Queensland

# Parliamentary Debates
[Hansard]

## Legislative Assembly

**WEDNESDAY, 22 AUGUST 1917**

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# LEGISLATIVE ASSEMBLY.

WEDNESDAY, 22 AUGUST, 1917.

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

## QUESTIONS.

### STATE BUTCHER'S SHOP AT WYNNUM.

Mr. PETRIE (*Toombul*) asked the Premier—

"1. Is it the intention of the Government to open a State butcher's shop at Wynnum and sell meat at less than the prices allowed by the Controller of Prices?

"2. If so, is he aware that such actions, owing to the State butchers being enabled to dispense with slaughtering, delivery, smallgoods, and cartmen (in addition to buying at a cheaper market than the private butcher), will throw several men out of employment, besides rendering useless the capital now expended in slaughter-yards, shops, etc., as required by the Trades Acts in force in the district?

"3. Will the Government compensate employers and employees for the losses caused by such interference with private enterprise?"

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

"1. The matter in under consideration.

"2 and 3. See answer to No. 1."

### APPOINTMENT OF MR. P. WATSON AS FACTORIES AND SHOPS INSPECTOR.

Mr. PETRIE asked the Secretary for Public Works—

"1. Has anyone of the name of Peter Watson been appointed as an inspector under the Factories and Shops Act, and when?

"2. Has Mr. Watson entered upon his duties?

"3. Is it true that Mr. Watson has been sent to or given leave to proceed to North Queensland for a period of two months, or any period, for the purpose of performing the duties of a union organiser?"

The SECRETARY FOR PUBLIC WORKS (Hon. E. G. Theodore, *Chillagoe*) replied—

"1. Yes. Appointment was to have taken effect from 1st July last, but it was subsequently arranged to take effect from 1st September next.

"2. No.

"3. No."

### TAMBO STATE SCHOOL HEAD TEACHER AND W.P.O.

Mr. PETRIE asked the Secretary for Public Instruction—

"1. Is he aware—

(1) That the head teacher of Tambo State school is the secretary of the Tambo W.P.O.?

(2) That meetings of the Tambo sub-branch of the Barcoo W.P.O. are being summoned and held at the school residence?

(3) That printed notices summoning such meetings, signed by Mr. E. G. Wilson, the head teacher referred to, are endorsed in Mr. Wilson's handwriting with such endorsements as follows:—

If not a member, give 2s. 6d. to Mr. I. Moore and become one.

Do you take the 'Standard'; if not, why not?

How many subscribers have you obtained for the 'Standard'?

etc., in addition to the printed endorsement—

Are you doing your best for the Labour cause?

(4) That in a political letter appearing in the 'Standard' of 2nd August Mr. Wilson announces himself a socialist?

"2. Will he inquire into the whole matter in the interests of parents of different political views whose children are compulsorily attending the Tambo State School?"

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. H. F. Hardacre, *Leichhardt*) replied—

"1. I have no knowledge concerning his alleged political actions or beliefs. I suggest the hon. member direct his inquiry to the hon. member for Toowong, for, having been most recently in that district, he is more likely to be able to supply him with the information he seeks to obtain.

"2. No. I do not intend to inquire into the political opinions of any officer in my department, and to do so is not the policy of this Government."

GOVERNMENT MEMBERS: Hear hear! and laughter.

### NORTHERN RAILWAY STRIKE.

Mr. SWAYNE (*Mirani*) asked the Premier—

"If, in view of the fact that a week has elapsed since Parliament last sat, he is yet in a position to inform the House whether the Northern Railway strike, which is causing such loss and distress in the State, is likely to be soon terminated, and, if not, what does the Government intend doing to relieve the position?"

The PREMIER replied—

"I refer the hon. member to the statement which I made in the House last night on the subject."

### PASSENGER ACCOMMODATION FROM ISIS JUNCTION.

Mr. STOPFORD (*Mount Morgan*) asked the Secretary for Railways—

"1. Has he received any suggestion from the hon. member for Burrum regarding the urgent need for providing accommodation for passengers to Childers by the early cane train from Isis Junction?

"2. Will he give consideration to this matter, in the interest of Childers residents arriving at Isis Junction by the Rockhampton mail?"

The SECRETARY FOR RAILWAYS (Hon. J. H. Coyne, *Warrego*) replied—

"1. The Commissioner for Railways has received such a suggestion.

"2. The matter is now being inquired into."

RAILWAY ECONOMY BOARD.

Mr. ROBERTS (*East Toowoomba*) asked the Secretary for Railways—

"Will he give the names of the gentlemen—(*a*) Who constitute the existing Economy Board? (*b*) Who constituted the previous Economy Board which was cancelled?"

The SECRETARY FOR RAILWAYS replied—

"(*a*) Mr. C. F. Pemberton, Deputy Commissioner, C.D., chairman; Mr. A. J. Crowther, Secretary, vice-chairman; Mr. C. A. Murton, Assistant Chief Accountant; Mr. G. R. Steer, Divisional Traffic Manager; Mr. J. A. Fraser, Deputy Chief Engineer; Mr. J. Grant, Private Secretary to Commissioner, secretary to board. (*b*) Mr. C. F. Pemberton, Deputy Commissioner, C.D., chairman; Mr. A. J. Crowther, Secretary, vice-chairman; Mr. C. A. Murton, Assistant Chief Accountant; Mr. G. R. Steer, Divisional Traffic Manager; Mr. J. A. Fraser, Deputy Chief Engineer; Mr. S. L. Quinn, Divisional Traffic Manager's Office, secretary to board."

BEEF STORAGE FOR COMMONWEALTH.

Mr. GUNN (*Carnarvon*) asked the Premier—

"1. What storage services were rendered by the Government to the Commonwealth authorities in respect of frozen beef, for which the sum £19,717 16s. 2d. was approved as paid or to be paid by the Commonwealth Government to the Queensland Government, as appears by announcement in the 'Commonwealth Gazette' of 19th July, 1917, page 1516?

"2. In what Government or other stores were such services given?

"3. If more than one store, will he state the quantity stored in each, the period for which stored, and the rate of charge made therefor?

"4. Will he table a copy of the account or statement rendered to the Federal Government, showing how the total amount is made up?"

The PREMIER replied—

"A more suitable occasion will be found at a later date of fully informing the House of the transactions referred to."

PROPRIETARY RACING.

Mr. GUNN asked the Premier—

"Does the Government intend taking any action with reference to a motion passed by this House last session, reading 'That, in the opinion of the House, legislation should be introduced to confine the conduct of horseracing to properly organised and licensed clubs, that do not race for the private profit of a racecourse proprietor or lessee?'"

The PREMIER replied—

"The Government's intention will be disclosed at the proper time."

ROMA STREET POLICE BARRACKS AND STATE PRODUCE BUSINESS.

Mr. GUNN asked the Secretary for Agriculture—

"1. Is it the intention of the Government to convert the Roma Street Police Barracks into a State produce agency business?

"2. If so, when?"

The SECRETARY FOR AGRICULTURE (Hon. W. Lennon, *Herbert*) replied—

"1. Yes.

"2. It is quite impossible at the present to fix any date."

RUMOUR RESPECTING EMPLOYMENT OF QUEENSLAND SOLDIERS IN NEW ZEALAND.

Mr. POLLOCK (*Gregory*) asked the Premier—

"1. Has he heard the rumour that Queensland soldiers who enlisted for active service against Germany have been sent to New Zealand to quell anti-conscription riots?

"2. If so, will he inquire of the Prime Minister whether this is true?

"3. Will he, if satisfied that it is untrue, take steps to have it contradicted by the Press and thus remove a grave obstacle to voluntary enlistment?"

The PREMIER replied—

"1. No.

"2. and 3. I have communicated with the Prime Minister on the subject and await his reply."

CONTROL OF NORTHERN RAILWAYS AND STRIKE COMMITTEE.

HON. J. TOLMIE (*Toowoomba*) asked the Secretary for Railways—

"1. Will he state whether the Northern Railways are in charge of the strike committee?

"2. If so, will he state by whose authority they were so placed?"

The SECRETARY FOR RAILWAYS replied—

"1. No.

"2. See answer to No 1."

TRAIN SERVICE ON ISIS BRANCH LINE.

Colonel RANKIN (*Burrum*) asked the Secretary for Railways—

"1. Is he aware that the member for Burrum has been in communication with the Commissioner for Railways relative to granting a more adequate and convenient train service on the Isis Branch line, and has submitted a request from the Isis Chamber of Commerce on the subject?

"2. Will he state what steps, if any, have been taken to comply with the request?"

The SECRETARY FOR RAILWAYS replied—

"1. Yes.

"2. Inquiry is being made."

STATE SERVANTS AND STATE INSURANCE OFFICE.

Mr. BEBBINGTON (*Drayton*) asked the Assistant Minister for Justice—

"1. Is he aware that certain persons claiming to represent the Commissioner of the State Insurance Office are travelling on the railways of the State and representing to railway servants that the Government would compel State servants to insure their private property in the State Insurance Office?

"2. Have these persons the authority of the Commissioner or Minister for stating that those Government servants not insuring in the State office would be practically black listed?"

HON. J. A. FIHELLY (*Paddington*) replied—

"1. There is no truth in this statement, and it appears to me the credulity of the hon. member has been imposed upon. I would add that the hon. member would be well advised not to lend a ready ear to such mischievous tittle-tattle, which is invented only for the purpose of damaging a worthy State institution, which has not only reduced insurance premiums, but is giving substantial assistance to farmers through the advancement of loan moneys amounting to hundreds of thousands of pounds sterling.

"2. See answer to No. 1."

(Government laughter.)

CHECK CHEMIST AT CHILDERS MILL.

Colonel RANKIN asked the Secretary for Agriculture—

"1. Is he aware that a check chemist has been appointed to the Childers Mill, and that the mill having declined to allow him to carry out his duties, the chemist referred to is enjoying a holiday on full pay at the sugar-growers' expense at one of the hotels in the district?

"2. What rate of pay is this check chemist receiving?

"3. Why have the services of this officer not been dispensed with or employed at some other mill?

"4. How long do the Department intend to allow this state of affairs to continue?"

The SECRETARY FOR AGRICULTURE replied—

"1. A chemist was appointed at the expressed wish of the growers, and it has been reported by the chemist that there is no reason for him to remain at Childers owing to the condition of the award. The circumstances are now under inquiry by the Central Cane Prices Board.

"2. £25 per month.

"3. and 4. See No. 1."

RETURNS IN CONNECTION WITH STOCK LEAVING QUEENSLAND AND GOVERNMENT MOTOR-CARS.

Mr. MORGAN (*Murilla*) asked the Chief Secretary, without notice—

"When will the returns be furnished to the House which I asked for several weeks ago in connection with stock leaving Queensland, and also in connection with Government motor-cars?"

The PREMIER replied—

"I may tell the hon. gentleman that that will be done as soon as the information has been compiled."

## VALUATION OF LAND BILL.

INITIATION.

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

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to make better provision for determining land values; and for fixing, assessing, and determining in certain cases rates, taxes, fees, contributions, loans, and compensation on the basis of values so determined; and for purposes consequent thereon or incidental thereto,"

said: The intention of this motion is to reintroduce the Valuation of Land Bill which was introduced last session and passed through this Chamber and sent to the Legislative Council, but proceeded no further. There have practically been no alterations made in the measure, except such as have been made in order to correct certain verbal weaknesses. The Bill, in the main principles, is exactly the same as when it was introduced last year.

HON. J. TOLMIE (*Toowoomba*): I do not propose to take up much time at this stage in connection with the measure. I was only anxious to know if it was the same measure as that which we dealt with last year, as we appear to be getting a rehash of the legislation introduced last session. The Treasurer makes the statement that it has been necessary to correct some verbal weaknesses in the Bill. We can understand that portion of the Bill.

The PREMIER: Weaknesses you did not discover, anyhow.

HON. J. TOLMIE: The Government seem very anxious to introduce measures of this kind that are found afterwards to contain very destructive forces.

HON. J. G. APPEL (*Albert*): At this stage I do not propose to occupy the attention of the House at any length.

GOVERNMENT MEMBERS: Hear, hear!

HON. J. G. APPEL: Hon. members opposite do not want to hear me. However, I shall speak in despite of them. This is a Bill which, although it may have passed through the House last session, requires very careful consideration. Moreover, if it involves the establishment of another Government department, it will require very close scrutiny indeed.

The SECRETARY FOR RAILWAYS: You have not changed your mind since last year on the matter, have you?

HON. J. G. APPEL: Anyone is liable to change his mind after experience. After the experience we have had of the present Government in connection with the establishment of new departments and the employment therein of a large number of men of a military age—I have seen a synopsis of the officers of a certain department which shows that 75 per cent. of those officers are of military age—if it is proposed in connection with this measure to establish a new

department the officers of which are to be of military age, then I, for one, propose to offer the most strenuous opposition to it. However, I shall reserve what I have to say until the Bill is before the Chamber.

Mr. BEBBINGTON (*Drayton*): I intend to oppose this Bill just as I opposed it last session, right from its introduction, for the reason that it is intended to cause, and the result will be, the doubling of the land tax. We have a land tax six times the amount of that of any other State at present. The largest land tax in any of the other States does not return 1d. in the £1.

The SPEAKER: Order! The hon. member will have an opportunity of discussing the Bill on the second reading.

Mr. BEBBINGTON: I am just giving reasons why I am opposing the introduction of the Bill—because we have a land tax six times that of any other State already, and this means the doubling of it. The shire councils have always found it necessary not to put on too high a value, because the people could not pay it.

The PREMIER: Do not give away any secrets.

Mr. BEBBINGTON: There is no secret about that. Under the Bill the valuers must fix the value at the same figure. That practically means doubling the land tax, and for that reason I shall oppose the Bill from the start.

The PREMIER: Do you propose to divide the House at this stage upon it?

Mr. BEBBINGTON: Yes; I would divide at any time.

The PREMIER: Call "Divide."

Mr. GUNN (*Carnarvon*): This is one of the items left over from a former session. I do not mind Irish stew which has been left over for a little bit, but I would like something different from Irish stew; I would like something fresh. (Laughter.)

Question put and passed.

The PREMIER (to Mr. Bebbington): You are afraid to call "Divide."

Mr. BEBBINGTON: I want to save time.

## OPTICIANS BILL.

COMMITTEE.

(*Mr. W. Bertram, Maree, in the chair.*)

Clause 1—"*Short title and commencement of Act*"—put and passed.

On clause 2—"*Interpretation*"—

Mr. MACARTNEY (*Toowong*) asked the Minister if it were intended to draw the line between the profession of ophthalmic surgery and that of the optician. He did not see anything of the kind in the Bill, and it was really on that matter that there was a divergence of opinion so far as the medical profession were concerned. He understood the hon. member for Windsor to say on the previous evening that the medical profession were opposing the Bill. He was not aware that the medical profession, as a whole, were opposing the Bill out and out. He understood that they argued that a clear line of demarcation should be drawn between the recognised duties of an optician and the functions of an ophthalmic surgeon or oculist. It seemed to him that, if that were defined, all semblance of objection on the part of the medical profession would be removed. He understood that they had no objection to the registration of opticians, although it was quite clear that it was creating what was sometimes called a close corporation. It was quite a common thing for members opposite to say that the legal profession was a trade union, but they were only doing by the Bill what had already been done for the medical profession and the legal profession—giving them the right of examination and admission and protecting the performance of their duties against those who were not similarly licensed. So far as that was concerned, he did not think there was any objection on the part of the medical profession. Members of the Opposition, and he thought members of that profession, regarded the Bill as a public advantage so far as that was concerned. But if the effect of the Bill was to let those men who were licensed carry on a profession for which they were not prepared or qualified, then that was a horse of another colour, and that, as he understood it, was the objection of the medical profession. Definitions were often declared to be the most important parts of a Bill, and once they passed them they might find that they had passed the only part capable of useful alteration.

The HOME SECRETARY (Hon. J. Huxham, *Buranda*) said that there was nothing in the Bill which made the provision which the hon. member suggested. It was purely an Opticians Bill. The line of demarcation which the hon. member suggested was entirely one between the optician on the one hand and the oculist on the other. Last evening he explained clearly that it was not the intention of the opticians to claim any right to deal with diseases of the eye, which were a matter quite distinct, and he could assure the hon. member that it was not their intention—he was so informed, and he could take their word for it fairly well—to infringe on the rights of the ophthalmic surgeons.

Mr. McPHAIL (*Windsor*) thought that clauses 11 and 15 safeguarded the medical profession. Clause 11 provided—

> "Registration under this Act shall not confer upon any person any right or title—
>
> (i.) To be registered under the Medical Act of 1867 or any Act amending or in substitution for the same; or
>
> (ii.) To assume the title of oculist or any other name, title, or designation implying that he is by law recognised as a medical practitioner or that he is qualified to practise ophthalmic medicine or surgery; or
>
> (iii.) To administer any drug for the purpose of paralysing the accommodation of the eye; or
>
> (iv.) To sell, supply, or prescribe any drug for or to treat any disease of the eye."

And clause 15 provided—

> "After the expiration of twelve months from the commencement of this Act, no person who is not a certified optician under this Act shall—
>
> (1) Take or use the name or title of 'optician' or any other title prescribed by the board to designate opticians or the practice of optometry."

That was the point. An optician was one

who practised optometry, which was defined in the following way in one of the new Optometry Acts in Missouri in America—

> "The employment of any means other than the use of drugs, medicines, or by surgery for the measurement of the power of vision or the adaptation of lenses for the aid thereof."

He thought that those two clauses clearly set out what was intended by the measure and also protected the interests of those who were practising, so far as the diseases of the eye were concerned. He did not think that any objection could be taken to the Bill by the medical profession on that ground. It was clearly set out that the work of an optician was limited to the practice of optometry, which was defined as he had read. Personally, he did not know that it would be wise to include such a definition in the Bill. It might clear the matter up, but he thought that the Bill as it stood safeguarded the interests of the medical profession.

Mr. MACARTNEY: No doubt the hon. member honestly thought that the line of demarcation was drawn, but he [4 p.m.] thought that if he would have a closer regard to the clauses he would find that it only provided for certain specific things. Clause 11, for instance, only prevented anyone assuming the title of "oculist." To assume a title and to perform an act were quite different things. To perform an examination of the eye without assuming the title would not be an offence under the clause, and if the examination were anything other than by a drug, then it was not contrary to the clause. So that to prescribe a drug or to sell or supply a drug would be a breach in terms of the section, but to prescribe anything else or to put the eye to any test in the nature of an experiment not involving the use of a drug would not be a breach. Clause 11, consequently, was not adequate. Clause 15 was only the converse—that was, it did not allow any person to assume the title of optician unless he was an optician.

The rest of the clause compared in the same way to clause 11. There was nothing to prevent an unqualified person or qualified opticians entering into the domain of the ophthalmic surgeon or oculist, so long as he did not commit a breach of any of the specific conditions, and the specific conditions were particularly limited. It seemed to him that the Bill was not so framed as to clearly give protection to the public against the unqualified man performing an act which an oculist was qualified to perform or to perform an act which a qualified surgeon should perform. Of course, an optician could express an opinion after an examination of the eye by certain methods, and they knew he did, but they also could imagine an optician expressing a medical opinion after seeing the eye and after receiving answers to certain questions, and if he were to do that he would clearly be invading the domains of the oculist or the ophthalmic surgeon. It was in that direction that the medical fraternity were critising the Bill. The measure was perfectly right so far as the protection of the opticians and the protection of the public was concerned; regard should be had to that particular view, and some clause should be inserted making it a penalty for any optician to enter in any shape or form a realm for which he was not licensed.

HON. J. G. APPEL: The opticians who were connected with the introduction of the measure were not responsible for the wording of the clause, and they did not desire to transgress in any way upon the functions of the ophthalmic physicians. He felt satisfied that they would accept anything which more clearly defined the limits under which they could practise their profession. All they desired was that, first of all, a standard qualification should be set, and that the profession should be limited to certain phases such as sight-testing, optometry, and the supplying of the necessary glasses. He would certainly advise the Minister to accept an amendment so as to clearly define the position, because it would certainly facilitate the passage of the Bill through the Legislative Council, a number of members of which were members of the British Medical Association.

Mr. FREE (*South Brisbane*): In the Dental Act there was a definition of "dentistry," and something on the same lines could be included in the Bill, as then there would be a distinct understanding of what an optician was entitled to do or carry out. As the hon. member for Toowong had said, there was not the slightest doubt that under the measure a man could start as a specialist and practise as an optician. There were men in Brisbane practising as opticians who really should not be practising. A case had lately come under his notice where a member of the other Chamber had been attended and put to the expense of £4 or £5 for certain glasses, and the trouble was not his eye at all. There was an abscess in the lower jaw which caused the trouble, and after being treated for the real cause of the trouble the glasses were put away in a drawer, and the £4 or £5 was thrown away because an unqualified man had attended him. The first thing was to protect the public, and by having a definition of what an optician should perform they would be protecting the public. The optician had no desire to enter into competition with the medical men who were practising as eye specialists, and as far as the medical men who were practising that branch of the profession were concerned, there was not the slightest doubt that they needed no protection from the opticians, because if a man knew what he was doing, if there was anything wrong with his eyes he would go to a properly qualified man. However, there was a certain section of the public who would go into any place where a sign was put up, and they had gone into such places and had certain drugs sold to them to drop in the eye which had no effect except, perhaps, to do the individual great injury.

Mr. McPHAIL: Clause 2 defined "optometry" or "the practice of optometry" as—

> "The employment of methods other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the aid thereof."

He did not know that they need add very much more, as that definition clearly set out what an optician's work was. The work of the qualified optician was to examine a person's eyes by the instruments provided and then to find out exactly, by means of those tests, what the person needed in regard to spectacles—that was, for short sight or long sight, as the case might be. He had quoted the previous night from a speech of

Dr. Cummings, who admitted that opticians were qualified to do that just as well as, if not better than, many of the medical men. Dr. Cummings also stated that many medical men had not qualified themselves to do that work, and, after all, if a man was not qualified to take measurements of the vision and to find out by the tests whether a person needed glasses for short sight or for long sight, or whether there was a malformation of the eye which needed some correction, he was not in as favourable a position to do it as the man who had studied those methods, and, personally, he thought the definition covered all that was necessary. It might be amplified or made a little more explicit, similar to the words he had quoted from the Missouri Act. The Texas Optometry Act provided—

> "That the practice of optometry is hereby defined to be the employment of any means other than the use of drugs for the determination of natural and functional deficiencies of the eyes and the adaptation of lenses for the aid thereof, and it shall be unlawful for any person to practise optometry in this State after this Act takes effect, except as hereinafter provided."

They did not need drugs to extend the pupil and thereby give them a better opportunity, as the doctors stated, to see the back of the eye and examine it more closely. He believed that the method he adopted was sufficient to show him if anything were wrong with the eye and if only glasses were needed. If there was anything wrong with the eye, then it would be the duty of the optician to send the patient to an oculist. The optician did not wish to treat any diseases of the eye, but would send such cases along to a specialist. Personally, he thought the definition was wide enough, but if the hon. member for Toowong thought it should be modified, and the definition explained more fully, then they could adopt the definition used in the American Act.

Mr. MACARTNEY: He was not concerned particularly where the alteration was made, so long as it was made clear in the Act what the definition was. He quite realised what the hon. member for Windsor said, that his view of the duties of an optician was not unreasonable, and if the Bill stated so without any ambiguous terms, then he would have nothing more to say about the matter. The duties of an optician were stated by the hon. member for Windsor quite correctly; but in the definition it read—

> "'Optometry' or 'the practice of optometry'—The employment of methods other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the aid thereof."

He did not just know what methods were used by the optician except the methods for testing the eyesight with which they were all conversant, but if it meant an examination of the back of the eye, then they would be authorising the optician to go a little bit further than the hon. member for Windsor intended, as that should only be done by a trained oculist. He quite realised that the hon. gentleman, as an optician, if he found that a patient had something wrong with his eye, would do what was his manifest duty, and send him to a person who could best attend to that particular part of the medical profession. He quite realised that the hon. gentleman would send the patient to an oculist, but there might be opticians who would not have as clear a view of the position as the hon. gentleman, and it was best to state in clear and unambiguous terms what the Act meant and what the optician was entitled to do. The hon. member for South Brisbane also stated the position correctly from his particular point of view. He had in his hand a statement circulated by the British Medical Association, in which they stated in a pithy way many of the causes of the troubles of the eye, which were quite apart from defective sight and astigmatism. It was quite clear that if any person suffered from a disease of the eye, then dangerous results might accrue, unless they were properly diagnosed at the proper time. There was something in the contention of the medical profession that these serious matters should not be mixed up with matters like the mere adjustment of sight. Glasses might give temporary relief to some patients, but dire results would follow from neglect and attention in serious cases of eye trouble. That was a reason why they should be careful. He agreed that the hon. gentleman was prepared to draw the line reasonably, but they should state it in the Act, and he was willing to leave it to the Parliamentary Draftsman to say where it should go in.

The HOME SECRETARY: There was evidently a desire not to put the optician in a worse position than he occupied at present, and he thought that members of that profession should be put in a better position than they were in now. He realised the argument of the hon. member for Toowong that there should not be a conflict between the optician and the oculist, and no one desired that. There was a good understanding between the optician and the oculist, and where it was just a matter of the rectification of the sight, it could be attended to by the optician. If the case was a grave one of eye trouble he would certainly advise the patient to consult an oculist. He thought the Bill was necessary in the interests of the optician, and he thought that the Parliamentary Draftsman would be able to draw up a definition that would meet the wishes of the hon. member for Toowong. In the meantime he suggested that the clause be postponed.

Clause 2 postponed accordingly.

Clause 3 put and passed.

On clause 4—"*First board to be appointed by Governor in Council*"—

Mr. CORSER pointed out that the Governor in Council appointed the first board under the Act and also appointed the first chairman. That was not a democratic way of electing a chairman, and he suggested that the members so appointed should be allowed to appoint their own chairman. Provision was made in the Bill that when the board was elected they also had the power to elect one of their number as chairman, and he thought the same method should be adopted in the case of the election of the first chairman. He moved the omission of the words "Governor in Council," on line 39, with the view of inserting the words "persons so appointed." That would mean that the persons so appointed should elect their own chairman. When

the electors elected members of Parliament they might just as well be asked to also elect the leader of the party, if they wished to follow the practice laid down in the Bill. Instead of that they knew that the members who were elected to Parliament afterwards elected their own leaders.

The HOME SECRETARY thought the difficulty alluded to by the hon. member for Burnett could be overcome if they allowed the clause under discussion to stand as it was, but to amend clause 5 by bringing the elective board into existence on 31st January, 1920, instead of on 31st January, 1921. The first board was merely a stopgap to carry on until things got into proper working order, and it was highly essential that some protection should be given to opticians as soon as possible. The opticians themselves were quite satisfied with the clause as it stood.

Mr. CORSER: The opticians are not the only people to be considered. The public of Queensland are entitled to some consideration, too.

The HOME SECRETARY: The public of Queensland would be amply protected by having competent persons to consult. If he thought there was anything in the objection taken by the hon. member, he would be prepared to accept the amendment, but he could not see that there was anything undemocratic in the proposal that the first chairman should be appointed by the Governor in Council.

Mr. MORGAN did not think the Minister understood the point raised by the hon. member for Burnett. In effect the Minister, after appointing the four members of the first board, told them that they were not capable of electing their own chairman, and he, therefore, took upon his own shoulders the responsibility for making the appointment. That was not a democratic principle at all. It was well known that, although many men did admirable work as rank and file, they were not all suited for filling the position of chairman of a public body, and certainly the members of the first board should be better judges than the Minister of who was likely to make the best chairman of the board. As the hon. member for Burnett had said, every public body elected its own chairman, and he thought that the Hon. the Minister would be well advised if he accepted the amendment. The hon. gentleman should be only too pleased to escape the responsibility of having to appoint the chairman. Frequently dissension arose over the appointment of chairmen of public bodies, and the Minister would do well to avoid having the responsibility for any such dissension thrown on his shoulders.

HON. J. G. APPEL confessed that he could not see eye to eye with the hon. member for Burnett and the hon. member for Murilla in their contention. From his experience as Home Secretary, he could assure those hon. members that the proposal that the first chairman should be appointed by the Governor in Council was a very usual method to adopt in the formation of new associations. The functions of the first board would be of a particularly delicate nature, because they would have to decide who were to be entitled, in the first instance, to registration as opticians. The selection which the Minister would have to make would have to be a very careful one, because a very considerable amount of power would be vested in the first board, and naturally the greater part of the functions of the board would fall upon the chairman. It was, therefore, advisable that the appointment should be made by the Minister, which meant, in effect, by the responsible officers of the department.

Mr. MORGAN: Are they better able to judge than the members of the board?

HON. J. G. APPEL: Unquestionably they were, in a case like this. When the association was in proper working order and the members of the board were elected by the members of the association, it was quite correct that the board should elect their own chairman. The first board was to consist of three opticians and an ophthalmic surgeon. Probably the ophthalmic surgeon would be appointed by the Minister as the first chairman, but it was quite possible that, if the choice were left to the members of the board, one of the other members would be chosen as chairman.

Mr. CORSER: Then the opticians will not have a fair go.

HON. J. G. APPEL: Not at all. The only object in view was to see that the members of the association possessed qualifications of a certain standard. He would not support the clause as it stood if he thought for one moment that the proposal was undemocratic, but, on the contrary, he thought it would carry out the purpose in view, and, as the opticians themselves were satisfied, he hoped the hon. member for Burnett would not press the amendment.

Mr. MORGAN: They would be satisfied with anything so long as they got the Bill through. It is not a matter for the opticians to decide, but for this Committee.

HON. J. G. APPEL: Speaking from his experience, he did not consider the proposal undemocratic, and he believed it would be for the benefit both of the opticians and of the public.

HON. J. TOLMIE said that he could not agree with the hon. member for Albert that the proposal that the Governor in Council should elect the first chairman was democratic. He saw behind it the iron hand of bureaucracy that was going to dominate the board during the earlier years of its existence. That was the time when there should be a little elasticity in its working, but, if it was going to be crushed down by bureaucratic powers such as might be imposed under the clause, as suggested by the hon. member for Murilla, then he thought it was a somewhat questionable proposal.

The HOME SECRETARY: You don't believe that will happen, do you?

HON. J. TOLMIE: They might not believe that certain things would happen, but all the same it might be necessary to guard against their happening.

The HOME SECRETARY: Suppose the time during which the first board would act were reduced from three years to eighteen months, would that not meet the [4.30 p.m.] difficulty? If so, he would be prepared to accept an amendment to that effect. He hoped the hon. member would withdraw his amendment, and not delay the passage of the Bill.

*Hon. J. Huxham.*]

Mr. CORSER: He thought the Minister was delaying the passage of the Bill by not accepting a reasonable amendment. The hon. gentleman suggested reducing the time during which the chairman should rule over the board from three years to eighteen months, but he (Mr. Corser) did not think that would meet the case.

The HOME SECRETARY: Very well, I will not accept that amendment.

Mr. CORSER: He did not think the Minister had power to accept such an amendment.

The HOME SECRETARY: I do not think the hon. member should be insulting; I have full power to do it.

Mr. CORSER: The hon. gentleman had not shown the Committee that he had power or authority to accept amendments. What was the use of proposing to reduce the time from three years to eighteen months? If the Chairman was to be appointed for a week only, they would object to his appointment by the Governor in Council, and much more did they object to his controlling the whole business of the board for eighteen months or three years from its initiation.

Mr. MORGAN: It was the principle that members objected to, and not the fact that the Chairman was to hold office for three years or eighteen months. They objected to the Governor in Council, whether the Government in power was a Liberal or a Labour Government, having power to appoint the chairman of the board. The chairman should be elected by the members of the board appointed by the Governor in Council.

Question—That the words proposed to be omitted (*Mr. Corser's amendment*) stand part of the clause—put; and the Committee divided:—

AYES, 36.

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|---|---|
| Mr. Appel | Mr. Land |
| ,, Armfield | ,, Lennon |
| ,, Barber | ,, Lloyd |
| ,, Carter | ,, May |
| ,, Collins | ,, McMinn |
| ,, Cooper | ,, McPhail |
| ,, Coyne | ,, O'Sullivan |
| ,, Dunstan | ,, Payne |
| ,, Fihelly | ,, Peterson |
| ,, Foley | ,, Pollock |
| ,, Free | ,, Ryan, D |
| ,, Gilday | ,, Ryan, H. J. |
| ,, Gillies | ,, Ryan, T. J. |
| ,, Hardacre | ,, Smith |
| ,, Hartley, H. L. | ,, Weir |
| ,, Hartley, W. | ,, Wellington |
| ,, Huxham | ,, Wilson |
| ,, Jones | ,, Winstanley |

*Tellers:* Mr. McPhail and Mr. Smith.

NOES, 17.

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|---|---|
| Mr. Armstrong | Mr. Moore |
| ,, Barnes | ,, Morgan |
| ,, Bayley | ,, Murphy |
| ,, Bebbington | ,, Petrie |
| ,, Corser | Colonel Rankin |
| ,, Forsyth | Mr. Stodart |
| ,, Grayson | ,, Tolmie |
| ,, Hodge | ,, Walker |
| ,, Macartney | |

*Tellers:* Mr. Corser and Mr. Moore.

Resolved in the affirmative.

Clause put and passed.

On clause 5—"*Constitution of subsequent boards*"—

Mr. CORSER moved the deletion, on line 45, of the words "twenty-one" with the view of inserting the word "nineteen." The Minister, by his remarks, had shown that there was some necessity for making an amendment on these lines in this part of the clause, and they were now giving him an opportunity of doing so. The Minister had indicated that he wanted to make alterations in connection with the nominee board, and this amendment would make it possible for him to make those alterations. Considering that this would be the first board, and that the opticians of the State would not have a say in the election of the board, he thought that the Minister would agree that it would be a fair thing to appoint the board for a much shorter period than that provided in the clause.

HON. J. G. APPEL: Mr. Bertram——

Mr. CORSER: The Minister accepts the amendment.

The HOME SECRETARY: No. He was reminded of a story his father told him. He was invited out one time by an old Quaker friend, and when he arrived he was asked to take some refreshment, but he said that he did not care for it just then, and his host said, "All right." Later on he thought he would have the refreshment, but the host said, "No, thank you, you were asked once to have it and you declined." That was the position he (Mr. Huxham) was in. The hon. member would not accept the olive branch he had held out before.

HON. J. G. APPEL suggested that the Minister should reconsider his decision. He had supported the hon. gentleman in connection with the principle laid down in the Bill, which, to his mind, was a proper one.

The HOME SECRETARY: I regret that I cannot accept the amendment under the circumstances.

HON. J. G. APPEL: It was simply a question of limiting the duration of the board to be appointed by the Governor in Council. To his mind, eighteen months would be sufficient time to arrange matters so that a subsequent board could be elected by the registered members of the Opticians' Association.

Mr. McPHAIL: The term of three years for the duration of the board, as provided in the clause, was not, in his opinion, too lengthy a period for the board to get into proper working order. Personally, he did not think eighteen months was quite sufficient. A period of three years would allow the board to get all the registrations made, and the whole of the working conditions ready, so that the board could be elected by the opticians. The first board would arrange for the first examinations and carry out the whole of that work, and to expect them to do that in eighteen months was asking too much altogether.

Mr. MORGAN was sorry the Minister was adopting such childish tactics. He was surprised at the Minister saying that because they would not allow their principles to go by the board he was not going to accept an amendment from the Opposition side. It proved conclusively that the Minister was not empowered to accept amendments from the Opposition side.

The HOME SECRETARY: I was willing to accept the amendment, but you would not take the offer. That was your chance.

Mr. MORGAN: They were then asking that a chairman should be appointed by the board, but they were now asking that the board to be appointed by the Governor in Council should only be in existence for eighteen months. The two matters were altogether different. If the Minister would not accept an amendment from this side, let him move the substitution of 1920 for 1921. Three years was too long a period for the nominee board to be in operation. The Labour party believed in the principle that the people should elect their own representatives.

Mr. MURPHY: That is not the principle at all; the principle is that they shall elect a man who can get the endorsement of the Central Political Executive.

Mr. MORGAN: That might be so. This was a conservative board elected by the Governor in Council—and whether the Liberal or Labour party was in power the principle was the same—and eventually it would have to be elected by the opticians. Was it not a good principle to turn it from a conservative board into a democratic board as soon as possible? Members opposite must agree that the quicker they got out of the old conservative way of conducting matters the better. (Government laughter.) Unfortunately, once the Minister and his supporters became occupants of the Government benches, they seemed to become more conservative than the greatest Conservative ever known in the history of Queensland. No doubt the Minister had received instructions not to accept any amendments from the other side.

The HOME SECRETARY: I am going to accept an amendment from you on clause 10, and well you know it; and I did not consult the Cabinet about it.

Mr. MORGAN: He was very glad to hear it. When the hon. member for Burnett moved the amendment, the Minister admitted that three years was too long, and the hon. member for Burnett was quite prepared to withdraw his amendment and allow the Minister to move it or to move another to shorten the life of the conservative board by one year. They of the Opposition did not care how those amendments got into the Bill, so long as they got in.

Amendment negatived.

Mr. CORSER: He did not see why all the members should not be elected after three years. Why did the Hon. the Minister still want to retain the undemocratic principle of appointing the surgeon himself? Surely there was time before 1921 to elect the whole of the board?

The HOME SECRETARY: We only provide that a member of the medical profession should be on the board, and the Government claim the right to make that appointment. Quite right, too. The Government can be depended on to see that the right man is appointed.

Mr. CORSER did not know that they could. Surely there was time between now and 1921 to make an election of all the members?

Mr. POLLOCK: Yes, and you will be outed.

Mr. CORSER: The hon. member would not be there to see it, anyhow, and they would not have any to spare on the other side. After the appeals which the Minister and his party had made in the country that they wanted to be democratic and do away with a nominee chamber and have everything elective, they found that they wanted to preserve the undemocratic power of appointment by the caucus through the Minister.

Clause put and passed.

Clauses 6 to 9, both inclusive, put and passed.

On clause 10—"*Persons selling spectacles one year before commencement of Act may be licensed*"—

Mr. MORGAN: He understood that the Minister was going to accept the amendment which he now moved—That all the words after "years" in line 29, page 4, to and including the word "State" in line 34 be omitted. Those words were as follows:—

> "who, within six months after the commencement of this Act, proves to the satisfaction of the board that, for the full period of one year next before the commencement of this Act, he has been selling by retail spherical spectacles and eyeglasses within this State."

That would mean that any person would be entitled to be registered for the purpose of selling spectacles only.

The HOME SECRETARY: I accept the amendment.

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

Clause 11—"*Registration not to imply medical qualification, etc.*"—put and passed.

Mr. MACARTNEY moved the insertion of the following new clause, to follow clause 11, in order to define the line of demarcation between the practice of an optician and that of an ophthalmic surgeon—

> "After the commencement of this Act any person, whether registered under this Act or not, who—
>
> (*a*) Not being a medical practitioner, practises or holds himself out by any means or device whatsoever as practising the profession or calling of an oculist or ophthalmic surgeon; or
>
> (*b*) Not being a medical practitioner, assumes the title of oculist or ophthalmic surgeon or any other name, title, or designation implying that he is a medical practitioner, or is qualified to practise ophthalmology or ophthalmic medicine or surgery; or
>
> (*c*) Not being a medical practitioner, prescribes or administers any drug for the purposes of paralysing the accommodation of the eye, or for, or for treating any disease of the eye; or
>
> (*d*) Not being a medical practitioner or registered pharmaceutical chemist sells or supplies any drug for or for treating any disease of the eye,
>
> shall be liable to a penalty not exceeding fifty pounds."

Mr. McPHAIL: There would be no objection whatever on the part of the opticians to the new clause, as it specifically sets out what the work of the opticians should be.

Mr. MACARTNEY: Should not be.

Mr. McPHAIL: Now the medical profession could not take any objection whatever. The new clause amplified what might have been obscure in the Bill, but what, to his mind, was the desire of the
[5 p.m.] Bill, and that was simply to let the optician have his sphere and the ophthalmic surgeon have his sphere. The

*Mr. McPhail.*]

new clause clearly sets out the duties of the two professions and prevented any clashing. He was glad the Minister had agreed to accept the new clause, as it would clear away any doubts that might have existed previously.

New clause put and passed.

Clauses 12 to 26, both inclusive, put and passed.

On clause 27—"*Registration fees*"—

Mr. MORGAN moved the omission on line 3, page 9, of the word "ten" with the view of inserting "five." He thought 5s. would be quite sufficient for the registration of spectacle-sellers, and an annual fee of 2s. 6d. thereafter. The Committee had altered clause 10, so that any person over the age of twenty-one years who so desired might sell spectacles, and, if they made the registration fee 10s. and the annual fee 5s., it would mean an increase in the price of spectacles, as, generally speaking, a hawker would only sell about half a dozen pairs of spectacles a year. The idea of registering spectacle-sellers was only that some control might be kept over those individuals, and it would be unfair to charge a registration fee of 10s. with an annual fee of 5s. thereafter.

The HOME SECRETARY said he had accepted the hon. member's amendment last year on the matter, which had been incorporated in the Bill, and he thought the hon. member should allow the clause to stand as it was. He did not see that there was any need to alter the decision arrived at by the Legislative Assembly last year, as the fee provided in the Bill was a fair one to the spectacle-sellers.

Mr. CORSER: The Minister could hardly have taken into consideration the trouble it would be for the people in the bush to secure spectacles at all with such a restriction. He did not believe the hawkers would carry spectacles at all if the Minister did not make the fee a little lighter. A pedlar or hawker out back could not accept a commission unless he was licensed. The hawker probably would be the only person coming into the station where it was possible to obtain a pair of spectacles, and he could not accept a commission to secure a pair of spectacles for some client away out back because he was not registered. He would not be registered because he could not see the possibility of paying the registration fee of 10s., as he did not know the business was there. If a hawker was charged a fee on account of every line he carried, or was responsible for, it would be impossible for him to get along at all. The hawker did not sell three or four pairs of glasses in a month, and it would be an inconvenience to the people outside if the fee were made too high. He did not wish to delay the passage of the Bill, but he thought the clause was most unreasonable. There were many members on the Government side who represented country districts, and surely to heaven they could support an amendment that was in the interests of the people in the country. They knew that the people in the country had to depend on the hawker for these things, and they had to put up with conditions which would be sneered at in the city. No man could hawk or peddle or exhibit a pair of glasses for sale without paying a fee of 10s. for a license in the first place. That was an injustice to country people, who could not go to established stores, and who had to depend on the stuff that was hawked about. The amendment was a reasonable one, and should be agreed to by the Minister. The fee was too high and should be reduced, and he hoped the members of Western districts on the other side would give them a hand in the Assembly, even if they could not do it in the caucus. Most of the country people depended on the hawkers for their spectacles, and they would be handicapped because the hawker could not pay the fee to be registered.

Mr. MORGAN appealed to the Minister to accept the amendment in the interests of the people in the country. The hawker had to pay his annual license fee as a hawker, and now he was asked to pay 10s. license fee for selling spectacles. It would mean that he would not take glasses in his van, and that would mean giving a monopoly to the city people. They amended clause 10 by providing that anyone over twenty-one could sell spectacles, but under clause 27 they were putting a poll tax of 10s. on every individual who sold spectacles. They knew that the country people often bought spectacles for 2s. 6d., 3s., or 5s. per pair, but if the hawker could only sell two or three pairs he would not take out a license at all. It would be quite sufficient if they did away with the fee altogether and just made it compulsory for the hawker to register and take out a license. They knew that the consumer had to pay all taxes, and in this case the consumer was the person who bought the spectacles. That meant that it was generally the working men on the stations. Look what an argument he would have from a political point of view if he addressed the shearers in the West and told them that the Western representatives on the Government side refused to reduce the hawker's fee for selling spectacles! The amendment was fair and reasonable. He knew the habits of the Western people and knew how they obtained their spectacles, and he hoped the Minister would reduce the fee.

Question—That the word proposed to be omitted (*Mr. Morgan's amendment*) stand part of the clause—put; and the Committee divided:—

AYES, 34.

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|---|---|
| Mr. Armfield | Mr. Lennon |
| ,, Barber | ,, May |
| ,, Carter | ,, McMinn |
| ,, Collins | ,, McPhail |
| ,, Coyne | ,, O'Sullivan |
| ,, Dunstan | ,, Payne |
| ,, Fihelly | ,, Peterson |
| ,, Foley | ,, Pollock |
| ,, Free | ,, Ryan, D. |
| ,, Gilday | ,, Ryan, H. J. |
| ,, Gillies | ,, Ryan, T. J. |
| ,, Hardacre | ,, Smith |
| ,, Hartley, H. L. | ,, Theodore |
| ,, Hartley, W. | ,, Weir |
| ,, Huxham | ,, Wellington |
| ,, Jones | ,, Wilson |
| ,, Land | ,, Winstanley |

*Tellers:* Mr. Peterson and Mr. Weir.

NOES, 18.

| | |
|---|---|
| Mr. Appel | Mr. Macartney |
| ,, Armstrong | ,, Moore |
| ,, Barnes | ,, Morgan |
| ,, Bayley | ,, Petrie |
| ,, Bebbington | Colonel Rankin |
| ,, Corser | Mr. Roberts |
| ,, Forsyth | ,, Stodart |
| ,, Grayson | ,, Tolmie |
| ,, Hodge | ,, Walker |

*Tellers:* Mr. Corser and Mr. Morgan.

Resolved in the affirmative.

Mr. MORGAN moved the omission, on line 4, page 9, of the words "five shillings," with a view to inserting the words "two shillings and sixpence." The amendment would reduce the annual license fee payable by hawkers of spectacles from 5s. to 2s. 6d. The arguments which he had used in support of the previous amendment applied with equal force to this amendment. The hon. member for Flinders should be able to bear him out when he said that an annual registration fee of 5s. was too much, and that it would have the effect of causing small country storekeepers and hawkers in the West to give up stocking spectacles altogether. If the Minister was sincere in his expressed desire to assist the people in the country to obtain glasses, he should be prepared to accept the amendment, otherwise it was evident that he really wished to create a monopoly. A monopoly could be created by refusing to register spectacle-sellers, but it could also be created by imposing a high fee on the sellers of spectacles, and apparently it was intended to create a monopoly in this case by imposing an outrageously high fee. The country members had a right to stick up for the people living in the bush. The trend of nearly all legislation introduced by the present Government was to assist the people living in the towns, but it was the producers in the country who had to pay the piper every time. Every Bill that was introduced penalised the country people. This might seem a very small matter from the point of view of the Minister, but he would ask the hon. gentleman whether, as a business man he would be prepared to pay a license fee for the hundred and one different articles he might have for sale in his premises. What would he think if he had to pay an annual license fee of 5s. for selling cricket material, a similar fee for selling football material, a similar fee for the sale of fishing tackle, and the same in connection with every other class of sporting material he had for sale?

The HOME SECRETARY: I would be very glad of the opportunity. I would make more money than I do now.

Mr. MORGAN: He was very doubtful whether the hon. gentleman would; but, in any event, he would make it out of the people by passing it on. That was quite opposed to the political policy advocated by the hon. gentleman.

The HOME SECRETARY: It is the policy of the business man.

Mr. MORGAN: He admitted that that was the policy of the business man, but it was not the policy enunciated by the hon. gentleman on every political platform from which he addressed his constituents.

The HOME SECETARY: You never heard me enunciate anything different.

Mr. MORGAN: That was the policy of the middleman, and the hon. gentleman and his party always contended that the middleman robbed the producer. Yet that was the policy the hon. gentleman was now advocating.

The HOME SECRETARY: I will swap fortunes with you.

Mr. MORGAN: He was very doubtful if the hon. gentleman would not lose by the exchange, but he (Mr. Morgan) was satisfied with his lot, and he wanted to make the lots of other people such that they also would be satisfied. Why the hon. gentleman should refuse to accept the amendment he did not know, and he could not understand why Western members supporting the Government would not assist him in passing the amendment.

The HOME SECRETARY: If you will only stop talking, I will accept the 2s. 6d.

Mr. MORGAN: Well, he would take the Minister at his word and stop talking.

Amendment agreed to.

Clause 27, as amended, put and passed.

Clauses 28, 29, and 30 put and passed.

On clause 31—"*Hawkers may not vend spectacles*"—

Mr. CORSER said he had an amendment to propose, giving the board the power to permit the sale of spectacles and such things by hawkers who were not registered. They were appointing a board to deal with the spectacle business, and he claimed that they might well leave to the board the power to grant permits to hawkers under certain conditions. He moved that all the words after the word "Act," on line
[5.30 p.m.] 43, down to the end of the clause be omitted, with the view of inserting the words "may receive a permit to sell from the board." That would give the board power to frame regulations or conditions under which a permit to sell spectacles might be granted to an unregistered person in certain extreme or exceptional cases.

The HOME SECRETARY: What protection would opticians have under this Bill if you did that?

Mr. CORSER: They would have the protection of the board, from whom hawkers who wished to sell spectacles would have to get a permit, and such permit would only be granted under certain conditions. He hoped that the Minister would accept the amendment.

Mr. McPHAIL: He hoped the Minister would not accept the amendment. The hawker was well protected in the Bill. An amendment was made in clause 10 giving hawkers the right to sell spectacles in a retail way, and in clause 27 the initiatory fee for a license was fixed at 10s. and the annual fee at 5s. The payment of such fees would keep the board in touch with hawkers who were selling spectacles throughout the State, and that was a desirable arrangement. The latter part of clause 21, which the hon. member proposed to omit, should be retained, because if a man wilfully sold spectacles without a license, he should be liable to a penalty. A hawker in the country could easily obtain a license and could pay the fee to the policeman stationed in the nearest town, so that the payment of the fee would not entail any hardship on the hawker or the general public. It seemed to him that the hon. member for Burnett had deliberately set out to wreck the measure.

Mr. CORSER: He should like to hear what the Minister had to say on the matter.

The HOME SECRETARY: I have nothing to say.

Mr. CORSER: He did not expect that the hon. gentleman would have very much to say about it. Some hon. members might

contend that in his amendment he should have provided that the hawker "shall" receive a permit, but he thought they should leave the decision of the matter to the discretion of the board. As to attempting to wreck the Bill, he could not see that his action in trying to get amendments accepted which would make things easier for a section of the people could be called an attempt to wreck the Bill. The hon. member for Windsor spoke for persons living in Queen street and other streets in Brisbane, and as long as they could build up a monopoly to the detriment of the people in the country, the hon. member did not seem to mind. The suggestion that his (Mr. Corser's) action was dictated by a desire to wreck the Bill was the outcome of narrow-mindedness on the part of the hon. member for Windsor. The people outback and the children outback suffered more from eye troubles than the people in the cities, and they should receive some consideration at the hands of the Committee.

Mr. McPHAIL: They will be injured more by hawker's glasses.

Mr. CORSER: The hon. member said those people would receive further injury to their eyes from using glasses supplied by hawkers, and yet, if a hawker would pay a license fee, the hon. member would allow him to go into the country and sell rotten spectacles to the people. If a man had not to pay a fee for permission to sell spectacles, he would not be likely to force business in order to recoup himself for such payment. The fact was that the hon member was putting up a very poor case for the convenience of the people in the country, and arguing in favour of a monopoly for those who carried on business in the cities. He did not think the hon. member should be so narrow-minded.

Amendment (*Mr. Corser's*) put and negatived; and clause put and passed.

Clause 32 put and passed.

On postponed clause 2—"*Interpretation*"—

Mr. MACARTNEY moved the omission on lines 18 and 19 of the words "other than the use of drugs" and the substitution therefor of the words "not being by means of drugs or medicine or surgery."

The HOME SECRETARY: I will accept that.

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

Schedules I., II., III., and IV. put and passed.

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

## WAGES BILL.

### SECOND READING.

The SECRETARY FOR PUBLIC WORKS (Hon. E. G. Theodore, *Chillagoe*): This is the second occasion on which this Bill has been introduced into this Chamber. On the last occasion I think that I fully explained the objects and scope of the Bill, which does not introduce any very controversial matter, but still will prove a very useful measure indeed. The primary object of the Bill is to protect wages and to abolish truck, and it makes other provisions in regard to wages that will safeguard the interests of wage-earners. The measure has the effect of repealing and superseding the Masters and Servants Act and previous Wages Acts. There has been no amendment of the law dealing with the control and protection of wages during the last thirty or forty years, and, naturally, the law on the statute-book is very obsolete. The old Masters and Servants Act performed, I think, useful functions in its time, but it is now out of date and useless. It was suited to the time when it was introduced. I think it was introduced nearly sixty years ago in this State—the date of the Masters and Servants Act is 1861—at a time when there were assigned servants in the State, and it was then a useful enough measure.

Mr. LAND: It has entirely outlived its usefulness.

The SECRETARY FOR PUBLIC WORKS: As the hon. member says, it has entirely outlived its usefulness. It is no longer a protection; as a matter of fact, it has actually in many cases become a disability to both employers and employees whom it is supposed to protect. This measure does away with the Masters and Servants Act, and sets up a more complete and ample machinery in its stead, carrying out the principal functions that were intended by that Act in regard to the protection of wages and casting upon employers and employees certain obligations in regard to their service; and it goes further, too, in the directions I shall presently indicate. In the main body of this measure will be found provisions dealing with the protection of wages that may become due to workers by contractors or subcontractors. This lays down the principle that wages must be a first charge against moneys in the hands of an employer, where the employee has been working for a contractor or subcontractor. From time to time we hear of instances where employees, after having earned their money, have been deprived of it because of financial failure on the part of the contractor. There is no adequate remedy at present for the employee.

With regard to that part of the measure dealing with the abolition of truck, I desire to say that that is also very necessary. I think that every other State of the Australian Commonwealth has a law dealing with the truck system, but we have none here in Queensland. This measure provides that wages must be paid in money only, but certain exceptions are made in regard to the supply to the worker of medicines, tools, or appliances employed in his trade, victuals, and in regard to tobacco or clothing supplied to the worker, or fares or travelling expenses advanced, and there are certain other provisions which are set out in the Bill. In those cases exceptions are made, but in all other cases wages must be paid in full in money. There is no waiving of the condition of payment or consideration for labour by way of forcing the worker to take out that consideration in stores or provisions or in any other way than in money. It is not permissible for an employer to enter into a contract with an employee stipulating in what manner his wages shall be expended. It is laid down as a principle that the wage-earner is considered to be entitled to the money he earns, and to the full rights of expending it in any way he thinks proper. Under this Bill, payment by cheque is not prohibited. A cheque is accounted money where it is paid by way of

wages under certain provisions in the measure.

Hon. J. G. APPEL: Does the definition state that? The definition of "money" is "current coin of the realm; the term includes the coinage and notes issued by the Commonwealth."

The SECRETARY FOR PUBLIC WORKS: I would refer the hon. member to clause 25, which deals with the payment of wages by cheque, where he will find that it is permissible under certain conditions.

Mr. CORSER: Necessary, too.

The SECRETARY FOR PUBLIC WORKS: It is very necessary in some cases. Of course, I think it would be very inconvenient to abolish it altogether, but at the same time it is necessary to protect the worker against payment by cheque, which may result in very great inconvenience to him sometimes.

Mr. LAND: If they are not negotiable.

The SECRETARY FOR PUBLIC WORKS: Or payable to order, or if he finds, subsequently, that the cheque is dishonoured. Of course he has a claim against the person who paid him in that way, but in the meanwhile he may be put to very great inconvenience. A case came under my notice not so very long since where a man was paid by a cheque drawn by a station on one of the banks in Blackall. He came there and then found that there was no money to meet it. He consulted the town solicitor, who wrote out to the station, a distance of some 70 miles, and after several days' delay the cash was sent in and he was paid, but in the meantime the worker was put to loss and inconvenience. We want to protect the employees from that kind of thing, but we do not want to impose such conditions that all employers, under any circumstances, must pay in cash. I know that would be a great inconvenience in many cases. The usual practice or custom in some of the large mining centres, for instance, is to pay by cheque. It is accepted by both employer and employee as satisfactory, and so long as the employee has full confidence in the employer and his bank account there is no reason why it should not continue. However, if there is no restriction it may cause inconvenience in individual cases, and it is provided that it must be the usual mode of payment, and it must be intimated by the employer—not necessarily by writing—at the time of the engagement, that the usual mode of payment is by cheque, so that the man, after working for a month, may not be paid off by cheque under circumstances which may lead the employee to accept something which really has no value. I impress on hon. members this point in regard to the clause dealing with cheques, because it was really on that phase of the Bill that it came to grief in another place last year. That part of the measure has probably been altered more than any other part as compared with the Bill as introduced last year. Substantial alteration has been made to meet all possible objection.

Hon. J. TOLMIE: To what extent? Only the elimination of the words "in writing"?

The SECRETARY FOR PUBLIC WORKS: Oh, no! The hon. member is wrong. There has been a redrafting of the clause dealing with payment by cheque—clause 25.

Hon. J. TOLMIE: That was accepted last year.

The SECRETARY FOR PUBLIC WORKS: I am speaking now of the changes made in the measure as compared with the measure when it left this Chamber last year. That is where the principal change has taken place, and it has been made with a desire to meet the serious objection which was taken to it previously by another place.

Hon. J. TOLMIE: That principle you are dealing with as being in the Bill you submit to-day is exactly the amendment you refused to accept last session.

The SECRETARY FOR PUBLIC WORKS: No, not exactly the same.

Hon. J. TOLMIE: Except the words "in writing."

The SECRETARY FOR PUBLIC WORKS: There have been certain alterations. I cannot tell the hon. member now what they are, but I fancy that the principle outlined here will be accepted, because it seems to be a very reasonable and just provision. I think it must have come within the personal experience of most hon. members that inconvenience is caused in some parts of the country to workers by employers who may really be men of straw. They may at the time be running very close to the wind financially, and it would be very unjust to place the worker in the position of working possibly a month without knowing, or being by any means certain, that at the end of that time he was going to be paid in anything but what was not worth the paper it was written on.

Mr. BARNES: Must he not be paid weekly?

The SECRETARY FOR PUBLIC WORKS: Not necessarily. The hon. member will see that the wages may be paid monthly, but the wages have to be settled up within a certain time from the time of dismissal or the expiration of his term of employment.

Mr. FORSYTH: Three days if required.

The SECRETARY FOR PUBLIC WORKS: Yes. The Bill also makes provision with reference to conditions of service, where a contract of employment is entered into. This, of course, usually covers that class of employee who engages in domestic service or otherwise where some kind of contract, verbal or otherwise, is entered into for a definite period, extending possibly to twelve months or even longer. The Masters and Servants Act is by no means satisfactory in regard to that matter. This measure lays down the amount of notice that may be required, and penalties are prescribed for failure to observe conditions by the employee; for instance, unlawfully absenting himself from his service, and penalties are also provided against the employer on a basis that should be considered equitable. There is a great number of other clauses which provide the machinery of the Bill, for instance, providing for the way in which wages may be recovered—in a summary way. It is also provided that where it is necessary the agent of the employer may be summoned for wages that may be due. That has been a frequent cause of difficulty and litigation under the present inadequate law. Wages are recoverable against a mortgagee, and there are certain provisions regarding mines and miners, and in this respect the Mining Act of 1898 has been amended.

I think I may at this stage leave the measure to the consideration of the House.

*Hon. E. G. Theodore.*]

I assure hon. members that there is a real necessity for the passage of the measure. Friction frequently occurs as a result of the non-protection existing under our present law. The new measure will not bring any hardship to anybody, but a benefit to a great number of workers. I move—That the Bill be now read a second time.

HON. J. TOLMIE: I should like to point out that the Minister is now introducing practically the same Bill which was rejected last year. I think I have once before to-day said that all the legislation this year has been of that kind, and I am afraid that the present Government will go down in history by the name of "The Resurrection Government," because of the dead measures they are reintroducing. (Laughter.)

Mr. JONES: The Resurrection Government and the Dead Opposition. (Renewed laughter.)

HON. J. TOLMIE: The Opposition is particularly alive.

Mr. JONES: Since the "Courier" warmed it up.

HON. J. TOLMIE: I was going to point out that when the House rejected the measure which was returned from the other House last year, the Secretary for Public Works was not just in quite as good a humour as he is now. He was then irate because the other Chamber had dared to amend his Bill, and he said—

> "I think it furnishes a further argument for the abolition of the legislative freak which is standing in the way of progress. The Council has driven a few more nails in its own coffin."

The hon. gentleman was very firm in his declaration that he had no respect for the Legislative Council, and subsequently I assumed the role of a prophet on that occasion, and said that in proportion as his disrespect grew so the respect for the Legislative Council in the minds of the general public would grow, and that has proved to be the case. I then pointed out to him that he might have accepted the Bill, as there was not much difference.

[7 p.m.]

The SECRETARY FOR PUBLIC WORKS: Not much difference?

HON. J. TOLMIE: As far as this measure is concerned, the difference is only in two or three clauses, which might have been accepted by the hon. gentleman and business proceeded with, but the Secretary for Public Works at that time was anxious to try and depreciate the Legislative Council in the eyes of the public in view of the referendum. Now, I hope he has a determination to do much better in this measure than he did before. When speaking on the last occasion I said there was much that was good in the Bill, and for the sake of the good that was in the Bill it was desirable that we should accept the measure. Now we come to a consideration of the measure that is before us. We find that it is in all essentials the same as the Bill was when it came from the Legislative Council and was rejected, with this exception: that two clauses which were omitted by the Legislative Council and which were accepted by the Secretary for Public Works, have been reintroduced in the Bill. That being the case, I can only see trouble in relation to that portion of the measure when it comes before us for consideration. If the Secretary for Public Works said last year that there was no necessity for those two particular clauses in the Bill—and he did say so in this Chamber after the Bill came from the Council—he is only causing more contention in reintroducing those clauses.

I must say that the principle of this measure is a good one to a very great extent, because, undoubtedly, the Masters and Servants Act imposed penalties upon the employee that were not imposed upon the employer, and it is only fair in measures of this kind that there should be reciprocal treatment; that the treatment meted out to the one should be proportionately meted out to the other. There are two parties to the contract, and both parties ought to observe the law in their relations to each other, and, to a large extent, I believe that the measure now before us does make for a better representation before the law of the employee than he enjoyed under the Masters and Servants Act. On looking through the measure, I think the employer has been fairly well treated as well. There may be some difference of opinion on the various clauses of the Bill, but there always will be differences of opinion, but these differences of opinion can be held by individuals without the real value of the Bill being discounted. I do not want to go through the various clauses of the Bill because it is to a great extent a machinery Bill, and I do not know that there is very much amendment to be made, seeing that a lot of the amendments of last year have already been accepted.

I would like to point out that there is a principle in the Bill which is contained in clause 17. I am not going to discuss the clause, but I am going to discuss the principle that is contained therein. That is one of the clauses that did not meet with the acceptation of the other Chamber when the Bill was before them last year. Fortunately we on this side were able to get an amendment inserted in the Bill to the extent that the single man having dependents and the married man should be garnisheed for any amount over £2 per week. We had that amendment inserted in the Bill, but, when the Bill went to another place, they went further. They drew attention to a matter that was omitted by us in consideration for the measure, and that was that the Government at the present time are becoming large employers of labour and they are entering into competition with all classes in the community in the various enterprises which are being carried on. There is scarcely an enterprise now that is successful in the hands of private employers that has not been engaged in by hon. gentlemen on the front Treasury bench. If they find an employer is making money out of any industry, then they assume that they can do likewise. Perhaps, not having the skill, not having the knowledge, and not having the business application of the man who is making the industry so successful, they fail in that enterprise, and their failure is not borne by them as individuals, but by the general public who have to be taxed.

The SECRETARY FOR PUBLIC WORKS: How does that apply in this connection?

HON. J. TOLMIE: It applies in this way: You have so many employees in that particular business. You are entering into

competition with private individuals, and, therefore, you should come under the same law as the private individuals. The employees in Government enterprises should be placed on exactly the same footing as the employees of private individuals, but that is not the case. At the present time, as pointed out by the Minister in charge of the Bill, the practice is, if public servants do not liquidate their debts, that they are dealt with by the Public Service Board. That is a roundabout and cumbersome way of dealing with the question.

The SECRETARY FOR PUBLIC WORKS: That does not apply to the Bill.

HON. J. TOLMIE: There is no reason why the principle should not be introduced in the Bill.

The PREMIER: What principle?

HON. J. TOLMIE: That there should be a garnisheeing of Government employees just the same as there is garnisheeing of the employees of private individuals.

The SECRETARY FOR PUBLIC WORKS: That is not prohibited by this Bill.

HON. J. TOLMIE: It is prohibited inasmuch as Government servants are exempt from the operations of the Bill.

The PREMIER: You know the principle that underlies that—you cannot garnishee the Crown.

HON. J. TOLMIE: You cannot garnishee the Crown, but in the various enterprises engaged upon you should be able to garnishee the individual. For instance, the Minister for Lands is or may be made the corporation sole on account of the various station properties he holds, so that he could be dealt with under the law the same as other individuals. He should be compelled to carry out the law the same as any other individual. I think that when the Bill gets into Committee we will have to endeavour to secure an alteration in the direction I mention. We sought to make an alteration last year.

The SECRETARY FOR PUBLIC WORKS: You sought to strike out all reference to it last year, and it is now left out.

HON. J. TOLMIE: The amendment the Council proposed to insert last year was as follows:—

> "If any such order shall be served on the paymaster of any Government department, any moneys to the credit of a judgment debtor in the books of such department (if the amount of wages exceeds two pounds per week) shall be liable to attachment, and garnishee proceedings shall lie with respect to such moneys and shall be in the forms, mutatis mutandis, of the Small Debts Acts, 1867 to 1894."

That was the amendment introduced, and it did not meet with the approval of the Secretary for Public Works. I hope that on this occasion the hon. gentleman's mind will be open, and that he will be prepared to accept an amendment that will put the workers under the Government on exactly the same plane as the workers engaged under private enterprise.

I am not going to deal with Part III. to any great extent. There are anomalies in connection with that part of the Bill which deals with truck, and we will probably try to have them amended when the measure is in Committee. There is no reason whatever why a person in the outback districts who is maintaining a store for the supply of his own needs, and who is frequently called upon to supply the needs of travellers and the needs of persons in his own employ, should not continue to supply those needs. There is no need why he should be penalised for doing so, yet under this Bill he is debarred from selling goods to his employee. It is not a case of forcing the individual to purchase his goods from the store; it is more a case on the part of the individual making inquiries from the station to supply his needs. He asks that it shall be done, and there is no demand about it at all. In many cases the nearest place where he may purchase goods may be miles away—in some cases hundreds of miles—yet, because of the operation of this Bill—because he is an employee on a pastoral property—he will not be able to secure those goods that he needs. I think there ought to be an amendment of the Act to the extent of allowing a person employed on a station to purchase goods to the full amount that he requires.

The SECRETARY FOR PUBLIC WORKS: He has permission under this Bill.

HON. J. TOLMIE: I know there are some things that he may purchase.

The SECRETARY FOR PUBLIC WORKS: He can purchase everything he wants, but it cannot be paid to him as wages.

HON. J. TOLMIE: It is specifically laid down in the Bill what he can purchase, and if the Minister will look through the Bill he will see just what the employee can purchase. I have not the slightest doubt that the law will be carried out as it is written in the statute. We have found that that has been done in every case, and, notwithstanding a statement made in this House, we know that a very great injustice is being done to a large body in the community because the wording of the Act is different from the way it was explained in this House would be the operation of the law.

The PREMIER: What article do you say an employee cannot purchase?

HON. J. TOLMIE: If the Chief Secretary desires information, I will ask him to look through the list and he will see the goods that can be supplied. I do not know if the hon. gentleman is a smoker.

The PREMIER: Yes.

HON. J. TOLMIE: Well, under the Bill the employee can buy tobacco, but he cannot buy matches. (Laughter.) That is one thing which is not mentioned here, and under the Bill the employee can only buy the things that are mentioned here. I just mention that in passing to satisfy the curiosity of the hon. gentleman. (Hear, hear! and laughter.) I know I must not go into the details of the measure at this stage, and I am confining myself to the principle that provision is not made there to the full extent it should be made. The Minister, in moving the second reading of the Bill, said there was an alteration in one clause. I do not say that he did it intentionally; in fact, I give him credit for not having done it intentionally, because he himself said that he was not quite aware of what the changes were in the Bill.

The SECRETARY FOR PUBLIC WORKS: No; I am well aware what the changes are.

HON. J. TOLMIE: Take clause 25, which provides that payment of wages may be made by cheque. You will remember, Mr. Speaker, that I challenged the hon. gentle-

man with regard to the alterations that he said had been made in the Bill, alterations that were more acceptable to the other Chamber. There is no variation from that clause and the clause as it stood when the Bill was last rejected. There is certainly a variation in the clause as it first appeared in the Bill when introduced into this Chamber last year. But the Legislative Council made certain amendments in the Bill by striking out certain lines. They struck out one line and put in another reading, "Payment by cheque, draft, or order may be made in such cases where it is the usual mode of payment." That was not acceptable to the hon. gentleman, and he moved a long amendment embracing several lines, which went from this Chamber to the Upper House two or three times, and finally, because one of those clauses was not accepted, the Bill was rejected. As a matter of fact, it was rejected entirely upon this clause 25.

The SECRETARY FOR PUBLIC WORKS: No. It was rejected principally because of fundamental alterations to the truck provisions.

HON. J. TOLMIE: If the hon. gentleman will go through the Bill of last year and see the points of difference between him and the Upper House he will find that there were only two points of difference. One was in clause 17 and the other in clause 25. The clause is embodied in Part III., so the hon. gentleman is quite right is saying that it had reference to truck. Anyhow, there was no alteration in the clause from the clause in the Bill which I have in my hands.

The SECRETARY FOR PUBLIC WORKS: Yes, there is a great change.

HON. J. TOLMIE: Clauses 21 and 22 were rejected in last year's Bill.

The SECRETARY FOR PUBLIC WORKS: That was the Bill I was talking about. There is a great change between that and the present Bill.

HON. J. TOLMIE: No.

The SECRETARY FOR PUBLIC WORKS: You cannot read English.

HON. J. TOLMIE: I can read English all right. Clauses 21 and 22 dealing with truck were struck out with the approbation and approval of the hon. gentleman who is now in charge of the measure, and he has reinserted those two clauses in the measure he submits to us this year. The only other alteration in the Bill was a very small one in clause 19—"Except as hereinafter provided"—which was accepted by the hon. gentleman. The clause at which he stumbled was clause 25, dealing with "Payment of wages may be made by cheque." The hon. gentleman is in error in saying that the cause for dropping the Bill last year was the infringement of the truck portion of the Bill.

The SECRETARY FOR PUBLIC WORKS: Do you say those are the only material alterations?

HON. J. TOLMIE: I say that last session the Council made an alteration and the hon. gentleman inserted the words—

> "the employer has notified to the worker prior to or at the time of employment, that payment by cheque, draft, or order, in his case is the usual mode of payment, and, if the cheque, draft, or order tendered in payment includes such amount of exchange as will ensure to the worker payment in full of wages at the place where such payment is tendered; and, subject as hereinafter provided, all payments so made after such notification shall, for the purposes of this Act, be as valid as if made in money."

That is the alteration that is fundamental in this Bill. That is the amendment that the hon. gentleman sent up to the Upper House last year.

The SECRETARY FOR PUBLIC WORKS: You said that it was in the Bill of last year. It never was in the Bill of last year.

HON. J. TOLMIE: I said that it was before this Chamber last year.

The SECRETARY FOR PUBLIC WORKS: This is the first time it has been in the Bill.

HON. J. TOLMIE: Because the Legislative Council would not accept that amendment, and that amendment only, the hon. gentleman declared the Bill "lost" in the terms of the Parliamentary Bills Referendum Act. Yet he now comes down with the same Bill, and he puts in an amendment which was not accepted last year, and he can adduce no argument, so far as I have heard this evening, as to the reason why that amendment should be put in the Bill, and he has certainly not advanced any sound argument that would appeal to the Legislative Council and induce it to pass it. In the ordinary course of events, do you not think that the Upper Chamber will ask this House to view the Bill as it came from them on the last occasion? All this resurrection stuff that has come before us seems to be brought up for the one purpose of enabling another referendum to be taken. As a matter of fact, the hon. gentleman has already said that such is the case, and that that is the reason why we are called upon at this stage of the session to deal with nothing but stuff that has proved unacceptable before to the Council. There are many other points in the Bill to which I might draw attention.

Part IV. deals with "Miscellaneous." In that part penalties are provided. To a great extent the penalties are dealt with in clause 30. In that clause there are three subclauses —(*a*), (*b*), and (*c*). In each of those subclauses a penalty is provided. In (*a*) and (*b*) the amount of the penalty is fixed at £10; in (*c*) it is limited to £3. In the Bill as it was introduced last session in each of those three subclauses the penalty was £3, but amendments were accepted making it £10 in (*a*) and (*b*), but apparently through an oversight the penalty was allowed to remain at £3 in subclause (*c*). I believe that when this is pointed out to the Minister, he will have no objection to remedying this oversight, and that he will agree to make the penalty the same in each of the three subclauses. One point that I would like to make reference to is one that affects the State Bank. One clause in the Bill deals with the recovery of wages from mortgagees. Now, I think that in that respect we should place the Government in precisely the same position as any private individual. If the Government is a mortgagee, then the Government must put up with all the penalties just the same as a private individual. Now, what is the position of the Crown as a mortgagee in the case of the Agricultural Bank? The Agricultural Bank advances money against the security of a property. The person who owns that property makes default and the bank forecloses. Among the creditors of the mortgagor may be a workman or two who have been working on the farm and

have not received their wages. Have they the right to recover against the Agricultural Bank, the same as they would against a private mortgagee? If they have not—and there is nothing in the Bill placing the Crown in the same position as a private individual; in fact, on the contrary, the Government are specially protected against actions of that kind—then a grievous wrong is being done to some persons. In the matter of paying wages, the Government should be on exactly the same footing as any other person in the community. If a man has earned wages, he has the right to receive those wages, whether it be from the Government or from somebody else. I am not going to deal at any greater length with the measure. I have pointed out the weaknesses of the Bill in comparison with the Bill that was introduced last session and with the Bill which was "lost" in this Chamber at the end of last session. I have pointed out that almost all of the amendments that were unacceptable to the Government at that time are in this Bill; and, inasmuch as it contains those amendments, it is a better Bill than that which was introduced last year. On the question of the fundamental differences between this Chamber and the other Chamber, there is no difference of attitude so far as this side of the House is concerned. Now, do you think, Mr. Speaker, as a reasonable man—and we know that you have a high capacity in that direction—do you think that the introduction of a measure with a determination right in its forefront to make it offensive to the other branch of the Legislature can conduce to its passing? Yesterday, in dealing with another measure, I pointed out that, if the hon. gentleman in charge of the Bill would exercise those powers of persuasion which are open to him, and would bring forward a measure that would appeal to reasonable and reasoning men, he would have no difficulty in passing it. That is so in the present case. Unless the Minister is prepared to accept some amendments on those fundamental points of difference last year, I am afraid that, notwithstanding all the others, we shall fail to make the measure a good one. The action of the Government is not calculated to assist in making the Bill become law, and I shall be very sorry to see that happen, because in some respects it is a useful measure, and we hope to make it still more useful before it passes through this Chamber. At any rate, we on this side intend to try to do so, and, if we fail, the responsibility will rest not on us, but on hon. members on the other side who, for the sake of being obstinate, will refuse to accept reasonable amendments which are likely to ensure its passage.

HON. J. G. APPEL: I do not know that I am inclined to treat this as a resurrectionary measure. I am rather inclined to regard it as quite a new Bill—a Bill that has been reconstructed and improved; and I can only hope that, mellowed by parliamentary time, the Minister in charge of the Bill will be prepared to consider amendments that may be submitted in what Matthew Arnold described as a spirit of "sweet reasonableness"—amendments which will go to make the Bill as perfect as it is possible to make it.

There is no policy involved in this measure. It is essentially a Committee Bill. The principle which underlies the measure has always been accepted by the Legislature—namely, the principle that wages should [7.30 p.m.] be a preferential claim in the case of the failure of the employer; and by and large that principle has generally been recognised by employers. Of course we have unscrupulous persons in all divisions of life. We have the unscrupulous employer, and we have the unscrupulous employee. The law as it exists to-day was, no doubt, passed many years ago, and unquestionably it is wise that the whole matter should be overhauled, and that an up-to-date measure should be enacted in place of the present legislation; and that is what this measure, so far as I can see, proposes to do. I do not think that the hon. gentleman in charge of the Bill will contend that this is a perfect measure. In explaining its provisions he said the measure is for the protection of the wage-earners. No member of this Legislature will offer any opposition to that principle, because it is a principle which must naturally appeal to every man who has the welfare of his fellow-man at heart.

With regard to the abolition of the truck system, that certainly will inflict no hardship on the employer, because I do not think any reputable employer has ever sought or desired to pay his employees in that way, or to make a profit by such a method of payment. As a matter of fact, that source of revenue—sometimes it is not a source of revenue—is not one which has anything particular to recommend it. Certain exceptions are made in the measure, which provides that agreements may be made in connection with certain matters, and personally I think that the whole proposals with regard to what is known as the "truck" system should be fully set out.

With reference to the payment of wages, as I pointed out to the Treasurer when he was introducing the measure, the definition clause has not been amended in accordance with the terms of the new clause which now appears in the Bill we are discussing. I think the hon. gentleman was very wise in adding that clause, because we all know that in a great number of places in Queensland it is impossible for the employer to have the necessary coin of the realm in his possession with which to pay wages due to employees, and that payment in the majority of instances is made by a cheque or an order. Of course, unscrupulous persons will, in spite of any enactment we may pass, continue to give valueless cheques for services rendered. But, after all is said and done, we know that many employers have made the necessary provision to pay their employees by cheque, and that it would not be wise for them to keep a large amount of coin on their premises for the purpose of paying wages. The provision made in the Bill seems to meet fully the requirements of those persons who are in the habit of paying wages by cheque or order.

The Treasurer, in explaining the provisions of the measure, made reference to the question of notice. I do not know that the provisions dealing with that matter will in any way help matters, because the employee in many instances is not bound by notice. It does not matter what enactment you place on the statute-book, the employee does not consider himself bound by any of its provisions. If it suits him, he simply walks out of his employment, and is not bound by any law requiring him to give notice. It is the

employer who is bound by such provisions. Whether the provisions in this Bill will be effective or not I do not know, but I venture to say that the position will be no better than it is to-day. If present conditions can be amended, all the better; but we have the daily spectacle of employees leaving their employment without any cause—having no complaint with regard to wages or conditions, but simply downing their tools and leaving their employment. I do not think that the particular provision to which the Treasurer referred will have any effect at all.

The question as to whether an agent should be liable to be sued is a wide one, but no doubt an agent undertaking such responsibilities as are contemplated in the Bill will take steps to safeguard himself in case he should be placed in the position of a defendant. But there is one matter that I should like to refer to particularly, and that is the one mentioned by the leader of the Opposition with regard to the position of the State. The State to-day, under the present Administration, is entering into competition with private concerns in many directions, and the number of State employees is daily increasing. I confess that I cannot see any reason why the Crown should not be garnisheed in the same way as a private individual. The Crown should be placed in the same position as a private employer. If a private employer can be compelled under a garnishee order to withhold the wages of an employee in accordance with the clause which makes provision in connection therewith, then the State should be placed in the same position. The Minister should certainly deal with this matter in his reply, and if he is not prepared to make the necessary amendment, he should give valid reasons for not doing so, and not simply stand by the old principle as it exists to-day. It has always been provided by law that the State cannot be garnisheed, but that is not a sufficient reason for continuing the practice. If it is, then we might take up the same attitude with regard to this measure, and say there is no necessity for improved and up-to-date legislation on this subject. But we do not regard it from that standpoint. We quite admit that, as time has gone by, old enactments which may have been all right many years ago are of no value to-day and need improving.

In the same way the State in those days was not a large employer of labour, but to-day it is entering into competition with private enterprise, and if the private employer is placed under certain disabilities and liabilities, then the State, as an employer of labour, should be in the same position. The same principle applies with equal force to the State as a mortgagee. The State probably will become, if it is not already, one of the largest mortgagees here, and I cannot see why the State should be exempted from the obligations and liabilities to which a private mortgagee is liable. If a private mortgagee, or private employer is under certain obligations and liabilities, why should the State be able to escape its liabilities? I think this matter applies with even greater force to the State than to the private individual. I hope that the Minister will give this matter serious consideration, and, if he is not prepared to accept the necessary amendments, that he will give reasons which will satisfy the House that the necessity for them does not exist, but it is not sufficient for him merely to say that the Crown has never before been placed in that position.

In connection with the miscellaneous provisions in the Bill, I am glad to see that it is enacted that females are no longer to be imprisoned. I do not know that under our obsolete legislation any bench of magistrates would commit a female to prison for a breach of the law, but it is just as well that a provision should be made in that respect, because I think we have arrived at the stage when this form of punishment should be abolished.

I do not know that there are any other matters which I desire to deal with in connection with the Bill at the present stage. It is essentially a Committee Bill. Hon. members opposite do not contend that the legislation which they place before the Chamber is complete and perfect, and I trust that any amendments which may be suggested by Opposition members in their bonâ fide desire to improve the measure will be considered in the spirit in which they are made. There should only be the one desire—to make a measure of this character as perfect as possible. To some members of the community it may not be an important matter as to whether the wage-earner has his wages secured to him, but, personally, I do not know anyone who would regard the matter from that standpoint. I think that we are all animated by the desire that the wage-earner who has honestly earned his wage should have the payment of it secured to him. But while the Legislature is endeavouring to see that he is paid 20s. in the £, we can only hope that the wage-earner in return will give 20s. worth of labour for the 20s. of coin of the realm which he is to receive.

Mr. FOLEY: The boss will see to that.

HON. J. G. APPEL: It is generally stated that the boss has very little to do with it. It does not matter what contract a man may have in hand and what he may lose; if it suits the wage-earner the boss is left. If I thought that any legislation we could pass would obviate that disgraceful condition of affairs, I would only be too glad to assist in passing it; but unfortunately to-day we appear to have arrived at the position that despite what legislation we may pass, however much we may safeguard the interests of those who are employed in our different industries, apparently they do not recognise their obligations. I hope that when the measure comes into Committee the Minister and hon. members who sit behind him and direct him, will respond to the bonâ fide attempt on the part of the Opposition to make it a more complete measure, so that in repealing our obsolete legislation we shall place on the statute-book something which will be a great advance upon the present law.

Mr. FORSYTH (*Murrumba*): The Bill which is before us is no doubt brought forward with a view to effect a considerable amount of good, and I think that every honest employer will recognise that the wages of the worker should be protected. I do not think that any honest employer wants to take any advantage of the worker. It is provided in clause 4, in connection with contract work, that the wages of the worker shall be paramount to all other

debts owing by the contractor. I think that is quite justifiable. It sometimes happens that when a contractor goes in for a job he loses money, and he may go insolvent or clear out, and the men who are working for him are left completely out in the cold. I think it is a wise thing to, as far as possible, protect workmen in a case of that sort. We must recognise that the general rule in connection with contracts—and I think it is the law also—is that a man cannot get more than 75 per cent. of the contract money as a progress payment, so that the employer will always have 25 per cent. of the money due in hand. It is quite clear from the Bill that the contractor's money can be attached in the event of the workers not being able to get his wages from the contractor, and I think it is quite right that the worker should be protected in that way. I think we are all agreed so far as that is concerned.

But the point I wish to bring out in connection with this particularly is how the money earned by the worker is to be paid. It must be paid in cash. Now, I am quite sure that those who understand the conditions in the Western country must realise that it is practically impossible to do that. You may have stations hundreds and hundreds of miles away from the nearest township or the nearest bank, and it would be impossible for them to pay in cash. And while they have the power later on in the Bill to make an agreement with the workers to accept payment in cheques, yet the principle of the Bill is that they must pay money if demanded. I think that that will entail a very considerable amount of inconvenience to men who have to pay wages, and I think the Minister recognises that there is a great deal of truth in what I am saying. Of course, conditions in the towns are quite different. People there generally pay differently altogether. Wages are generally paid once a week or once a fortnight, as the case may be, and the argument does not apply so much to the towns. But on stations a lot of the men do not want their money. Perhaps they do not go into town for twelve months or more, and it lies to their credit in the station books, and when they want the whole of it they get it, or if they want a portion of it they get it. There is always a considerable amount of money lying to their credit, and if a man wants £50 or £100 and demands it in cash, how on earth is the station going to pay him? It is simply impossible, and I hope that when the matter is fully discussed the Minister will admit that it may lead to a very great deal of injustice.

At ten minutes after 8 o'clock,

Mr. BERTRAM relieved the Speaker in the chair.

Mr. FORSYTH: The truck clause is the one on which I want to speak particularly. It states that wages must be paid in cash, although later on, in clause 25, it is provided that payment may be made by draft or cheque or order in writing, as the case may be, if a contract is entered into with the worker that he is satisfied to accept payment in cheque, and I think that if there is to be a contract it will have to be in writing in order to make it legal. That means that you will have to enter into a contract with every single man you employ that he will be willing to accept a cheque or draft or order, as the case may be. I think that is scarcely a wise thing to insist upon, because it is going to place people in the far Western districts at a very, very great disadvantage indeed, and I think those who know anything about conditions there will realise it.

Mr. GUNN: And have to pay a half-crown stamp on it.

Mr. FORSYTH: There is no stamp needed in connection with wages.

Mr. GUNN: Not on the agreement?

Mr. FORSYTH: We all recognise that a considerable number of stations have stores which are open for the convenience of persons on the stations and the general public, and although a man may have £50 or £100 lying to his credit in the station books you cannot take off from that amount the payment for any of the goods he may have purchased from the station store, unless they come within the specified things mentioned in the Bill. The man may have been on the station for twelve months or eighteen months or two years and not drawn much of his money, or simply have asked for a cheque when he wanted it.

The SECRETARY FOR PUBLIC LANDS: Is there any provision in the Bill to pay interest on money like that?

Mr. FORSYTH: No, he can always draw what he likes. It is not lying at fixed deposit. If he wanted to do that, he would draw a cheque and send it down to a bank or the Government Savings Bank in the usual way. But suppose he gets goods from the station to the extent of £20 or £30. What would happen? It would mean that he could go and demand the whole of his wages and you would have to pay them.

Mr. JONES: He should draw his wages as he goes along and pay for the goods.

Mr. FORSYTH: A man could do that if he wanted to be perfectly honest, but if he wanted to clear out you could not force him to do it.

Mr. JONES: The employer would look after that. That case would not arise, because the station would ask for the money as they supplied the goods and get it.

Mr. FORSYTH: But suppose that the man says he will not pay it? You cannot get it. If the man demands it you must pay in cash; you cannot insist on taking off the goods he has been supplied with. It says that the restriction is not to apply in the case of medicine and one or two little items like that. For instance, here is a man who comes along and wants a tin of tobacco, but he cannot get a box of matches.

Mr. JONES: He can by paying for them.

Mr. FORSYTH: You cannot claim for a box of matches or a bar of soap. You can claim for clothing or tobacco, but if a man wants a pipe to smoke his tobacco you have no right to claim for it out of his wages, because it is not mentioned here. I think we must recognise that it is just and equitable that the man should get all his wages and be protected in every possible way, and we are willing to support the Government right up to the hilt so far as that is concerned, but it is a most unfair thing that the store which is kept for the convenience of the men who buy these things is not allowed to keep back his wages when he may be clearing out, unless the things he has had are
[8 p.m.] these specified items. As I have already stated, a man can get tobacco, but if he wants a pipe the employer

cannot claim for it, according to this Bill. The thing is ridiculous. It is a most remarkable thing that, although a station cannot do it, yet the big houses down here can do so. Last year this very question cropped up, and what happened? The leader of the Opposition raised the question. He said—

> "Then a salesman employed by a big firm like T. C. Beirne and Co. cannot purchase any of their goods.
>
> "The Secretary for Public Works: Not if they are sold with the view of evading the truck provisions of the Bill."

Just imagine them trying to evade the truck provisions of the Bill! The hon. gentleman went on to say—

> "But if a man becomes a purchaser of goods from the firm for whom he is working, there can be no objection to that."

That is a most remarkable thing. If a man is working for T. C. Beirne and Co., or any other firm, and buys goods from them, his employer can take off the value of the goods at the end of the month when he is paying that man's salary; but away out in the far distant parts, where the stores are really kept for the convenience of the men, the employers are not allowed to deduct anything except for certain articles. I am sure the hon. member for Oxley must recognise how ridiculous the proposal is. Would it not be very much better that the employers should have the right, when they are paying a man off, to deduct any amounts for goods supplied by a store like that? Does any man object to that? The men themselves do not object to it. I have never heard the question raised, and why introduce it in a Bill which will simply cause dissatisfaction not only to the employer but to the employee also. I hope and trust the Minister, when we get into Committee, will accept an amendment on this clause whereby the value of any goods supplied by any station such as I have referred to will be allowed to be deducted off the account when it is being squared up. The storekeeper surely is as much entitled to his money as anybody else. I am sure it is the desire of the House as a whole not to put any clauses in the Bill that will cause trouble or inconvenience to anyone. This clause as it stands now is simply offering a premium to a dishonest man to slip up his employer. It is only right and just, if a man buys goods from a storekeeper, that he should pay for them. This truck clause is to prevent truck. I do not know any places in Queensland where the truck system exists. Can any hon. member of the House tell me where the truck system exists in Queensland? I know in the early days trucking was very bad in the old country and in other places as well, but I have never heard of any place in Queensland where the truck system exists—that is to say, where an employer forces his employee to buy his supplies in a certain direction. Even supposing an employer wanted to try and force an employee to buy his goods where he did not want to buy them, there is no law in existence to force that man to do it. Of course, that may be met with the statement that, in the event of the employee not doing so, he would be dismissed. I have never heard of such a case.

Mr. WINSTANLEY: Never in connection with any railway contract?

Mr. FORSYTH: Oh, yes, years and years ago, and I know it was a most diabolical piece of business. But does any hon. member know of any concrete case where any workman has been forced, at the request of his employer, to go to a certain store and buy goods? I do not know of any case at all, and I do not think there is any reason to put this clause in the Bill at all, because, as far as I know, if an employer does not pay the wages due to an employee, he has the usual remedy in the court. I hope, when we come to this particular clause, that we will be able to alter it so that we can make it more suitable to the people who are likely to benefit by it. We recognise that in clause 29 there is a principle involved in regard to paying for material and tools. Certain articles are specified in the Bill in reference to which payment may be stopped out of the employee's wages to the value of those tools. It might happen that a hawker will visit the station and an employee might buy £5 or £10 worth of goods from the hawker. He will give the hawker an order on his employer, and the employer will pay the money. If the employee leaves the station next day the employer will lose his money altogether. He can summon the man, but he will probably not get anything from him that way, and the chances are that the employer will lose it altogether. I think that if a few of these anomalies are altered it will make the Bill fair and equitable. When the Minister was discussing the introduction of the Bill last year he said that the Masters and Servants Act, which it was proposed to repeal, was passed many years ago. Although that is true, there are many sections of that Act contained in the present Bill.

There is a principle involved in Part IV. about a person who has entered into an agreement to start work and does not carry it out; he can be fined a certain amount not exceeding £10. If a man starts work, and after a day or two knocks off without reasonable cause, he can be fined £3. These things do not apply so much to the towns as to the Western districts. Men are brought out West at some expense, and they clear out, and that means a great loss to the man who employs them. If a man clears out after working for a day or two, he can be fined £3. Under the old Act he could be fined much more than that. It is only right that some principle should be adopted whereby the man who makes an agreement and does not carry it out should have to pay something for it. That should apply to both the employer and the employee. I am very glad to see that particular clause in this Bill, because it puts both employer and employee on the same footing. I hope we will be able to get some amendments in the Bill when we get into Committee, and that when the Bill leaves this House it will be satisfactory to both employer and employee.

Colonel RANKIN (*Burrum*): I do not wish to take up very much time in discussing this measure, but there are one or two points in it that have not so far been touched upon by speakers on this side of the House that I should like to mention. Generally, I think the Bill is a useful one. It is pleasing to hear so much praise coming from this side in reference to a measure introduced by the present Government. I, in company with those who preceded me, congratulate the Government in reintroducing the Bill, even although it contains some defects which may be eliminated at a later stage.

The principal discussion so far has centred round the truck system contained in Part III. of the Bill. I do not think that in these enlightened days that anyone for a single

moment would defend what has been referred to as the truck system that was so prevalent in the old country in days gone by. I do not think that the truck system, as a system, any longer obtains in Queensland, or in Australia for that matter; but perhaps in endeavouring to prevent the truck system from operating here, we are almost going too far and placing obstacles in the way of legitimate trade which will not only be inimical to the interests of the employers, but equally inimical to the interests of the employees themselves. For instance, in Part II. of this Bill it is laid down that the employee may purchase certain things, the details of which are specified. Now, with regard to the miner, it is quite a common thing —particularly in coalmining—for the miner to draw his supply of explosives, and very frequently his tools, from the store at the mine. The mineowners themselves are in a position to purchase explosives, picks, shovels, drills, and that sort of thing wholesale, on much better terms than the individual miner can do, and consequently they can supply the miner on more reasonable terms than he can get them under this Bill. The miner is prevented from taking advantage of those facilities.

Mr. JONES: No. Clause 29 (*a*) provides for material and tools.

Colonel RANKIN: Clause 29 (*a*) reads—

> "This part shall not be construed to prevent an employer, pursuant to an agreement with a worker, from making any deduction or stoppage from the wages of such worker for or in respect of any such rent, medicine, medical attendance, fuel, materials, tools, implements, hay,"

etc. I see it covers that, but it is right that I should call the attention of the House to it.

There is another vexed question in clause 25 of the Bill, which the leader of the Opposition referred to at some length, relating to payment by cheque. It appeared to me that in making provision for this very necessary concession a very clumsy method has been adopted. The Bill lays down, for instance, that an employee has to be notified before employment that this is the usual procedure. Well, when an employer is employing a man for a job, is he going to notify him of the procedure of payment? In nine cases out of ten no one would dream of doing it. When a man accepted a job, he would expect that he was going to be paid in the usual way, and the employer would assume that he was going to pay him in the usual way. If an employer paid a man by cheque, and he was charged with not informing the employee that that was the usual mode of payment, it might lead to a good deal of trouble and difficulty. I think that that might very well be left out of the Bill altogether.

Provision is also made in this Bill for the addition of exchange in the event of payment being made by cheque. I do not quite see how that is going to work out in cases where the cheques are of small denomination. The Bill provides that for cheques up to £50 the rate of interest shall be 1 per cent, and over £50 1½ per cent. Well, 1 per cent. on a cheque of £4 or £5 will be a small thing.

Mr. JONES: A minimum of 1s.

Colonel RANKIN: Is that provided in the Bill?

Mr. JONES: No, but that is the usual thing.

Colonel RANKIN: It might be stated in the Bill that for a cheque of £5 the charge should be 6d. That is an anomaly which can be altered later. There is one somewhat remarkable provision which, when the Bill becomes law and is put into operation, is likely to be more honoured in the breach than in the observance. I refer to the clause which provides for a penalty in cases in which employees fail to fulfil their engagements. I think that is likely to be so much waste paper. In my own district I do not think you would get a verdict if you instituted proceedings against a man who committed a breach of that section. I am quite aware that a similar provision exists in the Masters and Servants Act, but how often is it attempted to be enforced? An employer would never dream of taking legal proceedings. A man says, "I have had enough of this, and I want to leave," and he leaves, and that is the end of it. The inclusion of that clause in the Bill merely serves to emphasise the one-sidedness of this class of legislation. You cannot force a man to remain in employment against his will, and this is certain to be a dead letter. Of course, if it were possible to enforce it, it would go a long way to settling the present industrial unrest, but we know that when men make up their minds to cease work, not all the powers in heaven and on earth would make them change, especially when, as I am reminded, they are "sooled on" by other people. Nothing of this nature will deter them from leaving their employment. There is one clause which I wish to refer to for a moment. I see that wages are not to be liable to stamp duty. That is a wise provision. The attempt to levy stamp duty on wages has led to a great deal of dispute in the past. It is a good thing, therefore, to lay it down specifically that wages are not liable to stamp duty. At the same time there is nothing in the definitions of "Wages" or "Worker" which lays it down that "salaries" shall be regarded as wages, and I think that such an amendment should be made in the Bill. I have had occasion to go to the Stamp Office to ascertain whether certain payments were subject to stamp duty, and the Commissioner for Stamps has told me that, if it is a salary, it is subject to duty, but, if it is wages, it is not liable.

The SECRETARY FOR PUBLIC WORKS: That is not the line of demarcation laid down at present. They discriminate between labourers and other workers.

Colonel RANKIN: That was not always the line adopted.

The SECRETARY FOR PUBLIC WORKS: I think the definition of "Wages" will include "Salary."

At twenty-five minutes to 9 o'clock,

The SPEAKER resumed the chair.

Colonel RANKIN: I think it would be very wise to place it beyond all doubt by inserting an amendment. The hon. gentleman knows as well as I do that frequently people are employed at manual labour by the month, and that their pay is then regarded as salary. I have no desire to take up any further time, as the Bill has been fully discussed by hon. members on this side. With the amendments foreshadowed by the leader of the Opposition and one or two others that may crop up in Committee, I think the Bill should meet with general approval.

Mr. BEBBINGTON: I agree with the last speaker that the Bill may be productive of good. I notice that it is provided that cheques paid to workmen must not be

crossed. Well, I think that it is often a good thing to cross cheques or to cross them as "Not negotiable."

The SECRETARY FOR PUBLIC WORKS: The object of that provision in the Bill is that men shall not take their cheques to a hotel to get them cashed. They have always to buy drinks for themselves and their friends when they do that.

Mr. BEBBINGTON: I agree that every opportunity should be given to men to cash their cheques at places other than public-houses. At the same time we must not forget that men are frequently employed in this country long distances from banks and places where they can cash cheques, and we wish to submit them to as little inconvenience as possible in obtaining their money. One clause renders an employee who breaks an engagement to work liable to a fine of £10, and a similar penalty is imposed on the employer if he does not employ a man whom he has engaged. Now, we all know that in nine cases out of ten employers will not think it worth taking proceedings in such cases. As a rule the cases to which this might be applied will be cases in which men have been engaged in Brisbane to work in the country, and the men, who are provided with a railway ticket at the Labour Bureau where they are engaged, do not turn up at the work. I have never known any case in which there has been any difficulty in men in the country getting their wages. The only cases in which there may be any difficulty are with the employees of contractors or subcontractors, and I think this Bill deals specially with them, and perhaps in many cases it is necessary that such provision should be made.

Mr. MAY (*Flinders*): I think this is one of the finest measures that we have ever had brought forward in this Chamber. Very often men are sent from the South to employment in the North. They leave here under one name and arrive at their destination under another name. Now, I think there should be some method of placing a check upon such men. I have heard the remarks made by hon. members on the other side, particularly those of the hon. member for Burrum, who I think was very concise and lucid. All I need add to what has been said is that the Bill has received most considerate treatment from members on the other side. Apparently they see that at one time in our existence we are doing a good thing for the whole of the proletariat of Queensland.

Mr. ROBERTS: Is this the only occasion?

Mr. MAY: Hon. members on the other side have intimated that they intend to submit some amendments, which will meet with approbation or disapproval according to the way in which they are presented to us, but I certainly have not seen any Bill brought forward by this Government which has received such an amount of kudos from the Opposition as this Bill. I am pleased to be able to support the Bill in its entirety.

Mr. BARNES (*Warwick*): The hon. member for Flinders has been quite carried away by the support which he concludes has been given, and is to be given, to this [8.30 p.m.] measure by hon. members on this side of the House. I think the Bill is acceptable in the sense that it supersedes all Acts of Parliament like the Wages Act and the Masters and Servants Act, and simplifies to a very large extent the existing condition of things. At the same time, it seems to me that the Bill assumes to too great an extent that the employer of labour is out to take advantage of the employee. I maintain that that kind of thing has been dead for many and many a long day, and that the relations which exist between man and master to-day are vastly improved as compared with those relations many years ago.

Mr. MAY: Don't call them "man and master." Call them "man and employee." I object to "master."

Mr. BARNES: If the hon. member favours one term in preference to the other, I shall be very glad to fall into line with his suggestion, and use the terms employer and employee. The Treasurer pointed out, rightly, as I think, that the old Acts dealing with this subject have largely lost their utility, but in seeking to supersede those Acts we should be careful to introduce a fair spirit and fair conditions all round. I maintain that while the Bill has many things that must appeal to every right-thinking man, it is not a proper thing to give the employee full power to take action of any kind and to any extent, whilst an employer who, in a spirit of kindness and consideration, may have entered into an arrangement to supply an employee with certain goods, is not able to take any action in case of necessity. That is manifestly unjust and altogether unfair. What applies in the one case should apply in the other. I have known many instances in which it has been necessary, in addition to giving employment to men, to help them in other directions, and sometimes employers are deceived, and it is distinctly unfair that under clause 21 they cannot take any action to remedy their loss. I do not know that any man in this House, no matter on which side he may sit, or that any employers of labour outside of the House, have one spark of sympathy with the employer who engages a man without being fully persuaded in his own mind of his duty to pay that man every farthing that may be due to him. If there are men who are not willing to do their duty by their employees in that respect, then it is the duty of Parliament to stand by the employee, and I am glad to see that Parliament is going to do that and see that the employer does not take advantage of him and take him down. No employer should have a spark of sympathy for the man who sets out in life to take down his fellow-man.

The clauses in this measure dealing with the truck system manifest a real unfairness, and will possibly work more to the disadvantage of the employee than of the employer. We have to remember that in these days there should be no accumulation of wages. As a rule, men are paid weekly. If they are not paid weekly, they should be paid weekly, and in any case there should be no large accumulation of wages. If employees are not paid, it is the duty of the men themselves to see that they are paid, and not allow arrears of wages to accumulate in such a way as to make their position at all serious.

With regard to payment of wages by cheque, it was contended when this measure was before us last year that its provisions would operate much to the inconvenience of settlers in our land. It is one of the rarest things imaginable in these days to meet with a valueless cheque. I suppose the bulk of

business people will stand by me when I make the assertion that a dishonoured cheque to-day is almost an unknown quantity; and why it should be thought necessary to-day to make the conditions proposed in this measure I cannot conceive.

The TREASURER: The law at present is that an employee can refuse to accept a cheque.

Mr. BARNES: I was not aware of that, but I know that in this Bill we are making provision for a condition of things which, if it does exist, is very rare indeed.

The TREASURER: The only thing this Bill does is that it does not force an employee to accept a cheque when he has not confidence in his employer.

Mr. BARNES: In these days, when notes have largely taken the place of gold, we should not force employers to pay their employees in notes, which may be destroyed or lost, and attached to which there is an inconvenience, especially where there is an accumulation of wages, as on a station. Employers should not have to keep a supply of notes to that extent. Generally speaking, the Bill is a good one. I agree with the statements made by several speakers this evening with regard to the fact that you cannot garnishee in connection with Government employees. That is manifestly unfair. The fullest opportunity should be given to persons who, in perfect confidence, have supplied goods to employees to garnishee in cases where the persons so supplied are employed by the Government, just as they can in the case of private employers of labour. I think the Bill should be amended in that particular direction.

Mr. MACARTNEY: I have heard a good many speeches delivered favourable to this Bill, but I have yet to learn that anything has been urged in favour of the Bill showing its necessity at the present time. I do not know, from the remarks which have been made, that there are any clauses in this Bill which are essential, for the reason that the conditions which exist are not already covered by legislation now on the statute-book. We have the Contractors and Workmen's Lien Act of 1906.

The SECRETARY FOR PUBLIC WORKS: Do you say that that has half the scope of this Bill?

Mr. MACARTNEY: I am allowed to make my own speech. I do not know whether the Treasurer has made a speech or not.

The SECRETARY FOR PUBLIC WORKS: If you had heard my speech you would have been considerably enlightened on this Bill.

Mr. MACARTNEY: The Bill was only introduced this afternoon somewhere about ten minutes to 6 o'clock.

The SECRETARY FOR PUBLIC WORKS: Nonsense! I commenced my speech about twenty minutes past 5 o'clock.

Mr. MACARTNEY: At any rate, some four or five speeches have been delivered on the Bill, and, so far as I can ascertain, there has been no illumination given showing the actual need for the Bill or any urgency therefor.

The SECRETARY FOR PUBLIC WORKS: There has been no criticism.

Mr. MACARTNEY: We have got a lien Act in force—the Act of 1906.

The SECRETARY FOR PUBLIC WORKS: Which only applies to certain cases.

Mr. MACARTNEY: This Bill only covers, more or less, the same ground. If there was any necessity for dealing with that subject, one would expect to find that Act repealed and to see the whole of the law codified and simplified, so that employer and employee would be able to see by easy reference what the law really is without having to look in one place for one Act and in another place for a statute overlapping the same ground or perhaps overlooking one or other of the Acts, and so falling into error and perhaps costly litigation.

The SECRETARY FOR PUBLIC WORKS: It ought to suit you lawyers.

Mr. MACARTNEY: The legislation on this subject when this Bill is passed will be obscure, uncertain, and difficult to find.

The SECRETARY FOR PUBLIC WORKS: What is wrong with that from the point of view of the legal profession?

Mr. MACARTNEY: I am not going to enter into a personal discussion with the hon. member. The hon. gentleman has got quite enough to attend to outside if he can attend to it.

The SECRETARY FOR PUBLIC WORKS: That is being attended to all right.

Mr. MACARTNEY: I am sorry to say he is not doing as much in that particular matter as he ought to do. If he was, he would not be occupying the time of the House in connection with this particular Bill. The Bill repeals three Acts already on the statute-book, and puts provisions in their place, and it has not been shown that those alterations are necessary. I described this Bill last year as practically an addition to the pinpricks which enterprise and business are subjected to, and I pointed out that these are not the times to have the pinpricks that our business people are suffering from.

The SECRETARY FOR PUBLIC WORKS: Poor old private enterprise.

Mr. MACARTNEY: These are not times for doing that, and for that reason I think the House might very well be engaged in dealing with matters of much more importance to the country at the present time. There are matters of very grave importance that might well receive the consideration of this House. I suppose they are being discussed in the real Parliament, or in other Parliaments—decrees which this Chamber are merely going to register. This Bill itself is going to inflict very serious injustice upon a desirable class of persons in the State. It is going to interfere very largely with the business of contractors; but, having regard to the view this Government takes of contract, and the extraordinary and extreme view which they have in regard to day labour, I presume the desire is to hurt the contractor, and if they hurt the contractor and cause him an injustice they look at it from the point of view that there is no harm done. Under one of the clauses of the Bill, if an employee makes a claim for an amount as low as £5, and there is £1,000 due to the contractor, that money is held up until the question of that £5 is determined. I say it is not a fair thing to the contractor that his rights should be tied up in that way. An amendment was moved, when the Bill was before the House last session, by the hon. member for Aubigny, who tried to get words

*Mr. Macartney.*]

inserted in the Bill which would provide that a sufficient sum of money might be impounded to meet the claim of the employee, but the Treasurer in his wisdom rejected that amendment, and the provision which bids fair to cause such injustice as I have indicated has been allowed to remain in the Bill. That is not a fair thing. It is pointed out that the employer could remedy the matter by putting up the sum in court; but I say that the interests of the contractor and those of the employer are not always the same; they may be absolutely diverse, and it might very well be that the employer is not prepared to do that which would amount to relief to a contractor, and although the contractor may be entitled to a large sum of money from his contract it is quite within the bounds of possibility that because he could not handle that money he might be forced into the insolvency court. That was pointed out last year, and I say that it is a grievous risk to place upon a contractor, and that it is one of those interests which should be conserved under the Bill. I think that whatever good points the Bill may have, it is not a reasonable one, inasmuch as it does not codify or cover all the ground that the Bill ought to cover so as to simplify the law on the subject. It is not a fair one so far as it is complex, and places hardship on many members of the community, and there is no need for the taking up of the time of Parliament when so many urgent things want attention. It is hardly necessary to detail them; probably the mention of them would not be pleasurably received by our friends on the opposite side of the House; but the session is far advanced and there is much important work to be done; there are important adjustments to be made, and I think the House would be better occupied in attending to these important matters than in whiling away the time over a Bill of this character.

OPPOSITION MEMBERS: Hear, hear!

Mr. GLEDSON (*Ipswich*): The fact that members of the Opposition commend this Bill will make members on this side have a look at it to see if there is not something the matter with it. When the Opposition commend a Bill, generally speaking, it is something against the workers. If anything is brought forward by this side for the purpose of benefiting the workers, in nearly every case members of the Opposition are opposed to it. We have the hon. member for Toowong saying that more important questions could be brought up in this House than this Bill. I think it is one of the most important questions that the wages of a worker should be protected after he has worked for those wages and earned them, and there should be some law to enable him to recover them.

Mr. BEBBINGTON: He is protected now—before you bring in this Bill.

Mr. GLEDSON: He is not protected before we bring this Bill in. Several cases have occurred in Queensland within recent years where men have been done out of their wages.

Mr. BEBBINGTON: And there will be cases after this Bill is passed.

Mr. GLEDSON: It is hardly to be expected that the Opposition know anything about these things, because they never come in contact with those who earn the wages. Their contact is mostly with profit-makers and dividend-makers, and those who are making money out of wage-earners.

Mr. BEBBINGTON: Don't you think they have earned wages themselves?

Mr. GLEDSON: They may have earned wages sometimes. Provision is made in this Bill for the protection of wages earned by the worker. I have in mind a case which occurred not so very long ago. A contractor from the South came to Queensland to do a certain class of work. Because the men in Queensland wanted a fair wage, the employer could not get the contract let to suit him here, and he went off to New South Wales to get a contractor who would do it more cheaply.

Mr. BEBBINGTON: What work was it?

Mr. GLEDSON: It was sinking a shaft, and if we go much further I can tell the hon. member the name of the hon. member's friend who went down to New South Wales to get that contractor to take this job at a cheaper rate than he could get it done by Queensland workers. The consequence was that he could not possibly do the job at the price, and when some of the work had been done, he had not the money to pay the men, and instead of waiting to pay them he went off to New South Wales, owing in some cases as much as £11, and the men had to get a warrant and send police down to get that contractor, instead of coming on the principal. He could hide behind the contractor, and say, "I am not responsible; the contractor is responsible for the money." We want that sort of thing altered, and it is our duty to bring in legislation that will enable the worker to get the money he is entitled to.

There are several things in the Bill which are of benefit to the workers, but there are several things which are not for their benefit. I do not think that some of the provisions which compel a man to work for an employer with whom he has made an agreement are, because sometimes it is impossible, considering the way the employers treat their men, and it is no wonder that they leave and go somewhere else. There is a provision that the worker must work all the time he has stipulated for or be subject to a penalty. I suppose that is one of the things which commend themselves to members opposite. We find that the employer can get rid of the worker in all sorts of devious ways, because he can make all sorts of excuses, and it is impossible to get anything by which you can catch him for dismissing his employees, but if an employee leaves his work he can be fined. I do not think that is right. There are one or two amendments required in the Bill, and I hope we shall get them in before it goes through in order to make it a little clearer. I am going to support the second reading, and I hope that the measure will soon go through, because it will help to some extent to remove anomalies as they exist to-day and protect the wages of the workers better than in the past.

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.

The House adjourned at five minutes to 9 o'clock.