia are being used at the present time by the Socialistic Government of New South Wales. What is the use of sticking to the principle of day labour if the engineers in charge of the work are not as capable as the engineers outside against whom the door has been shut? The present measure provides for ever increasing industrial troubles, and as long as the present Government are able to satisfy the mass of workers outside by continually giving them a little more and a little more, their political existence will, no doubt, be assured. But I contend that the various awards with regard to wages should be made by a judge of the Industrial Court who is free from industrial or political bias, and I am afraid that it will be a very hard thing, if we go outside our present judges, to select a man with those qualifications. It will be a most difficult thing for the present Government to select a man who is quite free from political bias. If they can get such a man we may have some hope even under this Bill, but probably some defeated ex-Labour candidate will be appointed.

Mr. COOPER: Your side were great at putting defeated candidates into these jobs.

Mr. CORSER: Unfortunately, I have had no experience in making appointments. I am very sorry to observe that rural workers are brought under the provisions of this Bill, and I sincerely hope that the Secretary for Public Works, admitting as he does the injustice of including rural workers in its provisions, will provide the means for excluding them from the operations of the Bill altogether, as it will be impossible for producers to carry on their operations if the measure is passed as it stands at present. Under the measure in its present form some discontented employees in the country may cause trouble to producers at any moment, and I think some amendment should be made which will prevent this unfair interference with the liberty of the individual.

Mr. COLLINS: You don't know what British liberty means.

Mr. CORSER: It is a liberty which members opposite are absolutely devoid of. Britains have never been subjected to such tyranny as that which will be established by a Bill like that before the House, and I am sure the Government would never have introduced such legislation if so many of the best sons of Australia—sons of liberty—were not absent at the present time fighting for liberty and for the life of the country.

Mr. FREE: All unionists—90 per cent of them.

Mr. CORSER: The greater part of them never knew what unionism means. I am particularly sorry to see the Police Force included in this Bill. Why should members of the Police Force be compelled to march into the Trades Hall and to go out on strike when other industrial organisations are starving the farmers? Industrial unionists have no rights under the Trades Hall; they give up everything that Britishers have prided themselves on, and the Trades Hall have only to hold up a finger and they, as well as hon. members opposite, fall into line.

Mr. ARMFIELD (*Musgrave*): It is not my intention to occupy much of the time of the House, as the speeches made by the Minister for Works and other members on this side of the House have fully explained

[*Mr. Corser.*]

the objects and principles of the Bill. But I desire to reply to a few remarks made by hon. members opposite. Statements have been made with regard to the secretaries of unions having so much control over the members of unions. I happen to have been a unionist for a great number of years, and I have passed through the various offices connected with unions. I have been secretary and president—president of one of the most representative councils in Australia—and yet, in all my experience, I have never had any control over the members of the union. They invariably controlled me. Therefore, I say that the statement made by members opposite that secretaries and walking delegates control the various unions is not correct. It is a fortunate thing that we have been able to have these walking delegates going through the country. There was a time years ago, when I first took part in unionism, that we were unable to pay men to go through the country to lecture and enlighten our fellow-workers. In those days we gave our time and services without pay, and I am pleased to see that, as the result of our efforts, we have at the present time young men representing Labour in this Chamber. It has been said that the Industrial Peace Act has been the means of preserving peace between the employer and the employee. I maintain that that Act has had nothing whatever to do with the peaceful times we have experienced during the last few years. The workers of Queensland, unionists more particularly, are loyal, and are prepared to abide by the laws of the country. They knew that a time was coming when the people would send to this Chamber representatives who would repeal that Act and put a more reasonable measure in its place. The leader of the Opposition stated that it was merely the walking delegate and officers of the unions who opposed the Industrial Peace Act. I have not been an officer or a walking delegate for some time past, and I have always been opposed to that Act, and the whole of the unionists of Queensland have been opposed to it. Unionists do not wish for strikes. We had strikes years ago, but now that we are able to ventilate our grievances in the Legislature, we adopt different means to obtain the concessions to which we are justly entitled.

The Bill has been criticised by [7 p.m.] members opposite because it includes the rural worker. Anyone would think, from hearing them, that the rural worker has a right to accept anything that is given to him. My contention is that the rural worker has a right to be protected in the same way as other workers of the State are protected. The argument has been used that the man on the land cannot afford to pay the wages fixed by the award. I maintain that the producer can pay those wages, if he is relieved from the parasites he has to contend with when he sends his produce to the city. When the Government see fit to arrange to take over the produce of the farmer and dispose of it for him, he will be able to pay the worker far more than he is paying him to-day. The hon. member for Drayton stated that unionists were murderers. I, as a unionist, certainly resent that term.

GOVERNMENT MEMBERS: Hear, hear!

Mr. ARMFIELD: I maintain that if the world were composed of unionists, we would not have had the bloodshed that is taking place in Europe to-day. (Hear, hear!) If

the hon. member had referred to the non-unionists of Europe as being murderers, I could have understood him, but unionists at all times have endeavoured to prevent what is occurring in Europe to-day. I feel certain that the hon. member could not have meant what he said, and when he comes to read his speech in cold type he will regret having used those words.

Mr. BEBBINGTON: They were the words of a higher authority than I am.

Mr. ARMFIELD: Hon. members opposite seem to think that they are the only persons who interest themselves on behalf of the farmer. I represent a farming constituency, and every farmer in that constituency knew my opinions when I went before them, and I was returned by a farmers' vote. I say that the farmer does not want any concession made to him more than to anyone else. In all reforms there is always a cry that it is ruination. It has been so all through my knowledge of unionism. All the time that I have been a unionist—which is now many years—the cry has gone up that there is going to be ruination. There was going to be ruination to the sugar industry when the kanaka was taken away. There was going to be ruination when the sugar-workers had their wages raised to 8s. a day. The farmers in the sugar district to-day acknowledge that the wage paid to the workers is no more than they should receive. The only thing they ask for is legislation to enable them to pay that wage.

Mr. BEBBINGTON: Certainly; that is all we want.

Mr. ARMFIELD: When the Industrial Peace Act was passed, these workers were shut out of the Act.

Mr. APPEL: If you fixed the price of our products to enable us to pay the wages, we will pay them quick and lively.

Mr. ARMFIELD: The sugar industry has benefited. I do not wish to detain hon. members too long, as this matter has been thoroughly discussed. The hon. member for Mirani, I am given to understand, was at one time a union secretary. I am surprised that a man who has been in that position was able to speak against the unions in the way which he has done.

Mr. CARTER: A political renegade.

Mr. ARMFIELD: The unions have done a great deal of good in Australia for the worker. It has been complained that the unions are political organisations, but unionism would be of no use unless it had political power at its back. We fought long enough with industrial unionism, and now we have come into power in the Legislature of the country, we are able to fight here for unionism in other ways. The people have sent us here to do that. We are not here by any freak or accident, but by the will of the people, and the people who have sent us here knew exactly the class of legislation they wanted to have passed, and we are prepared to carry out our pledges and pass that legislation. I feel certain that not one man on this side of the House will be afraid to meet his constituents when the time comes. (Hear, hear!) I represent a farming constituency, and I shall not be afraid to face that constituency again. I feel certain that my actions in this House

*Mr. Armfield.]*

will be the means of sending me back with a larger majority than I had when I came into the House. (Hear, hear!) I feel that that will be the result throughout the whole of Queensland. Hon. members opposite, who, I take it, are the selected of the Liberal people of Queensland, have not in any way, to my mind, shown anything detrimental in the Bill. I believe that when the Bill comes into operation, it will not only benefit the worker, but will be of benefit to the employer also. Anyone would think, from hearing hon. members opposite, that members of unions are out to get an award that the farmer or other person has to pay. On the boards, the employer and employees come together and arrange for the awards. Anyone would think, from hearing hon. members opposite, that the farmers would not have the ability to sit on the board to cope with ordinary work. (Hear, hear!) I say that the farmers have the ability, and will be prepared to accept the position and meet the worker. It is time that there should be some reform in our rural industries. We have no right to ask men in the farming or other rural industries to work under different conditions to what exist in city work. They have the right to the same privileges and the same comforts for their wives and families as the worker in the city. I am pleased that the Government have thought fit to include them in the Bill, and, in my opinion, every worker in the State should be included. I feel certain that the Bill will pass and that it will be of an advantage to the State of Queensland when it comes into law. (Hear, hear!)

Mr. PETRIE (*Toombul*): I do not intend to let the second reading of this Bill pass without saying a few words on the measure. I think we may congratulate the Secretary for Public Works for the very lucid explanation he gave us when introducing the Bill, although I regret to say that he only saw matters from one point of view. He is a past master, no doubt, in industrial matters. As an organiser, previous to coming into this House, and also as president of the Australian Workers' Union, and now as a Minister of the Cabinet, I think that the powers that be outside this House have a good representative in that gentleman. For myself, I think that legislation of this sort—at a time like this, when we have so much to occupy us in connection with the great war which is now raging—should have been left until the war is over. The Government of the day have quite enough to do in matters connected with the war, and in sending away our men to help to fight the battle for the Empire; they have quite enough to do in that way without bringing in measures of a contentious nature. The Minister, in moving the second reading of the Bill, said that it was one of the most important measures we had to deal with this session, that it was far-reaching in its provisions, and would have a good deal to do in regulating the industries of Queensland. I think it is more far-reaching than the public interested in our industries ever expected. The present Act was passed after the memorable and uncalled-for strike in 1912. The late Government appealed to the people after that strike, and got a mandate by virtue of which they passed the present Act, and although the Minister says it has its weaknesses, yet it has been the means of doing far more in the direction of industrial peace than any Act in any other State in

[*Mr. Armfield.*

the Commonwealth. They passed an Act in South Australia in 1912, which is claimed to be one of the best Acts, and has been the means of preventing industrial strife. Hon. members on this side have quoted statistics from "Knibbs," showing that, in 1914, in New South Wales, under a Labour Government, there were 255 strikes, while, during the same time, we had hardly any strikes in Queensland of any importance at all. The Minister says that the existing Act is defective, but he has adopted about 75 per cent. at any rate of the provisions of the Act—all the good qualities of it—and he is adding on to it clauses that are going to cause trouble and which will be the means, instead of encouraging industries, of destroying them. I notice in this evening's "Telegraph" that, even in New South Wales, the builders and contractors are thinking of closing down altogether in view of the proposed Labour legislation. If we are going to follow in their footsteps and pass this Bill, as I suppose it will be passed with the big majority at the back of the Government, we shall have nothing but trouble ahead of us for some time to come. I do not care what Government is in power, whether Labour or Liberal, notwithstanding any industrial legislation we may pass, the trouble of strikes will continue. No matter whether the men are doing well and getting settled down, there will always be some people coming along—organisers and others—and stirring up strife.

Mr. COYNE: You were encouraging the milkmen to strike last week.

Mr. PETRIE: The milkmen had good reason to strike. (Laughter.) The Minister said he wanted to bring in everybody under the conditions of this Bill. How are they going to do that? You have the fixing of prices, and I believe, to a certain extent, in the fixing of prices, because I had the honour of belonging to a firm that was the first firm to start the eight-hour system in Brisbane so far as the building trade is concerned. We had unions then, unions such as I would like to see existing to-day. We had men then who were getting what was considered a good wage. At that time we paid labourers—what we called labourers—9s. 6d. a day for eight hours, and they were worth it. I believe in paying a man the best wages, as "the labourer is worthy of his hire," but I believe in fixing a sliding scale to a certain extent. At one time I was opposed to a minimum wage, because I feared that if a minimum wage were fixed it would be unfair to the reputable contractors because the bad contractor would make it the maximum. That was my objection to it. However, I gave way, and I find now that if you treat your men properly, there is no doubt that they will treat you properly. But we have this undue influence that comes from outside—from the Trades Hall. Under this Bill power is given to them to come in and take the place of the employee. If this Bill is passed we will not have the right to engage men; we will have to do it through these industrial unions. They have the right to say whether we shall discharge a man or not. Then the court has power under this Bill to regulate the amount of work which each man will do. They won't allow us as employers to say whether a man is doing sufficient work or not.

Mr. POLLOCK: The court has power to do that.

Mr. PETRIE: You may be sure, so long as the present Government is in power, that that power will be used to a very great extent. If the court were left to act for itself, I believe it would act squarely, but it will have to do as it is told and not as it would like to do. The Minister says the Governor in Council will regulate these matters, that they have the power and will fix things up. I do not believe in giving any Governor in Council the power to do that. It is dangerous to give any Governor in Council such powers. There are a lot of dangerous clauses in this Bill, but I take it that the Bill has been well thrashed out outside of Parliament altogether and settled, and it is the Bill we must have and nothing more. If you fix eight hours a day, or forty-eight hours a week, an injustice will be done. There are some industries in which forty-eight hours a week is quite long enough to work, such as in the building industry and in the engineering industry. In some instances they are not allowed to work more than six hours a day. I take it that that will be underground work, and six hours may be quite long enough for that class of work. But take the farming industry and the dairying industry: how are you going to regulate their hours? The only way for the Government to get out of the difficulty, so far as the dairying industry is concerned, if they insist on this Bill, is to introduce some kind of new cows altogether

Mr. BEBBINGTON: Or get out of it.

Mr. PETRIE: Yes, or get out of it. If any industry can afford to pay overtime when overtime is worked, then it ought to pay it. Take the carriers here in Brisbane and the difficulties they are in, as pointed out by a deputation to the Minister the other day: We have the one-man carter. He does not come under this Bill and he will be able to carry on his calling without interference in any way. How are you going to bring him under the Bill? Probably some means will be devised to get hold of him, but in justice to the carrying business some consideration should be given to them. There are times when they have to work over the stipulated hours provided, as it is necessary to cart perishable stuff, and it is therefore very necessary that some arrangement shall be come to so that the employers in such cases will get a fair deal in this matter.

Mr. POLLOCK: Read the Bill. It provides that in the public interest that may be done if it is considered necessary.

Mr. PETRIE: Under certain conditions. I contend that the conditions will be in the interests of the employees. This Bill is all for one side. It is clearly like other legislation introduced, it is class legislation. You cannot get away from that. I am just as anxious to see that the working man gets a fair deal as anyone in this House. The unions in the past have done good work and it is very necessary that unions should be formed for the protection of the men against unprincipled employers. The unions have done good work in bettering the conditions of the workers and in raising them in their positions in life. I have every sympathy for the worker and do not believe in a man doing more than a fair day's work, but under this Bill you are taking all the power out of the hands of those who pay

the wages. What does the court know about fixing what work should be done and what hours should be worked or what the prosperity of a calling should be? They will take it on evidence, but the evidence might be so fixed up that men get before the court who have no knowledge whatever of the question they are asked to give evidence on.

Mr. POLLOCK: That applies to both sides.

Mr. PETRIE: It applies to both sides, but the evidence given by the employer will be fairer than that given by the employee. If the employees were left to themselves they would be all right, but, unfortunately, they are not.

A GOVERNMENT MEMBER: The Trades Hall again!

Mr. PETRIE: There is no doubt there is a good deal at the back of that. Every man has a right to belong to a union or anything else, but it is a mistake to mix unions with politics. I even find that religion has been introduced. All politics and all religion should be left out altogether. The unions to-day ought to be the same as they were years ago, a sort of benefit society for the men. They are now forced on strike, very many of them against their will, and they have to contribute towards the strike fund. Thousands and thousands of pounds have been thrown away which should have gone towards the keep of their wives and families. Now, in regard to preference to unionists: I do not believe that any preference should be given to any man, no matter what calling it is. I asked a question of the Secretary for Public Works the other day with regard to the employees in the Government Printing Office, but I did not get a very satisfactory answer.

The SECRETARY FOR PUBLIC WORKS: Be careful!

Mr. PETRIE: I am careful. It came to my knowledge, at all events, that as soon as this Government assumed power certain employees in the Government Printing Office thought if they did not join the union out they would go, with the result that two or three men in the Printing Office approached the Typographical Society and they were allowed to re-enter the union, but they were fined £5. There are men who have been in the Printing Office twenty or thirty years, and if these men have been there that long without belonging to any union, I hope the hon. gentleman will not in any way interfere with them. Under this Bill there is preference to unionists, and you have to get in or go out. The Bill was very aptly described by the hon. member for Albert—I think his words were that the Bill should have another title altogether. He is not far out in the title he wishes to give it. In addition to that title, I think in the first portion of the Bill, where it reads "Be it enacted by the King's most excellent Majesty," and so on, as was suggested by a leading legal light the other day, there ought to be a further addition, and it should read, "With the advice and consent of the Legislative Council and the Legislative Assembly of Queensland in Parliament assembled, and by the kind permission of the Trades Hall and the gracious permission of the caucus." (Laughter.)

A GOVERNMENT MEMBER: Who is the legal light?

*Mr. Petrie.]*

Mr. PETRIE: One of the legal lights made that suggestion in the company of a lot of his legal friends. I think it is a very good idea and I hope the Minister will take notice of the suggestion I have made.

Hon. J. A. FHELLY: Will you move an amendment?

Mr. PETRIE: I have not said what I will do. I will move an amendment later, and then I will tell hon. members opposite what I will do.

The SECRETARY FOR PUBLIC WORKS: You are not game.

Mr. PETRIE: Oh, I am game enough! I hope when this Bill gets into Committee that drastic amendments will be made in many directions. In clause 8 there are some very dangerous provisions. Subsection 1 fixes the quantum of work or services to be done and subsection (b) provides that the court shall be entitled to consider the prosperity of the calling or business. I do not know how they are going to do that. I should like to see both of those subsections wiped out altogether. There are many other things in this Bill that need amending. There is one thing in regard to the Industrial Court that has been referred to by members on this side of the House which should be altered. Instead of one judge, I hope three judges will be appointed, because, as has been pointed out, we may get a judge who is biased, and it is far better on that account to have two other men sitting with him on this court. I hope an amendment in that direction will be carried. I do not suppose we have much hope in carrying any amendment, because if we consider an amendment for half an hour the gag, or as a friend once described it, the chaff-cutter, is put on at once. I am not annoyed at the gag. They say it is giving us back a bit of what we gave them.

The SPEAKER: Order! The "gag" is not a principle of this Bill. (Laughter.)

Mr. PETRIE: I know it is not a principle of this Bill and I was just referring to it in case we moved any amendment. I hope, at all events, if this Bill becomes law—and I suppose it will—that when it leaves the Committee it will be such a measure that will do more justice and show more fair play to both employer and employee. I am sorry that the Government should think it was necessary at a time like this to introduce such a Bill, because it is altogether unnecessary. If the present law is defective, an amending Bill could have been brought in and the matter dealt with in a very short time. They did not see fit to do that. They had an objection against that [7.30 p.m.] Bill simply because, as I have said, it was brought in after the great strike, and they were so incensed over what was done that no matter what industrial Bill had been brought in by the late Government it would have been a bad Bill in every shape and form.

Mr. GUNN (*Carnarvon*): I think that the Bill before the House is a very important measure and I would not like to see it passed with a silent vote on my part. Arbitration has been tried over and over again. It is not very new and it is not very old. When it first was mooted, it was one of those who thought that perhaps it would be a very good thing for the workers, but after seeing many years' trial in other countries and in this country I have come to the con-

[*Mr. Petrie.*

clusion that compulsory arbitration or arbitration of any sort does not get to the root of the evil and does not settle the question. In many cases it does good. It brings employer and employee together, but when they are brought together and they do not agree, the fat is in the fire. It has been tried in New Zealand and it was thought that it was going to be the end of strikes in that country, but strikes prevailed there under the Arbitration Act just as before. Even in the Government coalmines, worked by day labour, they had strikes. Then, again, we have New South Wales; the Government made the people there have a Conciliation and Arbitration Act, and there they have as many strikes as any country, if not more; and, in fact, all over the world we find that Arbitration Acts are only an assistance. They are not a cure at all, and in many cases they are a very poor assistance. The late Government passed the Industrial Peace Act, and I think it was a very good Act. I think it was a better Act than the present Government thought it would be. Evidently it did not encourage strikes in Queensland, because strikes in Queensland were fewer than in any other of the States. I hope that this new Act will have the same effect. I am sure I do not want to see strikes and lockouts. I would like to see everybody at peace.

Hon. J. HUXHAM: Even the opossums?

Mr. GUNN: Yes, even the opossums. I would like to see this Government leave the opossums at peace, poor wretches. (Laughter.) We see that nations have conferences. There was the Hague conference; there they brought together delegates from the different nations and they laid down rules and regulations to be observed, but when strife began what was the good of all the acts and regulations? They all went by the board. The same happens, I am afraid, when an Industrial Peace Act or an Act such as this comes into force. There is no one to enforce the penalties, so far as I can gather, in any of these cases. A penalty is imposed of, say, a fine or imprisonment; and the men have not got the money and they do not pay the fine, and as it was in New South Wales some years ago, in connection with Newcastle strikes, whenever so many miners went out, it was found impossible to imprison them all because the gaols would not have held them.

Hon. J. A. FHELLY: They put leg-irons on Peter Bowling, you know.

Mr. GUNN: They may have done so in one or two instances but that did not settle the strike.

Mr. COLLINS: They chained them to logs in Queensland at one time.

Mr. PETERSON: I saw them myself—arms and legs—and one of them is representing the Government in the Upper House.

The SPEAKER: Order!

Mr. GUNN: I never saw them. When the Industrial Peace Act was before the House, that was the first time I heard of it. I think hon. members are getting back to 1891, the shearers' strike, which is just as well left alone. I think that there is only one remedy that the men have and that is a strike. It seems to me that these arbitration boards have only the utility of bringing people together. I think that the workers

in Great Britain say, "We would sooner do without an Arbitration Act than have the right to strike taken away." Therefore, I am glad that the Industrial Peace Act and this Bill, too, so far as I can gather, preserve to the workers the right to strike after taking a ballot or something of that sort. There is only one way of settling disputes between nations, and between workers and employers, and that is by strength, or by fighting. It is one of the laws of nature.

Hon. J. A. FIDELLY: Is that why the special constables were sworn in?

Mr. GUNN: They were obeying one of the rights of might, and might is often right. Take a herd of cattle; you see that the big and strong and vigorous bull controls the herd, and so it is in the human race.

Hon. J. A. FIDELLY: Who was the bull at that time, Mr. Denham? (Laughter.)

Mr. GUNN: It was not the hon. member, anyway. This Bill has been introduced because, when the members opposite were sitting in opposition, they found such a lot of fault with it and it did not have the Australian Workers' Union brand on it, neither did it have preference to unionists. Those were the two great defects of the former Act. I think it is only right that members of the Opposition should criticise what they think are defects in a Bill of this sort. We do not expect—at least, I do not expect—that the Government will accept anything I say because I say it, but surely if I mention anything that is of value, the Minister in charge will take a note of it and may be inclined to consider it. I am not a legal man, but I notice that the judge in this Bill is appointed for seven years. I always understood that the reasons why our judges in Queensland and Australia generally were appointed for life was to keep them away from political influence and dependence—the fear of the sack, practically. It appears to me that whoever is judge for seven years will have the fear of the sack or the fear of having to seek employment in other occupations after seven years.

Hon. J. A. FIDELLY: He is permanently appointed from the Supreme Court.

Mr. GUNN: He is permanently appointed judge, but we do not know that the Government might appoint a new judge for a seven years' period. Then there is the provision in the Bill for an eight-hours' day. It is all very well for the trades and professions connected with the city, but there are many industries in the country in which I do not know how it is going to work. There is to be eight hours' work a day and no work on Sunday. Take, for instance, a drover. He is a very useful member of society. He moves stock from the interior of Queensland to the coast, and those stock—sheep and cattle—have to be fed on Sunday and every other day of the week. Under this Bill you will not be allowed to travel your stock on Sunday, although we have another Act—the Travelling Stock Act—which says that if you do not travel your stock 6 miles a day in one and the same direction, you are liable to a fine. I think the Minister in charge has promised to amend the Bill to meet such cases as that. Then, take the boundary rider. I know what happens on my own place, where we are subject to floods. When rain comes, it is quite a known rule that the men go to the

huts because we know that there is a very hard time in front of us, and when that time comes the men have to work far longer than eight hours, and sometimes on Sunday, but they have had a good spell before it and they have a good spell after it, and they do not mind. I think it would be a cruel thing if when out flood mustering you had to leave sheep after eight hours, and it would be foolish if, when you had lost cattle and the eight hours were up, you had to abandon them. That would never do. A lot is talked about eight hours for the workers; I admit that eight hours' strenuous work is enough for anybody.

Mr. FREE: You like eight hours in the morning and eight in the evening?

Mr. GUNN: No; I like eight hours' work, eight hours' play, and eight hours' sleep, but there are occasions when you have to depart from that rule. There are classes of people which this Act when it comes in will not relieve at all. Take the unfortunate mother with a young family: there is no eight hours a day for her. She has to sit up night and day minding that child, and something ought to be done in that direction just as much as in the direction of looking after the men who are strong and able to look after themselves.

Mr. POLLOCK: What about three wives and working them in shifts?

Mr. GUNN: I do not know but that after the war we will not be able to get three wives and get over the difficulty, but at the present time they are unfortunate. I have seen it every day. Take the boundary rider's wife in the country who has a large family. He is out all day and there is no chance of getting assistance, and if she did get an assistant, the assistant would only be allowed to work eight hours per day. Then I think there is another difficulty before us, and that is that a man can only work at his trade. I know that at my place we have a man who is called a rouseabout—only one man at the head station. When he gets up in the morning and milks the cow, according to this Bill he would be paid as a milkman. Very likely his bridle is broken when bringing up the cows and he has to mend it, and then he would be paid as a saddler; then he would have to put a shoe on his horse before going out, and would then have to be paid as a blacksmith. Then, he might have to mend a window, and he would be paid as a carpenter. Then he might be sent down to start the pump, and he would have to be paid as an engineer. Even when he comes up in the evening, he may have to kill a sheep, and then he would have to be paid as a butcher. I think the Bill will have to provide for the jack-of-all-trades whom we cannot do without. Then there is preference to unionists. It is all very well to give preference in certain trades, but I think the court now lays down certain rules with reference to preference to unionists.

Hon. J. A. FIDELLY: You agree with unionism sometimes?

Mr. GUNN: There are occasions; for instance, if I belonged to a union and was going on to a job and the majority or nearly all of the men were unionists, and the others were receiving the benefits that we had helped to get for them, I should be very vexed if they did not join the union.

GOVERNMENT MEMBERS: Hear, hear!

*Mr. Gunn.*]

Mr. GUNN: But there are cases where preference to unionists is vicious. We will take, perhaps, the parent of a family: he must not treat his children differently; he must show no favouritism; he must treat them all alike. Or, take the schoolmaster: he cannot have favourites; he has to treat all the children alike; and I think the Government should treat all the people alike and allow the unionists to settle the question of preference. They are strong enough and big enough, and well enough able to look after the question without the Government coming in to help them. The trouble is how far it will go. At the present time it only refers to getting a job in the Government service, but later on it may happen that if you are not a member of a union you will not be allowed to travel on the State railways; if you do not belong to a union you will not be able to use the post office for posting your letters. You do not know where the thing will end. I think it is one of those things, like a fire—it is a very good thing in subjection, but when it breaks away from subjection it is a very bad thing. I notice, too, that before a strike is allowed to take place a ballot has to be taken. I forget whether it is a secret ballot or not, but in any case it has to be taken by the union itself. Such a ballot ought to be taken before a Government official, because if it is taken by the union itself it may be by a show of hands, so that every one would know how the members voted.

The SECRETARY FOR PUBLIC WORKS: Do they take a ballot by holding up their hands?

Mr. GUNN: They can take a vote by holding up hands, and I have seen a ballot taken in such a way that everybody knew how the persons voted. The Labour party in the past have shown a deadly hatred towards the postal ballot on every occasion, and have told us that the postal ballot is such a wicked and vile thing that it should be wiped off the statute-book. Yet here they are giving the trade unions power to take a ballot by a postal vote, so that they are reinstating the postal ballot in this Bill.

The SECRETARY FOR PUBLIC WORKS: You will support that?

Mr. GUNN: I will support it. There are many other matters that I should like to refer to, but they can be debated in Committee. I differ from some of my friends who think that all rural workers should be excluded from the operations of the Bill. I think that, if a dispute wants settling, it should be settled, no matter in what trade or calling it takes place, but this measure is drafted in such a way that it will be perfectly unworkable in connection with the rural industries.

Mr. STEVENS (*Rosewood*): Before the second reading of the Bill is passed, I should like to say a few words, if only for the purpose of entering my protest against legislation of this class being introduced at the present juncture. It is admitted by members on the other side of the House that this Bill is introduced to supersede the Industrial Peace Act simply because that Act was passed by the late Government, and for no other reason. Hon. members will recollect very well that when, in 1912, the Industrial Peace Bill was introduced, members who were then sitting on this side of the House had formed a preconceived idea as

to what the Bill was going to contain. They had made up their minds that a measure of a reactionary nature was going to be introduced, and they were utterly confounded when the Industrial Peace Bill was brought before the House. The speeches that were made by the present leader of the Government and other members who were supporting him on this side at that time had no reference whatever to the principles contained in the Industrial Peace Bill, which clearly proved that those speeches had been prepared on the presumption that a Bill of a reactionary and coercive nature was going to be introduced. It will be recollected very clearly that those members used every means in their power to try to raise a feeling in the country against that measure. They told us that we were going to be inundated with petitions against the passing of the Bill.

The PREMIER: No—that you would be inundated at the poll, and you were.

Mr. STEVENS: No; no such thing was mentioned. They told us that we would be inundated with petitions, and that the people would rise up and utter such a protest against the passing of the measure that we would be forced to abandon it. The leader of the Government went to Maryborough and other places where he thought he could raise up strong opposition to the measure, and he failed utterly; he was utterly unable to raise the slightest opposition in the country to the Industrial Peace Bill. The measure which I now hold in my hand is not introduced on account of any mandate from the people of Queensland. I venture to say that not one vote was gained by the party at present in power on account of their promise to introduce this measure. The leader of the Government has honestly confessed what it was that put him in power, and it is not necessary for me to repeat it now.

The PREMIER: The people of Queensland.

Mr. STEVENS: Perhaps the hon. gentleman wants me to repeat the reason he gave. It was simply because he had promised so definitely that he would make living cheap. As to this measure having had any influence whatever in inducing the people to effect a change of Government, the hon. gentleman knows as well as I do that it had absolutely nothing to do with it. Any fair-minded person must admit that the Industrial Peace Bill was an honest endeavour to introduce and pass legislation that would have the effect of obtaining for the people of Queensland industrial peace. The hon. member for Mount Morgan, in his speech this afternoon, instead of dealing with the measure that is under discussion, entered upon a rather lengthy dissertation on what he said is lacking in the Industrial Peace Act; but, to my mind, he utterly failed to prove a case against that Act. If it is necessary that other callings should be brought within the scope of the Act, then it would be quite a simple thing to pass an amending measure through Parliament, and that is apparently all that the hon. member for Mount Morgan considers was necessary. In speaking of the effects of the Industrial Peace Act where it has been brought into operation, the hon. member made some very inaccurate statements. For instance, referring to the sugar workers' award, he said it was not the Industrial Peace Act that gave the sugar-workers their improved conditions,

[*Mr. Gunn.*]

but the Tudor regulations. The Tudor regulations provide that 8s. per day shall be paid to workers in the sugar field, and the hon. member stated that the award under the Industrial Peace Act gave them a rise of 4s. per week. As a matter of fact, the Macnaughton award—that is, the award under the Industrial Peace Act—gave the sugar workers just about an average of 9s. 2d. instead of 8s. a day.

Mr. COLLINS: That is entirely wrong—8s. 8d. in the south and 9s 2d. in the north.

Mr. STEVENS: The hon. member will find that the facts are as I have stated them. The hon. member for Mount Morgan also said that 75 per cent. of that increase was taken away from the worker by an increased allowance for board and lodging. I am sure that hon. members will agree with me that any increase in the allowance for board and lodging that was awarded by the court was fully justified by the increased cost of living, and that it did not benefit the employers to the extent of one penny. We are all perfectly satisfied, I am sure, that the judge did not award that increased allowance in order to benefit the employers and rob the employees. It is quite clear that under the award of Judge Macnaughton under the Industrial Peace Act the sugar-workers benefited to the extent of 4s. per week instead of 1s. as the hon. member tried to make it appear. I have intimated that I am satisfied that there has been no public demand for the repeal of the Industrial Peace Act. I believe that during the late elections one branch of some industrial union—I think it was the Amalgamated Engineers' Union—sent round a circular asking candidates if they would support the repeal of that Act. That is the only instance, as far I know, where such a request was made. At any rate that was the only case in which I received such a request.

Hon. J. A. FHELLY: How did you reply to it?

Mr. STEVENS: In the same manner as I replied to all the other queries sent to me—I put it into the waste paper basket. The present is an inopportune time to introduce legislation of this kind, and I maintain that it is quite unnecessary to introduce it at the present juncture. As far as I can judge from the effect that similar legislation has had in other States of the Commonwealth, it is only calculated to cause unrest and increase the cost of living; and the present Premier has come into power pledged to reduce the cost of living. All legislation of this character tends to increase the cost of production, and, therefore, necessarily, to increase the cost of living. There is one thing in which I think all practical men, at any rate all men who have any knowledge whatever of some of our rural industries, will be agreed, and that is that a measure such as this is absolutely inapplicable to those industries, especially the dairying industry with which I am particularly identified, being a practical dairyman. I maintain that any man who has any knowledge whatever, no matter how superficial, of the conditions which obtain in regard to that industry will agree that the provisions of such a measure as this are absolutely inapplicable to that industry, and that if they are applied to it it will mean that the industry will be wiped out. It will be quite impossible for us in this country to compete against other countries under such conditions as are laid down in this measure,

and, therefore, I sincerely trust that whatever may be the ultimate fate of the Bill the leader of the Government and the Minister in charge of the measure will see the wisdom of eliminating those provisions which make it applicable to the dairying industry. There is another point

[8 p.m.] that I would like briefly to refer to, which has been referred to by most of those who have spoken, and that is preference to unionists. I have always been a unionist myself and have taken an active part in forming unions. I believe that industrial unions that are formed for the purpose of mutual benefit, and are properly conducted, must be a good thing for the people, but when such unions are used for political purposes they become a menace to the community.

Mr. CARTER: A menace to your side.

Mr. STEVENS: More particularly with regard to Government employment. I maintain that it is absolutely corrupt for any Government—I do not care whether they call themselves Labour or Liberal—to show preference with regard to the public service, because it simply means when such is done that only those whom they think are their own supporters can obtain employment in the Government service. Where we are carrying on to such a large extent with borrowed capital, and every person in the community is taxed in order to pay the interest bill, I say that there should be no discrimination and no preference shown by the Government with regard to employment in the Government service. I say that merit should be the qualification in making appointments to the Government service, and that political considerations should not come into question. I sincerely trust that the Government will see the wisdom of accepting amendments in the Bill on the lines I have suggested, and, if they do that, then the evil which will necessarily result if such a course is not followed will be very much minimised.

\* Mr. SOMERSET (*Stanley*): The hon. member for Albert and the hon. member for Dalby referred at some length and with considerable force to the legal aspect of this Bill, and forecasted that some of its clauses will lead to a great deal of litigation. I do not wish to refer to that matter, but I can see that the inclusion of the rural workers will lead to no end of trouble. It will lead to trouble between employer and employee, and this Bill is not in any way applicable to the industries mentioned by the hon. member for Rosewood. I have had considerable experience in rural life since coming to this country in 1871, and I am quite satisfied that drovers cannot drive cattle, if the principle of eight hours a day is applied to them, and neither can stockmen muster cattle under those conditions. As far as farm work is concerned, I am sure that if ploughmen have only to work eight hours a day, the horses will not get properly fed and looked after. A lot of time will be taken up in trying to give the horses a chance, and, under those circumstances, dairying will be an impossibility; at all events, we will have no chance of competing with other countries in the world. The butter market is the world's market, and all the efforts of the previous Government have been made specially to deal with that aspect of the matter. I remember the Morgan Government took credit to itself, and rightly so, in getting the mail steamers to come up to Brisbane. We

*Mr. Somerset.]*

subsidised them, and since the advent of those steamers the butter industry has gone ahead by leaps and bounds. That will all be nullified by the inclusion of the dairy workers under the provisions of this Bill. As far as droving cattle is concerned, I remember in 1874 taking a lot of bulls out West for sale. A dear old lady persuaded me, before I started to drive those bulls, not to travel on a Sunday. I tried to do what she wanted one Sunday, and I can assure you I had to pay for it. I got as far as Emu Creek, and those bulls gave us no end of trouble. Some of them strayed away as far as Colinton, and I was about three days finding them. I found that spelling bulls on a Sunday was no good at all. It is absurd for drovers to rest the cattle because it is Sunday. If you had to supply runs out West with bulls, you had to drive them, because there were no railways in those days. In accordance with stock regulations, you were bound to travel so many miles every day; there was no exception on Sunday. I suppose this Bill is going to override that old Act. It is going to override a good many Acts, and it can easily override that very little Act. In regard to men having to follow specified trades on stations, the hon. member for Carnarvon is quite right in the remarks he made on this matter. I know that on most stations and on large farms there is bound to be one man who is jack of all trades—a handy man. I have always found a sailor is as good a man as you can get on a place, as he is a handy man. How are you going to deal with him? He will have to take up one thing; I suppose splicing ropes. He is debarred from doing anything else. I do not know how it is going to work at all. I hope the Minister will show some common sense and look at the Bill in a reasonable manner and exclude certain workers from its provisions. Of course, the principal feature in this Bill is that which asks Parliament to adopt the principle of preference to unionists. The hon. member for Rosewood has just said that this Bill as applied to the Government service is neither more nor less than pure bribery and corruption.

Mr. BERTRAM: Do you not believe in preference to unionists?

Mr. SOMERSET: As applied to the Government service it at all events tends to bribery and corruption.

Mr. BERTRAM: The co-operative companies believe in preference.

Mr. SOMERSET: I think it is quite right that employees in meatworks, or in the large factories, or on the wharves, or where there are large bodies of men working together in the cities—it is quite right that they should belong to a union. I also think that their argument that, as the unions fought the battle for the other workers from which all workers derive the benefits, they should all give their assistance instead of remaining outside the union, is a good argument. (Hear, hear!) But I do not believe in forcing men who choose to live in the country and prefer to remain free, to join in any strike. If they prefer to be left alone, why should they not be left alone? If this preference to unionists is going to say to a man, "Either join the union or starve," then I think it is a most cruel application of the union doctrine. It is more than that. It is a deliberate interference with the liberty of the subject.

Mr. FOLEY: What is?

[Mr. Somerset.

Mr. SOMERSET: Saying to a man "Join the union or starve." A man is not allowed to get work unless he joins the union. There is no other alternative. Preference to unionists may be all right in certain callings. In the good old days, when the union meant something, it certainly meant efficiency. A man had to prove he was efficient before he could belong to a guild. There is no guarantee nowadays that you will get a good workman through the union secretary. There is no guarantee that he is a skilled workman.

Mr. FOLEY: There is a guarantee that he will get a decent wage for the work he does.

Mr. SOMERSET: It is a question whether some men are worth the wages paid to them. If he is a good workman and able to earn the money, well and good.

Mr. FOLEY: If he earns more than the wages he is paid, how will he get on then?

Mr. GUNN: If a man earns more than his wages the unions will down him.

Mr. FOLEY: I know better than that.

Mr. GUNN: My word, they do in my shed!

The SPEAKER: Order!

Mr. SOMERSET: Reference was made by the hon. member for Gregory to the young Australians who are fighting the Empire's cause at the present time, and he compared them with the unionists, but I do not think the comparison holds good.

Mr. POLLOCK: The majority of them are unionists.

Mr. BEBBINGTON: No, nine come from the country for every one from the cities.

The SPEAKER: Order!

Mr. SOMERSET: The hon. member for Gregory said the soldiers were fighting for the cause, and he pointed out that those who did not enlist were—I was going to say "scabs" or something of that sort, and he said in the same way the Workers' Union should be allowed to scorn men who would not join them. With all due deference to the hon. member for Gregory, I fail to see the analogy. The unionists are fighting to dictate terms to the employers. They are fighting for their own hand.

Mr. FREE: They are fighting for the full results of their labour.

Mr. SOMERSET: Unionism, if carried too far, will ultimately tend to reduce efficiency, ability, and any incentive to thrift, in fact to bring all men down to the one level. There is no inducement for a man to try to excel and no stimulus in that direction whatever. He has got to work a certain number of hours and receive a certain pay. No matter how good he is he is not allowed to do more than a certain amount of work. There is no stimulus to excellence whatever; in fact, it tends to reduce men to the one common level. Their object is to enslave men who desire to remain free, whereas our soldiers are fighting for the flag, the flag that spells freedom, the flag

"May sink with a shot-torn wreck,  
But never floats o'er a slave."

(Hear, hear!)

At 8.17 p.m.,

The DEPUTY SPEAKER (Mr. J. H. Coyne) relieved the Speaker in the chair.

Mr. BOOKER (*Wide Bay*): I consider that the House is under an obligation to

the Treasurer for the substance of his speech and the manner of his delivery when he moved the second reading of this Bill. It is one of the speeches that one likes to listen to. This measure is an important one and probably the most important that has been discussed in this House since the Industrial Peace Bill was discussed in 1912. I take the view that there is no legislation of such importance and gravity that Parliamentarians can discuss than that dealing with industrial legislation. Legislation dealing with industrial matters strikes the very core of our industrial and national life, therefore we cannot deal with anything that has that element of gravity in it that is of more importance than a Bill like this. I appreciate the manner in which the Treasurer delivered his speech very much. I think I came into this House at the same time as the Treasurer and I always felt that there was an element of force and the true union colour in that hon. gentleman. In dealing with this question he dealt with it dispassionately and effectively. But how far that spirit is going to involve itself in the administration of a Bill like this—because after all I assume the Government will not accept any vital amendments—when I read a statement like this, it makes me anxious as to the administration of the Bill when it gets into operation. I have here a verbatim report of the utterances of Mr. Mulvrey, who is well known to my friends opposite and well-known to myself. Mr. Mulvrey represented the employees at a conference of ironmasters quite recently, when he said this—

“On behalf of the moulders I may say that I am not disappointed. I came here to-day fully expecting your decision. I am a little older than my colleagues and know the replies that we are likely to get from our employers. As far as the war is concerned, it does not trouble us. Whether we are on strike or not we did not bring on the war, and we are class-conscious enough to know that the conditions outlined cannot be considered to the same extent by us. We realise that we have the Government in sympathy with us, and we will look to the Government to help us out of this difficulty, whether by establishing works to compete with you or in some other way, and I am satisfied that we have got a Minister who will carry out our instructions.”

It is remarkable that when we were dealing with a measure only a night or two ago, I happened to say that the Premier had received his instructions. Well, Mr. Mulvrey distinctly and emphatically states that the Secretary for Public Works will receive his instructions, and there is no more striking circumstances than that speech of Mr. Mulvrey's. He further says—

“I am satisfied that we have got a Minister who will carry out our instructions when we give them to him.”

No doubt, the Secretary for Public Works will carry out his instructions, like the Premier has carried out the instructions given to him.

The PREMIER: By the people of Queensland.

Mr. BOOKER: That speaks for itself. No argument is required; it is self-evident. Then Mr. Mulvrey goes on to say—

“I thank you for the way you have treated us; you have treated us as I expected you would, as men to men. As far as the hours go it is a question that we will request the law on, and whether the men in Maryborough want it or not it will be forced on them.”

That is the proper spirit, and that is the spirit I appreciated in the speech of the Secretary for Public Works. That is the kind of spirit that is behind all legislation of this nature. Industrial legislation can only be effective in bringing about peace conditions when there is that spirit of fairness and equality. Whether we are going to have that under this Bill, I do not know. I have my doubts. I have here a little leaflet from which I am going to quote one or two passages just to indicate what other people and other men who have had some experience of industrial life—what other people and other countries think of Australian legislation and the effect of it in Australia. Some short time back a commission from America visited Australia, and in their perambulations through the country they observed the industrial conditions in Australia and New Zealand, and this is what they say in their report when they returned to America. This is a matter that deals largely with clause 8 of the Bill, subclause 1 of which provides for fixing the quantum of work or service to be done, and the lowest prices for their work or rates of wages payable to employees other than aged or infirm workers. The reference that I am about to read refers particularly to the fixing of the quantity of work and the payment for it. The American commissioners say this—

“The commission have formed the opinion that their industrial laws are serving to make New Zealand and Australia”—

I am not going to read an offensive term used here, because I object to that kind of term. I will pass that over.

HONOURABLE MEMBERS: Hear, hear!

Mr. BOOKER: The report goes on to say—

“That they have practically destroyed all hope of reward for personal ambition among the workers; that workmen's laws are correct in theory upon the grounds that loss through injury to a worker should find its equality in the cost of production, and that when such laws are founded upon just principles they are, when fairly administered, a benefit to the community. The purchasing power of money in the Commonwealth had depreciated, according to statistics, since 1901 practically in the same ratio as that in which wages had advanced. It was, therefore, the commissioners thought, apparent that however much legislation may have been enacted as a panacea for the economic ills of society, it had had practically no effect on the natural law of supply and demand. The real effect of the industrial legislation, they declare, has been to create disappointment and breed more discontent by imposing upon the people a burdensome and expensive system which has failed to give

*Mr. Booker.]*

value. The very pointed deduction is drawn that if, in view of the homogeneous character of Australian workers, its system of industrial legislation fails to create industrial peace, any hope of similar legislation proving even partially successful among the heterogeneous mass of workers in the United States was futile."

The responsibility of officials, and to a very large extent the responsibility of the industrial official, lies in not breeding industrial peace, and that is what I personally am anxious to bring about. It is quite recognised, unfortunately it is recognised, that the very fact of their being represented in this House was brought about by industrial unrest. Hon. members would not be sitting on that side if it had not been to a very large extent through industrial unrest. Whether there is any sincerity in hon. members in bringing in a Bill like this, whether it is desired to bring about industrial peace or not, there are elements in the Bill that indicate that there cannot be that industrial peace and restfulness that there should be to develop our country in the direction in which it should be developed. Whether there is that element of sincerity, whether the Bill is going to bring about that element of industrial peace, largely depends upon the attitude of hon. members opposite, and more particularly of hon. members who occupy the Administrative bench. This is what the Americans say of the responsibility of industrial officials—that is, of men like our friends opposite. I understand, say with the exception of six or seven members on the other side, that they have all been some time in their lives secretaries of industrial unions or delegates representing industrial unions. Whether it is so or whether it is not, there is a big element on the other side of men that have come into Parliament through the fact that they were able to get the union vote and, therefore, their responsibilities are great to bring about and maintain industrial peace. The members of the commission say this in their report—

"The opinion is expressed that officials of labour unions should be held individually responsible for damages accruing from strikes, and that non-enforcement of the law was one of the prime causes of trouble in labour disturbances. All the labour organisations of Australasia were based upon false principles, economically unsound, by which the majority suffered at the hands of an organised minority. A practical remedy for industrial unrest would be the founding of a new unionism, with efficiency and greater productivity as its watchword, thereby increasing the purchasing power of money wages.

"The fact of the whole matter, the commissioners state, is that the only thing to save their own country from the influence of organised industrial despotism would be co-operation of employers and other forces who have heretofore been apathetic and indifferent as to what was going on, and who had permitted an organised minority to rule over them. The more that industrial peace was sought through legislation which encroached upon the natural rights of citizens, the more pronounced

would be the spirit of antipathy between the employer and the employee. Australasia clearly demonstrated that industrial salvation by legislation was not possible."

and "I have that feeling myself, that the farther we go in endeavouring to legislate into existence industrial peace, the more difficult the position will become.

Mr. COLLINS: What are you quoting from?

Mr. BOOKER: Notwithstanding my hon. friend, the American Commissioners' report says that quite clearly, and they were men—practical men in the industrial life of the United States of America—who came over here to observe and form a correct opinion,

with no prejudice, no passions—  
[8.30 p.m.] to form an opinion of how far industrial legislation had brought about industrial peace in Australasia. These are the opinions of these men based upon their experience in Australia. And I say again that they were men without any local associations; they came here without any private feeling about the matter, just as students, coming to this great country to find out just how far industrial legislation had effected the people and the well-being of the nation; and we all realise that Australia is the country which probably has done more in connection with industrial legislation than any other country in the world. Whether it is going to be the panacea which hon. members think it is remains to be seen. Here is another extract from the same report—

"The commissioners believed that minimum wage laws were a serious mistake. Present-day legislation seemed to be leading towards a policy of compromise in partial satisfaction of organised demands for special privileges and immunities."

That is a point I desire to make reference to also. This Bill gives to a certain section of the community immunity. To have a just enactment there must not be favours; there must be absolute justice to all factors, no matter which class of the people is controlling the Government—whether it is the Labour party or any other party—the people—using that term in its fullest sense—should be treated in a just and proper way. This Bill, in many respects, cannot do this. It gives preference to one set of persons as against another set, and that is one of the difficulties of it. Speaking of unionists, and preference to one class, we are reminded that, as a matter of fact, we rarely hear the term now of "trade unionist" or "trades unionism." It is just the simple terms "unionist" or "unionism." The principle of trades unionism is probably the very best thing the world has known. No one—no matter what his political opinions are—can question the great benefits that have accrued all over the world, more particularly in the great industrial centres. No one can question that trades unionism has lifted the people to their present higher plane, and properly controlled, properly administered, will lift them higher still. That I believe will eventually result from trades unionism; but unionism—as we know it, and as this Bill deals with it—may be described in the words of Mr. Foster, a well-known Labour man, when speaking some time ago in the Federal Parliament. I have here an article published in the "Melbourne Age," and the

[Mr. Booker.

"Age" is a paper that favours our friends opposite more than it advocates the principles of members on this side.

Mr. COLLINS: It is a good "Yes-No" paper.

Mr. BOOKER: To some extent it is a good Labour paper. This article says—

"In a leading article on the vote of want of confidence motion of Mr. Deakin's on 'preference to unionists,' the Melbourne 'Age' says, Mr. R. W. Foster gave utterance to a sentence in the House of Representatives which caused obvious distress to his Labour auditors. 'The censure debate may end to-day,' said the hon. member, 'but the question of preference will not end to-day; it will live and grow and gather strength continually until at last it will destroy the men who introduced and enforced the wicked principle.'"

That is an utterance of Mr. Foster, a public man who held a responsible position in the Labour party and in the National Parliament of Australia. That is his opinion about preference to unionists. This article goes on to say—

"Most political vaticinations are not worth the trouble of repeating, but Mr. Foster's prediction is of another order; it is based upon an undying natural truth—the fact that the human heart instinctively abhors injustice, and must always, soon or late, rebel against the practice and the forms of tyranny. Labour claims that there is nothing new in the 'administrative preference' of the Government. In a sense that is true. The proverb says there is nothing new under the sun. But we have to delve a long way back into the murky annals of antiquity to discover the original of Labour's latest policy."

Preference to a class as against any other class! When an utterance like that emanates from a strong labour man, then there must be room for all of us to differ as to the justice embodied in the Bill, and also something more than justice, as to the advantage to the people most concerned—that is, to the unionists who claim preference as against all other persons in their respective callings. When I am dealing with preference to unionists or unionism, I say that it is virtually fighting the air to raise any objection to it in this way. Start with our great primary industry—the great big industry that keeps Queensland going, more or less—the pastoral industry. This is the position—the boundary rider on a Western sheep property belongs to the Australian Workers' Union. Then we have the rouseabout who helps to bring the sheep into the shed a member of a union; then we have the shearer; then we have the classer and every man in the shed a unionist. Then the carriers, unionists also. Then the railway men, more or less unionists also. Then probably the carriers who take the wool to the dumping sheds; then the wharfsiders who handle the wool and the seamen who finally deliver it to its destination in the world's markets—all unionists. Then take another branch of the same industry. The stockman who musters the cattle; the railway men who bring them to the meatworks; the butchers who handle the cattle and their products—all unionists; and the same thing applies to

the men who finally deliver the meat to the world's markets or even to our own people. Every employee in the primary pastoral industry is a unionist—that is accepted. Then take a secondary industry. Take the iron industry; I am bound to say that there are not a dozen men conscientiously in Queensland who are not unionists. The same thing applies to the timber industry, to the clothing industry, to the boot industry, and the hat industry, and all the other allied industries down to the smaller industries. Practically the industrial life of the country is controlled by trade unionists, so no matter what might be said here, I am quite satisfied that the great mass of industrial workers, so to speak, are inside the unions. Whether it is good or whether it is bad remains to be seen. Mr. Foster, in his speech in the National Parliament, put the right construction upon it. The day will come when all industrial workers will be in a union, and that is the time when the men who are to-day clamouring for preference to unionists will feel the pinch. Then I come to clause 4, which provides that any employer who desires to engage a workman, more particularly in the larger industries, must make application to the secretary of the union or to the Minister administering the Act. At the present time, the manager or foreman in the majority of our large industries, if he wants two, ten, twenty, or fifty men, makes application for those men to the secretary of a union. Under the old conditions, when it was a man's qualifications which enabled him to obtain admittance into a union, the employer felt confident that when he made application to the secretary of the union he would get men qualified to do the work required of them. But under the newer conditions, when anyone can get into a union, new members being desired in order to strengthen the union's numbers and financial position, there is a danger that when the manager of an enterprise applies to the trade union secretary he may not get the best men for his business. Assuming that the hon. member for Gregory, who has just come from the secretaryship of a union, was secretary still, and I was a pastoralist in the Gregory district and wanted to obtain a man through his agency, am I certain that I would get the best man available?

Mr. POLLOCK: Yes.

Mr. BOOKER: Is it not human nature that the hon. member would not have his favourites? The hon. member smiles, but I venture to say that the hon. member would have his favourites and personal friends, who may possibly be inferior workmen, and they would be sent out to me to carry on my industrial enterprise, while the best men—possibly married men—would fail to get a job. That is a danger that working men will have to consider in the future—whether the best men or the "suckers" are going to be engaged in an industry. This will largely depend upon the friendship of the secretary of the union, and I feel that we shall have very serious trouble in this respect from time to time in our various industries. There is one feature of this measure that I approve of altogether, and that is the provision that the Act shall be administered by a man occupying the position of a judge of the Supreme Court, and that the person presiding over an industrial board shall be a permanent officer, termed under this Bill "Industrial Magistrate."

*Mr. Booker.]*

The chairman of a board will be a man who has the confidence of the Government, probably a man who occupies the position of a District Court judge.

At 8.46 p.m.,

The SPEAKER resumed the chair.

Mr. BOOKER: When the Industrial Peace Act was being discussed I took up the attitude that I take up now, and subsequent to that I emphasised the weakness of the Industrial Peace Act in respect to the position and qualifications of the chairman of an industrial board. The importance of industrial peace far outweighs anything else. Nine times out of ten a District Court judge has to deal with trivial matters in which £50 or £100 are involved. What is that compared with the responsibility of a judge or magistrate presiding over an industrial board that has in its hands the destiny of thousands of the workers of the State and the preservation or otherwise of property worth several millions? If 10,000 or 15,000 men are thrown out of employment in the sugar industry during the crushing season, that will be a serious matter for the industry and for all concerned. The same thing may be said about the pastoral industry, or any other large industry. If a dispute arises, the longer that dispute continues, the more difficult it will be to secure a settlement, but if you have chairmen of the type provided for in this measure—men who have a full knowledge of their responsibilities and the capacity to deal with the case on the evidence adduced—they will quickly get a grip of the points at issue and probably be able to effect a settlement within a reasonable time. If a dispute is settled in a week or a fortnight, very little damage will be done, and therein is seen the advantage of the proposal in this measure to appoint as the chairman of a board a District Court judge or magistrate. But there is a big issue as to the appointee. Whoever is appointed as the industrial judge, there lies in that man's personality, and his honesty of purpose, the whole success of the Bill, no matter what its shape may be. I heard incidentally the other night that it is generally accepted as a fact that the Premier is about to relieve himself of grave responsibility and take up even greater responsibilities.

The SPEAKER: Order!

Mr. BOOKER: Well, I will get on to some other argument.

The PREMIER: The Premier has no intention.

Mr. BOOKER: The whole success of the measure will depend upon the power and strength and justice of the man who occupies that position.

Mr. T. L. JONES: Didn't you hear the Premier say that he has no such intention?

Mr. BOOKER: Then another defect I regret to see in this Bill is in regard to the taking of a secret ballot to prevent a strike. I cannot see why the Government are deleting the method prescribed by existing Acts from this Bill. If there is anything that gives confidence to the men engaged in an industry, it is the fact that they can record their vote in a silent way, and their friends, and those who are not friendly with them, do not know how they have voted. If it is right that there should be a secret ballot, and that ballot should be dealt with by high

officials, men of integrity, in connection with our ordinary municipal and State elections, surely the same principle might apply under this Bill, and the secret ballot be taken by the registrar and not by the secretary of a union. Probably the most serious blemish in this Bill is the fact that the Government are giving to a union secretary the right to take the ballot and know all about it. We know from past experience the general attitude of the union secretary in dealing with matters that might lead to a strike. You talk about victimisation! There is class victimisation on both sides, but I know where men in the railway service have been seriously annoyed, and their lives made miserable, because it is known to the union that those men have a certain political opinion.

Mr. POLLOCK: That is not possible under a union vote.

Mr. BOOKER: I can give no end of instances where men in the railway service have suffered many disabilities at the hands of men like the hon. member. That is the danger. What hope would these men have under preference to unionists if the ballot was taken by, say, the hon. member for Gregory? Those men would have a very bad time, and then, subsequently, what hope would they have of being selected by the secretary when requests came in for employment? They would have no hope whatever. The workers of the country are losing probably the safety clause of the whole Bill by allowing their representatives to pass a measure denying them the right of a secret ballot. If hon. members opposite are quite honest about it, they will, as a matter of justice to men who have not the same political opinions as themselves, give those men that element of justice by permitting them to cast their votes as they cast them under the Industrial Peace Act. It is one of those unjust inequitable things that I do not like about the Bill. Then, there is an element about the Bill that tends to produce irritating conditions. In clause 4 and its various subclauses, there are many conditions laid down that will cause no end of irritation, and a lack of immediate settlement. There are many provisions in that clause which will lead to everlasting litigation. How the Minister or his officers, or the judge himself, is going to finally unravel the mystery in those subclauses, I cannot comprehend. I cannot see how the judge is going to bring into operation what this Bill contemplates. Here is one irritating circumstance. In one of the subclauses it says that hot or cold water, sanitary and bathing accommodation, must be provided in all the industries. I would like to know from the Minister in charge of the Bill whether all the large industries in the various centres, which employ men working eight hours a day, have to provide shower baths for 500 or 600, or 1,000 men? I would like to know if that provision must be made? I can quite understand that swimming baths might be erected at any of the big industries, but I am certain that probably not 10 per cent. of the employees would waste their time there in the evening when the whistle blows. They prefer to go home and have their wash there. These little instances make the Bill in some respects ridiculous and unworkable. You are imposing upon the industries certain things that are not going to be useful or of any value to the employees. There is another matter on which I would like to

[*Mr. Booker.*]

hear from the Minister, that is as to giving notice to the secretary of an industrial union, or to the Minister, of any vacancy among employees. It is a well known fact that many of the secretaries of unions are not employed in the industry. An industrial manager may want a number of men, and he wants that number, say, that day or the day after. How is he going to find the secretary? If the secretary is not in the union, he might be anywhere. That is going to be one of the irritating circumstances which is neither good for the men nor for the industry. Take the case, for instance, of a blacksmith in a large iron works in Brisbane. He has two strikers, and one striker gets ill or is not available; then the blacksmith himself has to cease work owing to the fact that under this Bill no man who is filling any other occupation in the works can come to help the smith do his work. Those are the kind of irritating circumstances which will occur.

Mr. POLLOCK: That is not in the Bill at all.

Mr. BOOKER: Yes, it is.

The SPEAKER: Order! The hon. member has exhausted the time allowed him by the Standing Orders.

Mr. FOLEY (*Mundingburra*): It is really amusing to one who has been here for so many years to sit and listen to the squatters, the big farmers, the members of the Chambers of Commerce, the big pastoralists, and all those gentlemen who have been fighting the workers all their lifetime, who are now standing up in this Chamber and asking a Government appointed by the workers of Queensland to look after their interests because the Government are endeavouring to bring about some legislation that may do the workers some good. It is amusing, to say the least of it, to hear the hon. gentlemen raving at a Labour Government because they are here for the purpose of doing something for the workers that they have been in hopes of being able to do for many years, and it is only now they have come into their own that they are able to do these things. In listening to the hon. gentlemen on the other side, who thought fit to discuss this Bill, I have heard some of the wildest statements that I have heard in my life—statements that hon. members know do not bear a tittle of truth. For instance, the hon. member for Albert, in addressing this Chamber last night, laid it down that the secretary of a union is the only and sole person who has the right to employ men in his union. Say that an employer wanted a dozen men, the secretary of the union is the man who has to select these men and the employer is bound to accept them whether he likes it or not. There is nothing in this Bill providing anything of the sort. There is nothing here to compel a man to accept the man that the secretary picks out for him. If the employer has a man who does not suit him, he can sack him.

Mr. ARMSTRONG: This Bill will not let him sack him.

Mr. FOLEY: There is nothing to prevent him. There is no law to prevent a man from getting rid of a man who does not suit him, and the hon. gentleman knows that well enough. I have been in this industrial business for thirty-two years in Queensland,

and I know all about unionism. I know that no secretary of a union has got the power to pick a man the employer does not want. Under unionism as we know it to-day, if an employer requires a dozen or twenty or forty men, and he asks the secretary of the union to send him these men, they will be sent to him, but the employer is not bound to employ these men if they do not suit him.

Mr. BOOKER: He will have to keep them under this Bill.

Mr. FOLEY: Not at all.

Mr. BOOKER: Absolutely yes.

Mr. FOLEY: I know better. That being the case, the statement of the hon. member for Albert in saying that the secretary of the union was sole judge and the only man who could appoint the workers, and the only man who had a right to pick out the workers, is all wrong. The secretary is the servant of all the members of the union, and he has no right to have any favourites in the union. I know that I used to quarrel with one of the leading stevedores in Townsville because he had his fancy men in the gang and he would pick them every time. For every job that came along this man would pick out his own favourites, and they would get all the jobs.

Mr. BOOKER: On their merits?

Mr. FOLEY: Yes, of course, on their merits. The stevedore would pick the men he wished for, and then if there were any other places to fill he would fill them up with the other men. If you tell me that the secretary of the union can pick a gang of men for that stevedore and that that stevedore will have to employ them, then I tell you you are mistaken. The thing is ridiculous on the face of it. My experience has been that unionists have been sacked by employers simply because they were unionists.

Mr. COLLINS: Hundreds of times, and the hon. member for Wide Bay knows it.

Mr. FOLEY: The hon. member for Wide Bay must know it.

Mr. BOOKER: I don't know that.

Mr. FOLEY: In the old days, before unionism became as strong as it is to-day, lists were supplied to the secretaries of the pastoralists' association, and they were sent round to the different sheds in the Western country.

Mr. ARMSTRONG: That was many years ago.

Mr. FOLEY: Those lists were sent round, and the names of men were marked who should not be employed. It was done scores of times to my knowledge. If hon. members will take the trouble to read my speech on the Address in Reply, they will see where we approached Sir Thomas Mellraith and asked him to bring about a conference between the pastoralists and the shearers, but, because we could not get that conference, the shearers' strike took place in 1891. I know what happened at that time. The shearers came out on strike, and there is one man in the present Government who went to gaol for three years because he dared to stand up for better conditions for the shearers. There is another man sitting behind me who suffered for the same thing. There were twelve or fourteen men sent to gaol in 1891 simply because they dared to stand up for better conditions. In 1894, when

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the shearers went on strike again, what did the Government do? They sent out the military to shoot down the shearers, and they passed the first Coercion Act that was ever passed in Queensland. Over twenty-five years ago, when Sir Thomas McIlwraith was approached, he challenged the Labour party that if the laws did not suit them, to send in their own men and alter the law, and we have done it.

GOVERNMENT MEMBERS: Hear, hear!

Mr. FOLEY: If this law had been in existence at that time, Sir Thomas McIlwraith and his friends the squatters would have had to come to the court and discuss matters in an amicable manner. Instead of doing that, they sent the shearers to gaol.

Mr. GUNN: Who burnt down the woolsheds and set fire to the grass?

Mr. CARTER and other GOVERNMENT MEMBERS: The squatters.

Mr. FOLEY: In order to arouse public indignation against the shearers, the squatters set fire to the woolshed.

Mr. CARTER: Yes, they did it to get the insurance, or to get new sheds.

Mr. FOLEY: We know who did it.

Mr. MORGAN: Jim Page said that they did not do it.

Mr. FOLEY: Yet hon. members come here and tell us that the secretary of the union can pick men and compel the employer to take them whether he wants them or not. That is all bunkum. You know yourself that it is not correct.

Mr. BOOKER: I hope it is not.

Mr. FOLEY: If this Bill has any object at all, it is the bringing together of employer and worker to prevent strikes or lockouts taking place. The hon. member talked about a secret ballot, and said he is sorry a secret ballot is not included in the Bill. The ballot is there all the time, and the opinion of the men is taken as to whether they shall put in any demand for extra wages or other conditions, and nothing is done until a majority of the men are in favour of certain action being taken. Whenever a dispute arises, the court can be asked to bring about a compulsory conference between the two parties, and no work is to be stopped in the meantime. If an Act of that description had been in force, the shearers would not have been sent to gaol in 1891. The squatters would have had to meet the shearers whether they liked it or not, and because we are now asking for power to prevent that sort of thing, we find hon. members opposite standing up and raving.

Mr. GUNN: Stonewalling your own Bill.

Mr. FOLEY: Yes. It was said last night, I think, by the hon. member for Albert, that the Wharf Labourers' Union was a close corporation—virtually saying that the Wharf Labourers' Union would not admit any more members.

Mr. BOOKER: They have closed their books.

Mr. FOLEY: As a matter of fact, some of them did ask to have their books closed. Men were crowding in such numbers into the union that they made application to be allowed to close their books, but they were

not allowed. Men were crowding in such numbers into the union that work could not be found for them.

Mr. BOOKER: The books are not closed now.

Mr. FOLEY: No; anybody can get in who likes.

Mr. GUNN: What have you to pay to get in?

Mr. FOLEY: £1 entrance fee and 2s. a month. The contributions are within the reach of everybody. As a result of these unions men are getting better wages to-day than they ever got before in Queensland. It has been said that the unions do nothing for the workers. We have meatworks in Queensland, which, when they started some twelve or fifteen years ago, paid the men anything from 4s. 6d. to 5s. 6d. a day—married men with families working for 4s. and up to 5s. 6d. a day. The men were not organised in those days. They used to go to the meatworks from all quarters when the season started, get a job, and work the season out, and all they got was from 4s. to 5s. a day, with a bit of tucker which, in some cases, was very rough. These men formed a union, which I had the pleasure of assisting to form in the Northern division, and now not one man inside the fence is getting less than 8s. 8d. a day, and most of the labourers are getting 9s. 4d. or 9s. 8d. a day, and they only work eight hours a day, whereas, in the olden days, they worked ten and a-half hours a day.

Mr. ARMSTRONG: What is the difference in the value of their product? A beast which was worth £3 then is worth £15 now.

Mr. FOLEY: They are not concerned about the value of the product.

Mr. ARMSTRONG: It is the product that pays the wages.

Mr. FOLEY: Quite so; but in some cases the extra wages have to come out of the profits of the employer. Where they are making large profits they may be asked to disgorge in order to pay the men increased wages. My point is that the men, through organisation, were able to speak with one voice and demand that they should get better wages.

Mr. ARMSTRONG: It pays the industry better to pay those wages now than it did to pay the small wage before.

Mr. FOLEY: That may be so.

Mr. GUNN: What was the rate of living when they got 5s. a day?

Mr. FOLEY: It may have been a little lower than it is now, but not much. We know that, before 1891, the shearers were only getting about 17s. 6d. a 100. It has been said during this discussion, and the hon. member for Wide Bay used the argument just now, that legislation would do no good to any industry.

Mr. BOOKER: I was quoting the report of the American Commission.

Mr. FOLEY: I do not believe the gentleman who made that report. He is very likely the representative of one of the meat trusts in America. We know that the shearers, before 1891, were only getting 17s. 6d. a 100 for shearing, and in some cases 15s. a 100, while to-day they are getting 24s. a 100, and that has been brought about by the Commonwealth Arbitration Act. They

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went to the court and got the employers to the court, and the judge decided that to shear sheep as they should be shorn it was worth 24s. a 100.

Mr. STEVENS: It was 20s. before that.

Mr. FOLEY: The hon. member is right in that. It was raised from 17s. 6d. to £1, and then the Arbitration Court put it up to £1 4s. All that was because the men were organised, and they returned members to the Federal Parliament sufficiently strong to induce the Deakin Government to pass the Arbitration Act. The workers, through their organisations, have been in a position to compel Governments to pass such legislation as must be of benefit to the workers themselves, and not to the detriment of the employers either. As has been stated by interjections several times, prices in other directions have gone up. Still, if it had not been for the legislation we have had placed on the statute-book, those prices would have gone up, and the worker would have been left in the same position. It was only through the court ordering that the shearer should get a reasonable share of the extra price that he was able to get this extra 4s. per 100. For that reason, it is good that the Queensland Government should pass an Arbitration Act in order to deal with industrial disputes in Queensland. It is dealing with them in such a way that no one can be injured, and I trust that industry will continue to go on as usual, and that the workers will come out, if not better, at least as well as they are at present, and that the employer will not suffer. As I say, the wages of the butchers and the shearers have been raised considerably, and the wages of employees in other industries have had to go up as a result of legislation which has been passed in the various States of Australia as well as in the Commonwealth Parliament. The hon. member for Wide Bay said that the unions victimised men who were not unionists. We claim that it is to the benefit of all men to be members of unions for the reasons that I have given—that because of their organisation their wages have been increased. The man who remains outside the union, but is working among unionists in a certain industry who have obtained any advantage by the fact of their organisation—that is, a rise in their wages or a shortening of hours, or any other advantage—that man reaps the same benefit as the men who are unionists. But there is this difference—that the man who is a member pays a certain amount per week to keep his organisation going—to pay a secretary to look after his interests and deal with the employer when any disputes arise, without the employee going single-handed and becoming marked as an undesirable person in that industry. The secretary is paid to approach the employer on behalf of any of the members, and it is his business to deal with any difficulties which arise, so that the workers should not be victimised as they have been in times past. I know of scores of instances where men have been victimised because they dared to approach the boss and say that their conditions were not such as they thought they ought to be. They were immediately put down as undesirable persons—men who were not wanted in the industry or in the employ of that employer, anyhow. They were sacked and they did not know what they were sacked for. If the objects of this Bill are to settle that sort of thing, then let hon. members rave as long as

they like. I have said that we accepted the challenge thrown down by Sir Thos. McIlwraith that we should send representatives to alter the laws if they did not suit us. We have been fighting for years to do it, but now we are going to alter the laws because they do not suit us. I hope that hon. members on the other side will accept the measure in the spirit in which it is given. This Bill has for its object the bringing of both parties together, and I would say to hon. members opposite, as the Bible says, "Come, let us reason together." We do not want to take undue advantage of the employers.

Mr. FOWLES: You will not listen to them.

Mr. FOLEY: They will listen to us. We want the employer to meet us on level ground on an equal footing, and let us argue the point. If he has right and justice on his side, the union will give in to him; but if he cannot show that he has, then he has to give in to us. I hope that this Bill will be passed without the alteration of a comma or a dotted "i."

Mr. BARNES (*Warwick*): The Secretary for Public Works rightly indicated in his very comprehensive introduction of this measure that it was one of the most important measures that the Government intended introducing during this session of Parliament. Little explanation of such a statement is necessary. As the debate has proceeded, we have realised the fullness of the truth of the statement, because the speeches made, even by the last hon. member, fully indicate the far-reaching effects of the measure which is now before us. It seems a pity that any hon. member should find it essential to dig up a matter which should have been buried long ere this, and to go back to the year 1891 and refer to a strike which was of a lamentable nature—which no person would have encouraged. There is no need to re-enact things such as that, because the worker to-day enjoys advantages and privileges altogether beyond compare with those which were enjoyed at that period.

Mr. O'SULLIVAN: Thanks to those men who sacrificed themselves at that time.

Mr. BARNES: There was justification for acts of men at that period, but I question whether, with all the generous treatment that all parties within our Legislative Assemblies, not only in this State, but in other States also, have invariably shown to the representatives of Labour, there was any need to refer to that. There is ample reason for the hon. member for Mundingburra to have applauded what has been achieved, but it has not been achieved at the direct representation of hon. members themselves, because they have not been in power here—they have not been able to exert any direct influence on the administrative or legislative policy. They have had no control as to what legislation should be introduced. Legislation has been introduced largely as a result of the growing needs of the community and the realisation of people generally that the demands of labour should be met in various directions. I want to say that there is a feeling outside in connection with the measure which we have before us that the provisions are not only far-reaching but that many of them are directly antagonistic to the best interests of the people of this State, and that they constitute a menace

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to many of our industries. The Bill starts out badly. It starts out by repealing an Act to which I am not going to refer at any great length this evening, because many others have referred to it at very considerable length, and have compared it with the legislation which has obtained in other States, greatly to its advantage. The Industrial Peace Act has been a preventive Act; it has prevented people from striking. The Act which we are now discussing is going to encourage strikes, is going to bring man against man, and is going to work havoc in that particular direction—which is not for the well-being of the community. Here we have under the Industrial Peace Act enjoyed peace. There has been no sort of trouble. Of course, the finger has been put during the debate on the way of the agitator with which hon. members opposite have been connected for so many years. The hon. member for Mundingburra glories in the fact that he has given twenty years of his life to industrial organisation or agitation; well, it is good to be connected with the good cause for so long, but, at [9.30 p.m.] any rate, we may be enjoying in these days a peace which has belonged to no other period of time. That Act has made it exceedingly difficult for men to do wrong, and that is the identical thing that we want. But this Bill seeks to introduce into our industrial life conditions which are inimical to our development and that make for unrest, and if its provisions are carried out, the well-being of the State will be seriously affected.

Mr. CARTER: That is your opinion.

Mr. BARNES: Yes, that is my opinion, and I back it against the hon. member's opinion. There are men in the State who to-day are large employers of labour, but who began by employing a single individual, and they view with grave concern the introduction of this measure. There are tens of thousands of men scattered over the land—farmers, dairymen, orchardists—

Mr. COLLINS: Produce merchants.

Mr. BARNES: Yes, produce merchants, merchants, and others, who view this measure with very great concern. All those men are concerned as to the effect that such legislation will have on the industries of the State. There is something in this Bill that the man in the street does not like, and that the man who is an employer of labour does not like, and that is, the provision which enables the Government to delegate to unions a power which ought not to be delegated to any body of men. The Government are going to run in double harness with the unions of the State, and the unfortunate thing about the whole matter is that it is possible that the unionists will have the greatest say in the government of the country. I have not come across a single man who is not sceptical as to any good resulting from this measure. Many members on the front bench have said, "Trust the Government," but the people outside say, "We have our doubts"; and judging from the character of the legislation that has been forced through this Assembly, there is abundant room for doubt. Under this measure, if a man wants to employ another he has to give notice of his intention to the secretary of the industrial union concerned or to the Minister administering the Act. The Bill is to apply to all callings whatsoever, and to all persons whomsoever, and I con-

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tend that it is impossible for agriculturists, dairymen, and orchardists to be governed by the provisions it contains. Any man who has the confidence of farmers and who has lived among men on the land and known the difficulties they have to contend with, knows quite well that at times they have to put on a pace at their work and go full strength. There are times when they are at work early and late, and there are times when they have long periods of idleness. How can the ordinary eight-hour day be applicable to such conditions? The harvest will not wait in order to enable men to do that. Farmers have to make demands upon their employees and upon themselves in order to get their harvest in when weather conditions are unfavourable, and it is impossible to apply the eight-hour principle under such circumstances. We have also to remember, in connection with all our products, that if we impose conditions that are harassing in their nature, and place our men at a disadvantage as compared with those in other countries where they grow the same produce, we shall cripple their industry and prevent that export of produce which is needful for the proper development of the State. If we are to do any good for ourselves, we must send our products out of the country in order that gold may be brought in to meet our needs; but if you make the conditions of an exacting nature, such as are proposed in this measure, how will the men on the land be able to compete with persons in other countries where labour is cheap, such as India, Russia, and Japan?

Mr. COLLINS: You do not want to come down to their level, do you?

Mr. BARNES: No; I am not an advocate of that. The hon. member sometimes poses as a friend of the farmers, but I do not think he has very much sympathy with them. If the farmers whose votes the hon. member obtained had been aware of some of the speeches he has made and some of the votes he has given in this House, I do not think he would have received their support. I remember when he stood up here and denounced the farmers—the men on the land—hip and thigh.

Mr. COLLINS: That is untrue; you cannot produce it in "Hansard."

Mr. BARNES: I can produce it in "Hansard." I remember the day and the year when he made the statement.

Mr. COLLINS: Produce it.

Mr. BARNES: I will produce it. The hon. member said on that occasion, "Let the farmer do his own dirty work," and the hon. member who sits next to him brought him to order, and said "Why call it dirty work?" The late hon. member for Townsville, Mr. Philp, called the hon. member's attention to the expression he had used, and the hon. member said, "Call it what you like. I stick to it," or words to that effect—"Let the farmer do his own dirty work." Now we are told by the hon. member that he is in this House as the result of the support he received from farmers. What an extraordinary change! I am glad that he has become a convert to better ideas, that his sympathies are considerably changed, and that to-day he is in sympathy with the man on the land. This Bill applies, as I have said, to all callings, and I contend that it is unworkable as regards the farming and dairying industries. How is the farmer going to comply with the conditions of day-

labour on the one hand and with the conditions of paid employees on the other? The hon. member for Townsville tried to correct the hon. member for Wide Bay in a statement that he made. If the hon. member looks up paragraphs (a), (b), and (c) of sub-clause (vi.) of clause 8, he will see there plainly that the object of the measure is to secure preference of employment to members of industrial unions, and to make that preference effective, all persons employed in the callings are to be employed through the agency of the Minister or the secretary of an industrial union. Our farmers will resent that. They have not been in the habit of concerning themselves much about unions. When they want men during the harvest, they go to some neighbour and engage the men who have been working for him, or they may rush away to the nearest town; but to have to go through the routine of applying to the secretary of a union is not going to work.

Mr. SMITH: It has worked splendidly in many industries.

Mr. BARNES: With all due deference to the statement that has been made this evening that no individual is going to be thrust upon any farmer, we can take all that with a grain of salt, because when men desire work it will be the simplest thing in the world to send such applicants to work on farms and elsewhere. The thing is not going to work, because you will have round men put into square holes. This is going to introduce into the farmer's life influences of a disturbing nature. A great deal has been said by hon. members opposite regarding the work on farms; but we have to remember that the conditions in the country are altogether different to what they are in the towns, and that it is not necessary to make the conditions which apply to work in factories and shops apply to the country. The experience of those who have to do with men who engage in farming pursuits is that the bulk of them engage in those pursuits from a deliberate choice and with the object of ultimately becoming farmers themselves.

The PREMIER: The Bill will recognise these distinctions.

Mr. BARNES: I am glad to know that the Minister intends to modify certain provisions, but we would be very glad if he went a great deal further than that. We say that the farmer, the dairyman, and the orchardist should be exempt altogether from the provisions of such a measure; and, unless they are exempted, you are going to see a serious reverse take place in connection with the work of the man on the land.

Mr. O'SULLIVAN: Why do you put the sugarworker in and want to exempt other rural workers?

Mr. BARNES: The sugar industry is on an entirely different footing to all other agricultural industries. Sugar is a highly-protected product, and we are not exporters of sugar. We are simply engaging in the industry in order to occupy our tropical coast lands, and we have had to make the conditions acceptable to our people. But already there is a good deal of feeling being engendered in connection with that industry. I noticed the other day a letter in "The Australian Sugar Journal" over the signature of someone engaged in the industry which casts some very strong reflections

upon the Bill now before this House. The letter is written by Mr. Harry B. Staples.

Mr. COLLINS: The manager of the Mossman Central Mill.

Mr. BARNES: Quite so, and a very good authority, I understand. The letter concludes with this paragraph—

"Queensland is coming to a pretty pass when it permits any union to debase her citizens to abject servility by such miserable tactics. The workers are in such fear of the unions that they become quite unable to exercise their own conscience, and we have the sorry spectacle of practically penniless men throwing up remunerative employment at the bidding of meddlesome persons. What has become of our vaunted Australian freedom when honest working men, many with families dependent upon them, are debarred from a livelihood by such as these? There are many workers here who already wish the Australian Workers' Union further. And who is running the State, anyhow—the Australian Workers' Union or Mr. Ryan, Premier of Queensland?"

(Government laughter.) That very aspect strikes me. The Premier we do know, but the gentlemen forming the unions, whose names are legion, we do not know, and the country is not prepared to follow them. I was proceeding to say how detrimentally to the interests of some industries some of the clauses of this Bill are going to work. I refer particularly now to overtime. When a mill is worked with one, two, or three shifts, the second shift is paid double time, and the third shift is also paid double time. It will be impossible to compete in given directions with what is being produced in other places if the Bill is not amended in that respect. It would be an impossibility in the milling industry for men to work their second and third shifts, under those circumstances, and compete with New South Wales, Victoria, or other places, unless you are good enough to pull the ropes in some way so as to make the same conditions in that direction apply to the South. I want to say in connection with the employment of labour generally there are men who have been a lifetime in business, and they have worked along with their employees with an exchange of confidence which has been helpful to both sides, and now we find according to this Bill that in the event of an employee being required, instead of choosing possibly a man of competency and of character—the only considerations which should come before you—you are to make application to an industrial union or the Government. The Government would say, "The union knows more about this business than we do"; but is it fair or just, is it British that a man should be deputed to go to another in order to obtain the class of employment that he requires? A demand of that nature will not stand the slightest investigation. Then, again, the whole object of this business is preference to unionists, and in that there is no justice. There is nothing fair in it as between man and man, between one individual and another. Why should I have to discriminate between one man and another, between a unionist and a free man?

The PREMIER: You have only to discriminate if the judge orders it.

Mr. BARNES: No man in a free land should dictate; I have no right to dictate

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to any man, and he has no right to dictate to me. If there is a country in the world which has elbow room, surely that country is Queensland. Any man who desires to better himself, any man who has ambition, grit, and determination enough, and is thrifty, can get on, and will find many and varied opportunities for so doing. With all this elbow room why should we commence to dictate to a man as to what he should do? The fact is that what is sought is not preference to industrial unions alone, but preference to political parties and for political ends. The one dovetails into the other. The idea is to secure to the political machine perpetuity, but people are not going to stand that very long; they are going to revolt. (Government dissent.) It may be your day in, but your day out will come quicker than you anticipate. You already see the writing on the wall, and the people are already revolting against the conditions which you are imposing in the various measures which are brought before us. I am against any distinction being made between the various taxpayers of the State, and it is not right, fair, or just to give preference, even in the hands of the Government. I do not intend saying anything further. I again raise my voice in protest against preference being given to any individual, and against the dwellers on the land—the farmers, dairymen, and orchardists—being included in the provisions of this Bill. They should be exempt, if we wish our country to develop, as other lands have developed, as the result of the enterprise of the men on the land.

Mr. BRIDGES (*Nundah*): I do not intend to take up much of the time of the House, but I am somewhat in arrears, so that no one need complain if I do take up a few minutes. I believe that for the time I have been here I have taken up less time of the House than any other member of it. This measure is somewhat distinct from the measure it is about to replace, inasmuch as it includes rural workers, who are exempted from the existing Act.

Mr. COLLINS: Ah!

Mr. BRIDGES: My friend opposite says "Ah!" but I am afraid he never had a dairy or a farm, and, therefore, does not know very much about the industry. I am one who believes in men earning a fair wage, provided the industry will carry them sufficiently long for it to be of any use either to the workmen or the employer.

Mr. O'SULLIVAN: Does the primary industry want cheap labour or scab labour?

Mr. BRIDGES: Who is making this speech? (Laughter.) I am well aware that some hon. members on the other side say that if an industry will not pay what they call "a living wage," it is better to let the industry die. From their standpoint that may be correct, and I believe that their motive in saying it is a good one. But we must also remember that this is a young country, with a very small population, and at the same time we are talking about building up manufactures.

Mr. COLLINS: Wonderful productivity.

Mr. BRIDGES: I am afraid that my friend has not been much of a producer for some years. I intend to speak more especially in connection with the dairying industry. If we had a market for our product in Australia the same as we have in

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connection with the sugar industry, we could legislate as we thought fit, because we could keep the price up so that the industry would pay the price we put upon it. But it is quite a different thing when the bulk of the product has to be sent out to compete in the markets of the world, as is the case with the dairying industry.

Mr. O'SULLIVAN: There is very much cheaper land in Australia than there is in the old country.

Mr. BRIDGES: I will give you an opportunity very soon, with all respect to you. Cheap land does not come into the question. If there was no price at all for the land, we could not pay the wages under the conditions that are laid down in this Bill. I take it that they will be something the same as those in connection with the sugar industry.

Mr. COLLINS: You would not have anything less would you?

Mr. BRIDGES: If I was working, I would like to earn more if I could, and I believe that we should give more if we could in the dairying industry. I know something about it, and I know that the average man will handle twelve cows in a day.

Mr. FREE: And how many bulls?

Mr. BRIDGES: He would handle one like you. (Loud laughter.) These interjections somewhat draw me off the track.

I am not a new member, but [10 p.m.] interjections draw me off, just the same. I am not a practised speaker, but I am a practised dairyman, and I am going to give the result of practical experience, because it is sound. A man working for wages will handle twelve cows a day. You will wake him in the morning, and tell him to get the pony and bring in the cows. That will take him half an hour. He then has to handle these cows, which takes an hour and a-half. That is two hours. He assists in the milking of the cows and attends to the separator, which takes another half-an-hour. That is two and a-half hours. He feeds the calves, which takes another quarter of an hour. That is two and three-quarter hours.

Mr. MOORE: Then he has to boil the milk for the calves. (Laughter.)

Mr. BRIDGES: No. I am glad to say that the Minister has decided that he has not to boil the milk. Now, all this work has to be repeated in the afternoon, which makes five and a-half hours altogether. He is only allowed to work eight hours a day. He must get in some wood, and he will have to get in a good deal of wood now, seeing that the Minister for Agriculture has insisted that he must keep the milk warm for the pigs. (Laughter.)

Hon. J. HUXHAM: He has got two and a-half hours left for that.

Mr. BRIDGES: Yes. He goes down to the paddock with the horse to get a little wood, and the other two and a-half hours are gone. For three days a week either this man, or someone else, has got to go with the cream cart, which takes about one and a-half hour. At any rate, it does not allow him any time to cultivate any food for the cows. He will not have sufficient time to cultivate a little greenstuff for the horses and a little for the calves.

Mr. H. J. RYAN: Will you allow him to have a smoke-o?

Mr. BRIDGES: If he wants to smoke, let him smoke before he gets up. (Laughter.) It is a bad thing to smoke in the dairy, as it has a bad effect on the milk. Then, each cow produces about  $\frac{1}{2}$  lb. of butter per day. The price we get for butter is 10d. per lb., so that  $\frac{1}{2}$  lb. would be 5d. With twelve cows, at 5d. each, it would mean 5s. per day from the butter. And the man is supposed to get 10s. a day in wages! I admit that the man will assist in rearing ten calves. Ten calves, at ten months' old, are worth £1 10s. each, or £15 altogether. The man has to be paid time and a-half on Saturday, and double time on Sunday. If you will take these figures you will see that there is a distinct loss. Some will argue that  $\frac{1}{2}$  lb. of butter per cow per day is not a fair average, but I am backed up in that statement by milkmen who waited on Mr. Sumner, Price Board Commissioner, and he said that he was satisfied with the evidence which they gave him. They said that their cows were giving  $4\frac{1}{2}$  quarts each per day, and it takes 9 quarts of milk to make 1 lb. of butter. I am on solid ground when I fix the average at  $\frac{1}{2}$  lb. per day. I was looking at the last "Agricultural Journal."

The SECRETARY FOR AGRICULTURE: A very good journal.

Mr. BRIDGES: There are some very good things in it, and some very foolish things. In the month of July the Agricultural Department picked sixteen out of about forty cows. Four of these cows were stall fed for the Brisbane Exhibition. Most of the cows cost £100 each, and they were very good cows. These picked cows gave an average of  $\frac{3}{4}$  lb. of butter per day for the month of July. They were imported cows, and specially picked; and, if they only averaged  $\frac{3}{4}$  lb. per day, I am quite safe in fixing the average for ordinary cows at  $\frac{1}{2}$  lb. per day.

The SECRETARY FOR AGRICULTURE: They must be poor cows that only give  $\frac{1}{2}$  lb. of butter per day.

Mr. BRIDGES: You picked out sixteen cows and they only gave  $\frac{3}{4}$  lb. per day.

The SPEAKER: Order!

Mr. BRIDGES: I was drawn off the track by the Minister's interjection.

The SECRETARY FOR AGRICULTURE: I was assisting you. (Laughter.)

Mr. BRIDGES: Thank you, but the Speaker will not allow me to follow you. Under this Bill butter will not be made for export. I say that, as one who has followed up the dairying industry and worked in it since I was five years old. I do a little in it still, and I know what cows are capable of doing, and I know how many cows an average man will handle. I know it is said we ought to improve our herds.

The SECRETARY FOR AGRICULTURE: Hear, hear!

Mr. BRIDGES: The Minister has not improved his herd a great deal yet, when he has only got sixteen cows that will average  $\frac{3}{4}$  lb. of butter each per day.

The SECRETARY FOR AGRICULTURE: How can I improve the dairy herd in three months?

The SPEAKER: Order!

Mr. BRIDGES: However, supposing we take the average of  $\frac{3}{4}$  lb. for twelve cows—

that is only 7s. 6d. a day! 7s. 6d. a day does not come up to what was suggested by the Minister when he introduced this Bill. His idea was that the wages should be fixed by a man who gets about £1,000 or £1,500 a year. What idea has he as to what it costs to rear a family?

Mr. McMINN: He has the evidence.

Mr. BRIDGES: He has the evidence. How can a man drawing £1,500 a year have any sympathy for an industry of this sort? He will say the same as he said in connection with the sugar industry—if it cannot carry the burden, let the industry die. If that is the intention of the Government, let it be known. But I ask the Minister to reconsider his action in regard to the rural workers. There is no great hurry for this Bill. I tell you candidly that the industry will not be able to carry on under it.

Mr. FOLEY: What do you know about it?

Mr. BRIDGES: I know as much about it as you know about wharf labourers, and I did not drive about in a little trap collecting tickets. I milked the cows and made the butter myself. When we remember that at an average of  $\frac{3}{4}$  lb. a day, it only amounts to 7s. 6d. a day, and the wages will be higher than that, I have thought it necessary to take up the time of the House to show how the rural workers will be affected by this Bill.

Question—That the Bill be now read a second time—put and passed.

The committal of the Bill was made an Order of the Day for to-morrow.

## METROPOLITAN SEWERAGE WORKERS' AWARD BILL.

### SECOND READING.

\* The SECRETARY FOR PUBLIC WORKS (Hon. E. G. Theodore, *Chillagoe*): In moving the second reading of this Bill, I desire to outline briefly the reasons why the Bill has been introduced. The effect of the Bill will be to make retrospective the award recently given by the Industrial Court in connection with the employees engaged by the contractors on the sewerage works in Brisbane. The employees on those works would have been working under an award since the 14th June last had it not been for some informality in the award, for which they themselves were not to blame. It was because of the negligence of the past Government, or possibly on the part of the court itself, in not recommending an alteration of the Order in Council. However, the circumstances are briefly these: During last year a dispute arose in connection with the employees on the sewerage works, and, on behalf of the Metropolitan Water and Sewerage Board employees, an application was made to the court under section 7 of the Industrial Peace Act. The court was asked to make an award in connection with the hours of work, rates of wages, and certain other conditions of employment. On the 27th August last year the question came before the court, and the judge refused to entertain the claim. He ordered that a board should be formed to hear the case and give an award, and recommended that the board be created. He also made a recommendation that an Order in

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Council be formulated. The Order in Council was dated 8th October, 1914, and it was made in these terms, and it was on this point that the difficulty arose. These are the terms of the Order in Council—

“His Excellency the Lieutenant-Governor doth hereby order that there shall be created, and doth hereby create, an industrial board for the calling of labourers employed by the Metropolitan Water and Sewerage Board, such industrial board to apply to all labourers engaged in the construction and maintenance of water and sewerage works, including grooms, horse drivers, and watchmen, but excluding any labourers within the jurisdiction of any other industrial board; and doth order that such industrial board shall consist of two representatives of the Metropolitan Water and Sewerage Board and two representatives of the employees and a chairman; and doth assign to such board the name of ‘Metropolitan Water and Sewerage Works Labourers’ Board.”

The board so created was elected and proceeded to make an award.

Hon. J. TOLMIE: For the Metropolitan Water and Sewerage workers.

The SECRETARY FOR PUBLIC WORKS: The error commenced there, because, through an error, the Order in Council was not broad enough to bring in the employees on the sewerage works.

Mr. MORGAN: Who is responsible for the error?

The SECRETARY FOR PUBLIC WORKS: The Governor in Council was responsible for the error.

Mr. MORGAN: Not the contractor?

The SECRETARY FOR PUBLIC WORKS: Not the contractor, nor the employees, and because of this difficulty in the Order in Council, the employees of the contractor were practically deprived of the improved conditions from the date to which I desire to see the award made retrospective. The award was dated 15th April of this year; it was published in the “Gazette” on the 7th May, 1915, and it was to come into effect on the 14th June this year, and if it had not been for the error it would have applied to the employees working for the contractors of the sewerage works. It was intended that the employees of the contractors should have been covered. That was in effect the recommendation of the judge—that they should have been brought in and covered with the jurisdiction of that board. It was not discovered that the Order in Council was faulty until after the award had been made and should have been in force. Then it was challenged, and the Supreme Court ruled that it had no effect so far as the employees of the contractors were concerned.

Hon. J. TOLMIE: Then the fault lay with the Government officials.

The SECRETARY FOR PUBLIC WORKS: Yes; the Government officials were responsible for not seeing that the Order in Council had full effect. The award granted increased wages, and, in some cases, lesser hours, and otherwise improved conditions to the board's employees, but those employees engaged by the contractors had not the benefit of the award. The contractors

appealed to the judge of the Industrial Court, and the judge entertained the appeal, and allowed the award to be suspended, and it did not come into operation. It was given on the understanding that so soon as he gave his decision on the appeal the award, if he upheld it, would have effect from the date it would have come into effect—that was, the 14th June. That is the effect of a suspension of an award always.

Mr. VOWLES: They questioned his jurisdiction.

The SECRETARY FOR PUBLIC WORKS: Subsequently they did. In the first proceedings before himself the judge allowed the award to be suspended, on the understanding that if he upheld the award, the employees would enjoy the benefits of the higher wages which had been granted from the time of the suspension. But meanwhile there were proceedings by way of a writ of prohibition against the court, on the ground that it had not jurisdiction under the Order in Council, and the Supreme Court held that the court had not.

Hon. J. TOLMIE: Did not the judge throw the responsibility on the Supreme Court himself?

The SECRETARY FOR PUBLIC WORKS: He had no option. Without any option, proceedings were taken for prohibition.

Mr. VOWLES: Did he not give a decision on the understanding that it was to go to the Supreme Court?

The SECRETARY FOR PUBLIC WORKS: No; that is not in the history of the case at all. He was prepared to hear the case and decide it, and he set down a time for hearing the appeal, and meanwhile he suspended the award, but the proceedings were then taken as against his court. That is how it came to go to the Supreme Court, and it had the effect of excluding from the benefits of the award those employees who were engaged by the contractors, who were a considerable body of men. The employers were the Metropolitan Water and Sewerage Board and the water supply and sewerage contractors, and if they all had accepted the spirit of the award and had worked up to the spirit of the award, they would have paid the rates without any challenge at all.

Mr. VOWLES: Although it was informal?

The SECRETARY FOR PUBLIC WORKS: It was not unlawful. It was informal. They questioned it on a technicality. They were within their rights in doing so, but they did not observe the spirit of arbitration. If all employers are going to take up that attitude, and are going to challenge every informality or technicality or lack of formality, then nothing can subsist.

Mr. VOWLES: They were not represented and had not an opportunity of stating their case.

The SECRETARY FOR PUBLIC WORKS: They were not represented on the board.

Hon. J. TOLMIE: And their employees were?

The SECRETARY FOR PUBLIC WORKS: That was merely the recommendation of the court, which was carried out. The court recommended that the Water and Sewerage Board—which was ultimately responsible—alone should have representation, and not the contractors. That may have been a mistake. I do not desire to question that at all; but that was not the point on which

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the award was knocked out. It was because the Order in Council was faulty, in not bringing them in as a "calling" under the Act. Sewerage workers are not a "calling" under the Act.

Hon. J. TOLMIE: They could have been made one.

The SECRETARY FOR PUBLIC WORKS: They could have been, so long as it was recognised by the Government of the day that they were not a "calling" then. That is where the Government made a mistake.

Mr. VOWLES: It came under consideration then?

The SECRETARY FOR PUBLIC WORKS: It may not. But it is quite clear that the Government, who were responsible for the Act and schedule mentioning the "callings," had left out of the schedule and thus out of the jurisdiction of the Act the sewerage workers, and they must take the full responsibility.

Hon. J. TOLMIE: Under the Industrial Peace Act they could be made a "calling" at any time.

The SECRETARY FOR PUBLIC WORKS: They are not under the schedule, but they could have been brought under the Act by an Order in Council. The present Government subsequently had to issue an Order in Council which gave the power to the judge to make an award, but he had no power to make it retrospective. There is no doubt that the judge thought they were under the jurisdiction of the award, and should be bound by the award. That was erroneous, and it is because of the erroneous impressions of the Government at the time that the employees have been deprived of the benefits of the award since the 14th June.

Mr. ARMSTRONG: What is the amount involved?

The SECRETARY FOR PUBLIC WORKS: It is not a very large amount, but I have not any idea as to the exact amount. It represents the difference which each man would have got between the old rates and the rates under the award for about six weeks after the 14th June. I think that £2 10s. would be about the maximum amount involved in the case of individual workmen.

Mr. PETRIE: What about the loss to the contractors through subsidence?

The SECRETARY FOR PUBLIC WORKS: I do not think that comes into it.

Mr. VOWLES: What about illegal strikes?

The SECRETARY FOR PUBLIC WORKS: I do not think that comes into it.

Mr. VOWLES: Yes, it does.

The SECRETARY FOR PUBLIC WORKS: If we are to discuss illegal strikes and lock-outs, we may never get to a conclusion. As to the illegal strikes and lockouts, there are a whole series of them, and the great majority of those were under the late Administration, commencing with the big lock-out in the Cloncurry district in 1912. But I do not want to discuss that, because it is clearly out of order. I do not think it is at all relevant to the question. Clearly the men would have enjoyed those benefits except for the defect in the Order in Council. They were deprived of them through no fault of their own, and one contractor has actually paid the higher rates since the 14th June. That is Mr. Midson, who is one of the largest contractors. But I think that

three of the contractors have not paid the rates, and they have fought the award tooth and nail. They did not abide by the spirit of the award, and they took the matter to the Supreme Court, no doubt at great cost to themselves, and no doubt at great cost in trouble and money to the employees. Since then an award has been given which gives increased rates, and it can only operate from the time it was given, and I think it is only a fair thing that we should make it retrospective to the 14th June. It is not a large sum which is involved, but it involves a principle, that the men should have the rates which would have applied from the date when the first award was made had they not been deprived of them through no fault of their own.

Mr. VOWLES: I really cannot follow the reasons given by the Minister in this matter. I have looked into this case, and I have here a copy of the record.

Mr. FOLEY: Have you got a brief?

Mr. VOWLES: I have not. Probably someone on that side may have. I am just here to see that justice is done. Anyone who wants what I have here, can get it from the Registrar. It is all very well to come in here and say that this is an individual case, but there are big principles involved. Retrospective legislation is bad at any time when it is dealing with a community as a whole, but when Parliament is going to pass legislation which is going to affect one, two, or three private individuals—whether they be companies or individual members of the community—then I say it is distinctly bad, and that is the principle that I oppose in this particular matter. The Minister has put a very fine case for his point of view, and I think that he should realise that he is a Minister representing a department and try so far as possible to put aside his own personal feelings as a member of any organisation—because we know that he is interested in connection with an organisation. He happens to be Minister who is practically a dictator in some respects under certain Acts, of the Labour Department, and he is also President of the Australian Workers' Union. How there can be any consistency between the two positions I fail to see. I was going to say—using the illustration from the "Mikado"—that he is the Lord High Chancellor, the Lord High Executioner, and in another way he has to look at things from a different standpoint. He looks at it, not from his position as a Minister simply, but from his position as a member of the organisation. He forgets that he is a Minister, and is looking at it as a worker.

The SECRETARY FOR PUBLIC WORKS: That is not a bad position to occupy.

Mr. VOWLES: It is most invidious and impossible.

The SECRETARY FOR PUBLIC WORKS: The position of a worker?

Mr. VOWLES: No, the position of Minister under these conditions. When this Order in Council was gazetted it said, "His Excellency the Lieutenant-Governor doth hereby order that there shall be created, and doth hereby create an industrial board for the calling of labourers employed by the Metropolitan Water and Sewerage Board."

We are told that the Industrial [10.30 p.m.] Peace Act is faulty, inasmuch as sewerage works are not included in the schedule. But I would point out that

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it was within the province of the Governor in Council to bring those works within the jurisdiction of the Act, as was subsequently done. If the workers failed to have that done, and they had the best of skilled advice from their conferees and political friends who were supposed to be well versed in legislation dealing with employees, let them not blame the Government. Let them blame their own union, or their delegate, or their own want of knowledge of the law. The Government are purely an administrative machine, and they are not a machine to initiate matters of this sort. They have to have these matters presented to them in a proper way, and if the employees were lax in making their claim or in bringing their calling within the scope of the Industrial Peace Act, the fault lies with themselves, and not with the Government. They did not do that, and the Order in Council stated that "such industrial board shall consist of two representatives of the Metropolitan Water and Sewerage Board and two representatives of the employees and a chairman." That is where the whole trouble lay. Contracts were entered into by certain individuals who were not mentioned in the order, but a notice was given by the Industrial Registrar on the 12th December, 1914, as follows:—

"In accordance with the provisions of the above-mentioned Act relating to the nomination and election of candidates for appointment on industrial boards, I, the said John James McGee, do hereby give notice that nominations of candidates for the representation of employers and employees on the said industrial board must be delivered to the returning officer (the Industrial Registrar, Brisbane)"

by a certain date. Members of the House who are in any way versed in industrial matters know that it is necessary that voters' rolls for both employers and employees have to be prepared. What happened in this case? The employees who were on the roll were not the employees of the contractors, nor were they the employees of the Water and Sewerage Board, but they were a jumble of both. The result was that the persons who were elected were not properly elected, and the board was illegally constituted, because the Order in Council was wrongly framed.

The SECRETARY FOR PUBLIC WORKS: There were only two nominated.

Mr. VOWLES: That does not matter; the board was wrongly constituted. The Water and Sewerage Board is an institution in which the representatives do not deal with their own funds, but with the funds of the ratepayers, and those representatives seek the positions because there are emoluments attached to them. They are not there in the public interest; they are there in their own interest. They are receiving fees for their service, and their tenure of office depends on their popularity, and we know that the franchise in respect of this board is going to be enlarged.

The SPEAKER: Order!

Mr. VOWLES: I submit that I am perfectly in order in referring to that.

The SPEAKER: Order! The proposal in this Bill is to make a certain Order in Council retrospective.

[Mr. Vowles.]

Mr. VOWLES: I submit that I can refer to the history of the matter—to the representation on the industrial board, and how the award came about.

The SPEAKER: The franchise has nothing to do with the question before the House.

Mr. VOWLES: No; but the individuals who made that award were representatives elected at a ballot illegally brought about. There were representatives of the Metropolitan Water and Sewerage Board, whose members hold office by virtue of their popularity, and, as I said, the franchise on which those members are elected is to be extended or broadened. I leave it at that. I do not suggest that those members were partisans, but I say they were not dealing with private moneys, but with public funds contributed by the ratepayers. The independent contractors, the persons most vitally interested in the matter, had no representation on the industrial board, and it was on this ground that the matter was brought before the judge, who invited them to submit their case to the court.

The SECRETARY FOR PUBLIC WORKS: Why did they not protest when the board was formed?

Mr. VOWLES: Why does the Minister ask that question? Did not the Attorney-General—the present Premier—contend that they had no right to be present, because they were not parties to the award? This matter came before the Full Court at the invitation of the judge of the Arbitration Court, and he asked the representatives of the employers, who were present—whether they were rightly or wrongly present—to state their case, and asked them whether they would apply for a writ of prohibition if he did a certain thing, and they said, "Yes." The judge decided he had jurisdiction in the matter, and the writ of prohibition was obtained. The Full Court decided that the contractors were outside the jurisdiction of the Industrial Court, and that the whole proceedings were ultra vires, or, in other words, that the whole thing was nugatory from the very beginning. The independent contractors were placed in a most peculiar position. If they had not taken advantage of the opportunity to protest within six weeks after the proclamation of the award they might have been taken to have accepted the award, and if they did not appear they might have lost their rights. The Attorney-General argued that it was a very open question as to whether they by their appearance had not accepted the jurisdiction of the court. The whole thing was technical. These individuals who had no right of representation and who were never asked to be present when the award was being determined might have been able to furnish such evidence as would have caused a different award to be arrived at. There is a clause in the contract which states—

"The contractor shall be the sole and direct employer of all labour engaged upon the works, and shall pay such labour by day wages. In the event of these conditions being disregarded and broken by the contractor, it shall be the duty of the engineer, upon his being satisfied of the fact of such breach, to estimate, according to his judgment, the wages value of the labour so mis-employed upon the works, and to deduct the amount from the payment or payments falling due to the contractor."

Then it says—

“(c) The minimum rates of wages to be paid to all classes of workers engaged in the various trades or works shall be those determined or to be determined by the wages board duly constituted under the statutes of the State of Queensland, or of any Commonwealth statutes operative in the said States.”

I need not go any further. You can see the strength of that condition. It means that, when a man is estimating his contract price, he has to take into consideration the existing state of affairs with respect to contracts of that sort, and he has further to anticipate probable changes in wages—changes which are not likely to mean a reduction in wages, but an increase. In this case, it was clearly shown that these contractors have been giving higher wages than are given for such work in any State in Australia. I am quoting from the affidavit filed before the Full Court—

“(a) Miners as defined therein who are labourers only the rate of whose wages in the Builders' Labourers Award is 8s. 8d. per day notwithstanding which the said Henry Carr Limited and John Henry Adams have been paying their employees who come within the definition of 'Miners' 10s. per day of eight hours.”

They were only bound to pay 8s. 8d. a day, and yet they paid 10s. a day.

Mr. WELLINGTON: No skilled miners in Queensland are receiving less than 10s. a day.

Mr. VOWLES: These are not skilled miners at all. If they had been so, it would have been proved in the proper place. The contract involved thousands and thousands of pounds, but in one case the contractor made a special allowance to his employees for travelling backwards and forwards. He treated his men as men should be treated, and how was he treated in return? Something happened in connection with the Water and Sewerage Board; disaffection was created amongst workmen in this particular industry, and these men, instead of carrying out their contracts, actually—while the dispute was sub judice—committed a breach of the law and went out on strike.

The SPEAKER: Order!

Mr. VOWLES: I submit, Mr. Speaker, that the principle in question is whether we are going to encourage breaches of the law.

The SPEAKER: Order! The question of a strike is not included in the Bill. I have allowed the hon. member a good deal of latitude, and I hope he will now keep strictly to the principles contained in the Bill.

Mr. VOWLES: This was referred to by the Minister, and there was no objection taken to it.

The SPEAKER: Order, order!

Mr. VOWLES: I do not wish to refer to the strike, but I wish to point out that this Bill offers a premium and an inducement to men to commit breaches of the law with a view to getting a reward. I submit it is perfectly legitimate for me to state that it is wrong to encourage men to commit breaches of the law, whether by going on strike or in any other way. Of course, in this case, other people were undoubtedly responsible for what was done. In this case, the Australian Workers' Union was guilty of aiding and abetting these individuals, and

that is where the invidious position of the Minister comes in, to which I referred before. I submit that we should not turn round, after a breach of the law has been committed, and say that the Legislature will see them through, and that those who break the law will be rewarded.

The SPEAKER: Order! The hon. member is assuming all this. He will be in order in discussing the Bill, but not in discussing the strike.

Mr. VOWLES: I am not talking about the strike now. I am talking about breaches of the law. They may be imaginary breaches. I am speaking of hypothetical cases. I am talking about rewarding men for flouting the law instead of prosecuting them.

The SPEAKER: Order, order!

Mr. VOWLES: I submit, Mr. Speaker, I am entitled to speak in this strain—

The SPEAKER: Order! I ask the hon. member to obey my call to order.

Mr. VOWLES: I do not for one moment wish to question that, but I submit that I am keeping fairly well within the line. The principle of retrospective legislation is involved in this Bill, and whether we are going to encourage law breaking. That is the position I have taken up in the matter from the outset. If we can introduce legislation that is to be retrospective, and that is going to apply to individuals and not generally—if it is going to encourage law breaking instead of law making—then it is a very sad state of affairs. Why make laws at all if we are going to pass retrospective legislation? Why make this Bill retrospective only to the date mentioned? Why not make it date twelve months farther back?

The SECRETARY FOR PUBLIC WORKS: There is a very good reason for that.

Mr. VOWLES: There is no reason at all. This is not a matter affecting the public generally, either. It only affects two or three individuals. We know that some Commonwealth legislation—such as the Income Tax Act—is retrospective, but it is of general application. I do not say that this Bill is intended to circumvent the law, but it is travelling upon wrong lines.

The PREMIER: These men lost their wages through a mistake of the Governor in Council.

Mr. VOWLES: They did nothing of the kind. They lost their case, just like any other man who goes into a court of law and says he does not know that he has committed an offence. In such a case the reply is, “You are supposed to know the law.” These men were supposed to know that they did not come within the schedule to the Act, and they had plenty of advisers—men who are technically skilled in these matters—and, if they did not know it, why on earth should their employers—who did not know it either—be penalised by having to pay moneys which they never contracted to pay? Why should the Government turn round, and, by legislation, say, “You must pay these men something you did not contract to pay.”

Mr. McLACHLAN: Did the Government of the day know?

Mr. VOWLES: It is not a question of what the Government of the day knew. All that this contract between the private contractors and the men and the sewerage board

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said was this: That they must pay so much a day on the day-wages principle, a sum not less than the amount prescribed by an award. Such an award as the present one was never intended or anticipated.

The PREMIER: It was intended by the Government.

Mr. VOWLES: It was not intended by the contractors, and those are the persons you are dealing with. If the Government made a mistake, let the Government turn round and make good, but do not inflict a penalty on private individuals, and do not let it be said that the Government is acting in a partisan spirit, rewarding these men, as they claim themselves. They said they were going to have it made retrospective. Do not let it be said that the Government is making itself a party to such an injustice as this, because if you once start out like that where is it going to end? I trust the Minister will realise what has been said by myself this evening. I feel very strongly on the subject; I believe in following out principles. Once you break a principle you have to justify it. If you are going to make retrospective application of an award like this, where is it going to stop? If the employees in an industry come along and say, "There has been a mistake, we did not know we were entitled to certain things, we will have an award made and ask the Government to make it retrospective for any term you like"—

An OPPOSITION MEMBER: They will have to do it.

Mr. VOWLES: But they will be placed in a most invidious position if they discriminate in favour of one class of workers in a court award like this.

The PREMIER: You can move an amendment to make them all retrospective. (Laughter.)

Mr. VOWLES: I ask the Premier to seriously consider this matter. He tried to advocate this in the Full Court.

The PREMIER: For a considerable time.

Mr. VOWLES: The court would not listen, and the court decided that such a thing would be iniquitous; at any rate, I think the position was not before them.

The PREMIER: What?

Mr. VOWLES: The question whether the court would give a retrospective application to the award.

The PREMIER: It was not before them.

Mr. VOWLES: But you tried to bring it in. When you have the opinion of the judges of the Full Court on a matter like this, why turn round now and introduce legislation to inflict penalties on individuals which the law of the land for the time being could not compel them either one way or the other to suffer? I say it is not fair, and it is not a principle which should be adopted by this Chamber.

The PREMIER: It is only a simple act of justice.

Mr. MORGAN (*Marilla*): I move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for to-morrow.

The House adjourned at five minutes to 11 o'clock.

[*Mr. Vowles.*