

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 13 JUNE 1918

Electronic reproduction of original hardcopy

THURSDAY, 13 JUNE, 1913.

The DEPUTY SPEAKER (Mr. W. Bertram, *Maree*) took the chair at half-past 3 o'clock.

QUESTIONS.

STRIKES IN MINING CENTRES.

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

“1. Has his attention been drawn to the telegram appearing in this morning's ‘*Courier*’ in reference to the wolfram strike?”

“2. Is he aware that similar conditions prevail at Mount Elliott, Duchess, and other mining centres?”

“3. Will he take such steps as are essential to prevent the total destruction of our mining undertakings through the actions of I.W.W.-ism and, perhaps, enemy influence?”

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

“1. Yes. I understand the information conveyed by the telegram referred to was not wholly accurate.

“2. See answer to No. 1.

“3. I shall be glad if the hon. member will inform me what particular actions of the I.W.W. and enemy influence he refers to.”

CONTRACT BETWEEN STOCKOWNERS AND MEATWORKS.

Mr. BEBBINGTON (*Drayton*) asked the Chief Secretary, or Minister in charge of State meatshops—

“1. Is he aware of a movement among stockowners to co-operate together and make contracts with meatworks to dress and freeze numbers of fat stock for sale to the Imperial Government on same terms as fat stock from State stations?”

“2. If stockowners adopt these same methods as the Government do with their stock, what position would the meatworks be in as regards supplies for State meatshops?”

HON. J. M. HUNTER (*Maranoa*) replied—

“1. No.

“2. The information sought by the hon. member regarding the position of the meatworks might be obtained from them direct.”

PRODUCE SOLD BY STATE PRODUCE AGENCY.

Mr. BEBBINGTON asked the Secretary for Agriculture—

“1. Has his attention been called to the statement by the hon. member for Windsor that 50 per cent., and possibly 70 per cent., of the produce sold by the State Produce Agency is produce purchased in the Southern States?”

“2. Is he aware that the greatest complaint against private agents is that they bring produce from other States to keep down the market on our own producers?”

“3. In what way is the agency justified in using the money of the producers of Queensland to bring produce here to compete with our own producers?”

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

"1. Yes.

"2. No.

"3. The State Produce Agency does not act as alleged by the hon. member."

ADVANCES TO RETURNED SOLDIERS BY FEDERAL REPATRIATION COMMITTEE.

Mr. GLEDSON (*Ipswich*) asked the Secretary for Public Lands—

"1. Is it true that the advance given to returned soldiers by the Federal Repatriation Committee of £75 without interest, to enable them to obtain a home for themselves and families under the Workers' Dwellings Act, has been stopped?

"2. Will he, in the interests of these returned soldiers who are desirous of obtaining their own homes, make recommendations to the Minister for Repatriation, or the Federal Government, with a view to having this provision restored, and the £75 provided for to assist the men who have returned from service?"

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

"1. Yes.

"2. Strong representations have already been made in this direction, but, so far, unsuccessful."

FINANCIAL AID TO TOOWOOMBA HOSPITAL.

Mr. ROBERTS (*East Toowoomba*) asked the Acting Chief Secretary—

"In view of the published statement that owing to the financial strain the Toowoomba Hospital Committee will be compelled to refuse admission to patients outside the collecting area, will he place before Cabinet the need for a grant of at least £1,000 per annum, as previously urged by deputation to the Premier in 1917?"

The ACTING PREMIER replied—

"The matter will be considered."

PAPERS.

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

Regulations under the Health Acts, 1900 to 1917.

Report of the Police Investment Board for the year ended 31st December, 1917.

INCOME TAX ACT AMENDMENT BILL.

THIRD READING.

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

LAND TAX ACT AMENDMENT BILL.

THIRD READING.

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

[*Hon. E. G. Theodore.*

PROPOSED REDUCTION OR REMOVAL OF LAND TAX.

POSTPONEMENT OF MOTION.

On the Order of the Day for the resumption of debate on Mr. Bebbington's motion, proposing the reduction or removal of the land tax, being called,

Mr. BEBBINGTON said: I beg, by leave of the House, to ask that this motion be postponed until 27th instant.

The DEPUTY SPEAKER: Is it the pleasure of the House that the consideration of the motion of the hon. member for Drayton be postponed until 27th instant?

HONOURABLE MEMBERS: Hear, hear!

EFFECT OF INDUSTRIAL LEGISLATION.

PROPOSED APPOINTMENT OF ROYAL COMMISSION.

Mr. SWAYNE, in moving—

"That, in view of the desirableness of encouraging further settlement and securing the fullest development of the natural and manufacturing resources of the State, a Royal Commission, including amongst its members some who are possessed of trained business knowledge, be appointed with wide powers to inquire into the effect of industrial legislation, Federal and State, thereon, with the object of as far as possible removing objectionable hindering features,"

said: My motion asks for an inquiry into the effect of one of the biggest factors in our production and commercial life. It refers to the whole question of industrial legislation, and the awards that were made under these Acts. I might first point out that we have had legislation of this kind—introduced from most praiseworthy motives—in operation for some years—getting on quite towards a generation. It was realised that there was a certain amount of sweating done in some industries, that the employee ought to be on an equal footing with the employer in making arrangements as to the disposal of his labour, and it was thought to be only right and just that, when such cases arose, the State should step in and protect the weak. I think that that was what it was felt was most required when the first legislation of this kind was introduced. I find that in 1890 Victoria initiated legislation in this regard. In Victoria, the system has always been more in favour of wages boards instead of the arbitration and conciliation courts that have been brought about in other States. I find that in 1893 New Zealand adopted a compulsory Conciliation and Arbitration Act. Again, in 1901, New South Wales followed with a somewhat similar Act, and the Commonwealth, in 1904, passed its first Conciliation and Arbitration Act. Queensland, in 1908, passed its first Wages Boards Act. Therefore, this legislation is no new thing, and we have had ample opportunity of noting its effect and seeing how it works, and I think that, in view of the circumstances that will arise on the termination of the war, and the general need there is for developing our resources, the time has now arisen when we should take stock of this legislation and note its effects, and see as to where it may be altered and improvements made. When we realise the position with regard to our industrial life, we find that it is not altogether what it might be. Of course, I may say that,

although I look upon this as a most important question, I do not for one moment place it in the same category as a war measure. The Commonwealth Parliament is primarily concerned in regard to the war; and while it is up to us to do everything we can to assist their efforts in that direction, I think it rests with us also, as far as possible, in the meantime, to spare no effort to make conditions in our own State such as will enable us to develop our resources. There is no doubt that very shortly there will be considerable rivalry among various nations and communities in regard to trade. In fact, it is apprehended by some that after the termination of the present war there will be a trade war, and that the nations will be competing with one another in the markets of the world. We should see to it that our State and Commonwealth do not lag in the race. Production is not increasing in Australia as it should increase. I recognise that during the past three or four years the conditions have been abnormal, but going back to the year 1913, I find that, in spite of our natural advantages, production has not progressed as it should progress. According to the "Australian Year Book," published in 1916, production in the Commonwealth had fallen from £218,000,000 to £209,000,000. The question naturally arises, what can be the cause of that falling off in production? And seeing that one part of my resolution is that an inquiry should be made into the effects of industrial legislation, I think it would be well to make inquiries with the view of ascertaining if industrial conditions have anything to do with the falling off in production. When considering the question of production, we must also take into consideration the vast indebtedness that is being piled up in Australia. Reliable authorities compute that the indebtedness of Australia after the war will be £700,000,000, and that the interest bill will be from £25,000,000 to £30,000,000 per annum; in other words, that every man, woman, and child in the Commonwealth will have a liability for interest amounting to £5 or £6 per annum placed on his shoulders. In the case of a family of five or six, that will amount to a considerable sum. A considerable portion of the money which has been obtained on loan has been borrowed outside Australia, and we can only pay for that money by producing articles that we can sell in the markets of the world or else pay our creditors in gold. The question of imports and exports, therefore, is closely wrapped up with this subject. It has been pointed out for some time that things in this connection are not what they ought to be. I find that in 1913 we imported £79,900,000 worth of goods, and that during that same year we only exported £78,500,000 worth of products. In other words, we were nearly £1,500,000 to the bad with our exports. What would be the fate of any private undertaking which does not sell enough to pay its way? We know that if the owner of a farm or a station did not sell enough to pay his way, he would soon become insolvent, and that is what will happen to the State under such conditions.

With regard to imports, there is no doubt that many of the articles we import could be produced here. If this were done, we should save very large sums of money that are going out of Australia every year for goods which could be manufactured in Australia.

I find that in the year mentioned we sent out £16,000,000 to pay for the purchase of manufactured metal goods, such as machinery, etc. We could manufacture a good deal more machinery and other iron-work than we are manufacturing at the present time. We also sent out £19,000,000 for wearing apparel, £3,000,000 for paper, £2,000,000 for leather and rubber goods. We have ample scope and means for the production of large quantities of rubber as well as paper pulp, and need not send money out of the country for the purchase of rubber and leather goods. I have an extract here from the Sydney "Bulletin" dealing with the matter of exports and imports. It is taken from the issue of the 13th April, 1916, and it gives some later figures than the figures I have quoted. After referring to the method in which business is carried on in Australia, it gives figures showing the preponderance of imports over exports. The article says—

"During eight months of the current and last financial years this is how Australia has been carrying on business:—

	IMPORTS.	
	1914-15.	1915-16.
	£	£
Gold	233,943	347,607
Goods	44,596,702	51,092,255
	£44,830,645	£51,439,842
	EXPORTS.	
	£	£
Gold	877,863	9,016,541
Goods	38,301,781	41,666,622
	£39,179,644	£50,683,163

Which means that in order to barely pay for the goods it bought, Australia should in these last eight months have exported an additional £10,000,000 worth of merchandise; and even by exporting over nine million pounds' worth of precious gold, it was still nearly a million short of paying for its foreign imports. But Australia must export far more than enough to pay for its imports. It must also export enough to pay its foreign interest bill. The amount of this bill, public and private, for the eight months is over £11,000,000; so that actually, but for our export of gold, we would have run into foreign debt during these eight months to the extent of over £21,000,000. But the position is even worse than that, because during this period, when we ought to have been practising the most rigorous self-restraint we actually imported seven millions more of foreign goods than we did in the corresponding two-thirds of the preceding year."

I quote those figures to give emphasis to my contention that there should be an inquiry into the effects of industrial legislation. I may remind hon. members that when industrial legislation was first introduced there was a good deal of opposition to it by many employers, and it was said that it was quite an innovation, that it would not work successfully, that it would infringe on the right of employers to manage their own business, and that there was a risk that wages boards would wipe out certain industries. Most of the measures were introduced by Liberal Governments in the first instance. Other employers realised that it was a fair thing that both parties—the employers and the employees—should have a say in any arrangement made with regard to wages, and the

Mr. Swayne.]

great inducement held out to employers to accept such legislation was that it would put an end to strikes. One of the first questions that arise is: How have we fared in that respect? Of course, we realise that strikes are of constant occurrence, which makes it bad for business, no matter

[4 p.m.] whether the State does that business or whether it is done by private individuals. While it was claimed that there would be a greater chance of industrial peace under State control than under private control, it is found that it does not make the slightest difference. In fact, some of the most disastrous strikes that have occurred in Australia have been in connection with State-controlled industries. As giving an idea of what strikes mean to Australia, I will quote some figures that are published in a work by Mr. Murphy, secretary to the Department of Labour in Victoria. He points out that although we have such advanced legislation in Australia, and although the workers have an equal say with the employers in the arrangement of terms of employment, Australia leads the way in regard to industrial disputes. He points out that the number of disputes in Australia per 100,000 is equal to 6.8: in the United Kingdom, 2.2; Italy, 2.1; Germany, 1.8; France, 1.7; United States, 1.1; and in Canada, .54. That is the result in Australia, in spite of having legislation which it was contended would bring about industrial peace. The number of these disputes must check development. One of the strongest arguments in favour of its introduction was that it would do away with strikes.

Now, as to what these strikes have cost Australia. Later on in the same work, page 59, some further facts are given.

Mr. HARTLEY: It would be interesting to know what you are trying to get at.

Mr. FOLEY: He will come to it directly.

Mr. SWAYNE: Referring to coal strikes, this book points out that the loss of wages to the coalminers during the coal strike was £225,725. That reacted on the general community in this way: Those whose duty it was to deal with the matter considered it necessary to increase the cost of coal, which, in its turn, increased the cost of living. These things must be read together, and we find that the total loss caused by the strike amounted to £750,000. In addition to that there is the annual charge on the community through the higher cost of coal. Speaking from memory, I think that the loss in wages—the figures are not given in this work—through the shipping strike last year amounted to £700,000. The loss of wages through these disastrous occurrences is not the only one; it is the hindrance to production that is the greatest concern. Why, in my district, which is 1,200 miles from where the Northern strike occurred, there is not a cane-grower who has not lost heavily. The producers right throughout the sugar districts in North Queensland lost through a large amount of cane being left on the ground and because of the deterioration that took place, and the Commonwealth the other day was faced with a very heavy charge for sugar that was destroyed in the cyclone, which, had it not been for the shipping hold-up, would have been shipped away, and would have been out of danger. I mention that to show the general disaster that is caused by trade disputes which, unfortunately, this legislation has not stopped, although it was specially

[Mr. Swayne.

designed for that purpose. I find that the total loss of wages in the Australian States during the years 1913, 1914, 1915, and 1916 was:—

New South Wales ...	£1,550,410.
Victoria ...	218,522.
Queensland ...	146,602.
South Australia ...	29,152.
Western Australia ...	140,686.
Tasmania ...	15,277.

The total loss to the worker in wages alone amounts to £2,100,646.

Mr. FOLEY interjected.

Mr. SWAYNE: All through my speech so far, I think, it must be conceded that I have abstained from giving the matter a party aspect in any way, nor have I said anything that could cause class antagonism, and I ask: Why should hon. members on the other side keep on with these constant interjections? I am pointing out that this legislation has failed to carry out one of its most hoped-for objects. I find, through the strikes, that the average loss of wages suffered by each individual worker in the various States during the years I have mentioned was—

“Western Australia, £85; Queensland, £37; New South Wales, £33; South Australia, £33; and Victoria, £29.”

Again, when it is distributed over the workers as a whole, the loss is a very large one. In regard to the commission which I hope to have appointed, I think it fair to ask that they inquire, firstly, what bearing such legislation has on the cost of food. I do not know whether it is significant or not, but I would point out that in New Zealand, which may be called a pioneer as far as this kind of legislation is concerned, the same thing occurred. I have a book here, “Australian Socialism,” in which attention is drawn to the matter, and in the book I have been using chiefly for my information—that is, “Wages and Prices in Australia”—I find, on page 11, these figures are given. Quoting from Knibbs's Labour Report, No. 7, 1917, we find a comparison of the rise in wages and the cost of living for the period from 1901 to 1916. While there was a rise in the cost of living of 50.7 per cent., the increase in wages was only 39.5 per cent. I think that the further I go the clearer it will be that there is a large field for inquiry into these matters. Another question into which this proposed commission would fairly go is—

“Whether the risk of unions' awards without any corresponding advantage to the employer restricts enterprise and discourages the investment of capital in countries where they exist? If so, is there any likelihood of State enterprise making up for the killing of individual activity?”

“Do these awards, by discouraging development, lead to an undue requirement of loan money?”

As bearing on the effect they have on production, we know that there have been one or two disastrous happenings, as we might call them, in the mining world. It is most essential that we should keep up our gold supply; but I notice that at Gympie lately two of the largest mines have closed up, and it was stated to be because of the cost of working them under the award. The cost of production is a factor which must be borne in mind in all business undertakings. Again, I saw it pointed out by the chairman of the Mount Cuthbert Company in the papers recently that while the

cost of their working had increased by £52,000 per annum, the efficiency was falling off. I do not know whether that is true or whether it is not true, and I am merely raising these points in order to show that there is scope for inquiry, because I think that such things have a very widespread effect on the prosperity of the State. Then, again, this commission might be asked—

“Does the insistence in awards of rates of wages that the worker cannot earn create unemployment by obliterating industries?”

“Has this legislation any bearing on the present position as regards imports and exports?”

“Have they in any way led to the preference that undoubtedly exists amongst our young people for town as compared with country life?”

That again is generally admitted as one of the great evils in Australia—the tendency on the part of the population to congregate in the large towns. They might also inquire—

“Have they increased the cost of living, and do they involve as a necessary sequence price fixing, with a risk of discouraging the production of foodstuffs?”

“Do they, by an insufficient difference between the wages of skilled and unskilled labour, discourage the former? Or do they restrict the supply of skilled labour by an undue limitation of apprentices?”

I noticed that in regard to one particular class of skilled labour it was stated that the wages came to very little more than a labourer's wages, and I have heard the same with regard to other forms of skilled work. If that is so, then I say that it should be inquired into, and we should know whether these reports are true or whether they are not true. There certainly seems some ground for believing that they are true, because I see from a report which I hold in my hand that the gentleman in charge of the Labour Department in Victoria apparently thinks there is a lot in them. In regard to the awards themselves we find—

Mr. HARTLEY: You are not dealing with awards; you are dealing with industrial legislation.

Mr. SWAYNE: I take it that if I am getting away from the subject, you, Mr. Deputy Speaker, will bring me back to it. I do not think you need to rely on the hon. member for Fitzroy on that point. I know something about some of these awards. We will take what is known as the Dickson Award. Although it is some little time ago since it was made, the effect is still perceptible. I know that when the figures come out for that year's planting, it will be found that there has been a falling off in acreage. I know it is very difficult to get figures, but I know also that it had a considerable effect during cultivation, the tending of the young crop, a most important matter, which was neglected in consequence. That was a national loss. I do not think that anybody can defend such an award, and yet the risk of such awards as that must have a disquieting effect. I do not think that, as a rule, any reasonable man objects to the flat rate of wages used as a foundation, but it is the way they are built upon that is injurious. For instance, under this very Dickson Award, the grading of work was absurd. The moment that some new job was taken on on a farm—and perhaps there are a dozen different jobs to be performed in a day—it

meant so much more, and that governed the whole of the day. Then, again, in regard to hours under these awards, I notice that they object to starting work before 7 o'clock. Both employer and employee may be very desirous of getting up early and taking their rest in the middle of the day. I have known the time when I liked to begin at 5 o'clock in the morning and knock off at 9 o'clock, and then begin again at 3 o'clock and work until 7. And very often the employees themselves like it; they like to take their rest in the middle of the day, especially during the hot season. But under the award they are forbidden to do that. I know of a similar position in connection with stereokeepers and carters in some of the country districts situated in the tropics, where the roads are bad. The carters like to get out early and do their runs, but it is forbidden by the award to do that. When you apply those awards to the agricultural industry you are going to increase the cost of production. As showing how the thing works out, I might mention that it was the custom on these farms to go in for various subsidiary lines—for a few cows, keeping pigs, and so on. Directly an eight-hour day came in that became impossible. The proprietor had to get the horse, harness up, and so on, and instead of his attending to these side lines, his time was taken up in acting as groom for his ploughman before doing his own day's work. Now, you can scarcely see a cow or a pig on the farms I am referring to, and that means a diminution in the production of foodstuffs, and I think very strong evidence could be brought to show that that has had an effect on the increased cost of living. In regard to a carpenter's award, I know that in certain districts a carpenter is entitled to 6s. a day as sustenance allowance if he goes outside the town—that is, 36s. a week. If a farmer loses his house in the cyclone and wants it rebuilt, he will have to pay the ordinary wage of 16s. 8d., plus the 6s. sustenance allowance, making 22s. 8d. a day. On the other hand, under the field workers' award, he is only allowed to deduct 19s. for keep—there is a disparity of something like 17s. between the keep of the two men. That surely is an anomaly! I think that the complaint of the employers with reference to the incidence of these awards is more in regard to overtime than anything else. For instance, in the mills—this is not provided by an award, but is in the Act itself—where there are three shifts, double time has to be paid for all overtime. Sometimes an arrangement is made between two men on the same job, so that when the eight hours are up the second man does not turn up, and the first man has to be kept on during the next shift, and so gets double time. He gets two days' pay for one day's work. Two or three days later it is turned round, and the second man gets double time. I notice that the chairman of the Plane Creek Mill Company in my district refers to the matter in these words—

“It has to be borne in mind, when dealing with the mill award, that all overtime, of which there is a considerable amount, has to be paid for at double time. This is a matter that is not too generally known, and I think it worth while bringing it under your notice, because it is a thing that ought to be altered, as it is apt to be abused, and no employer is anxious to work overtime if it can possibly be avoided. So much for the cost of manufacture.”

Mr. Swayne.]

This all bears upon the cost of food. You cannot expect cheap food while these things are going on. He deals with the cost of manufacture, and points out that it bears on the cost of food production; that these particular conditions of these awards—which make possible the risks which came about under the Dickson award—must have a deterring effect on enterprise. I know that throughout the farming districts the farmers' sons are not going on the land. If you get talking to them about it, they tell you they have seen the trouble which the old man has had regarding labour, and it has acted as a warning to them, and they are going to look out for some other job. There is no getting away from it, that that reluctance to go into the country and put land under cultivation, and add to our production in that way, has a most serious aspect, and must lead to a good deal of distress eventually. It can easily be seen that there is a very wide field open for a commission such as that for which I have asked. Now is the time that any hindrance to enterprise that may exist should be removed. I think that it will be generally realised throughout the community that it should be carried into effect. It will be noticed in the wording of my resolution that I lay special stress upon the need for business ability in the composition of this commission.

Mr. HARTLEY: You are out to look after the employer every time.

Mr. SWAYNE: I wonder you don't outlaw him.

Mr. HARTLEY: You want to outlaw the worker.

The DEPUTY SPEAKER: Order! Order!

Mr. SWAYNE: Why not say at once, "Deprive him of all rights; don't allow him to be heard?" According to his way of thinking, the moment one man employs another he is a public enemy. However, my contention in the composition of this commission is that there should be some business ability. I think it is a very fair request, and it must be apparent to even the hon. gentleman's intelligence that if you inquire into business matters, it should be by men who have some business ability.

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

Mr. SWAYNE: I beg to move the resolution that stands in my name.

Mr. BEBBINGTON (*Drayton*): I have very much pleasure in seconding the resolution. I think it is a very necessary one. Arbitration has done a great deal for the workers, and there is no doubt that for all classes concerned it has done a great deal to raise the standard of living in Australia. We have no idea whatever of disparaging the good work that it has done. The results, however, have not been altogether satisfactory. In fact, as I said last year, there are too many changes. There seems to be nothing solid about it; nothing steadfast. If you go to do business in any line, you must have something solid about it; you must have something that will enable you to know what you are doing on both sides. I am not playing to either one side or the other; but if we look through the figures for 1916, we will find that in Queensland alone there were 134 changes in the method of employment. That affected 72,079 persons, with an increase of £45,451 per week, or an addition of 11s. 3d. per week. Now, we

[*Mr. Swayne.*

should not, in one year, in a place like Queensland—which, although a large State, has not such a large population—have 134 changes in our industrial life regarding wages and conditions. It shows that things are not too solid, or firm; that there is something wrong—that there is something below the surface that might break out at any time. While we are going to have the best system we possibly can, we want to find out what is at the bottom, and what is the reason. I think these are matters that this commission might very well inquire into. Now, hon. members here are in the habit of throwing out about Victoria—about things decreasing there, and all that kind of thing. I have not the slightest doubt that they will still decrease, and that production will decrease in all the States, unless you can get a living wage for those persons who are engaged in it. I quite believe that. I contend that all our raw material throughout Australia is worth a great deal of money. Those who have built up the manufacturing and primary products have done so by the drudgery and the slavery—if you will call it that—of the farmers, their wives and families.

Mr. HARTLEY: Child slavery.

Mr. BEBBINGTON: Yes, the hon. gentleman has lived on child labour and women's labour.

A GOVERNMENT MEMBER: What labour?

Mr. BEBBINGTON: Women's labour.

The DEPUTY SPEAKER: Order! Order!

Mr. HARTLEY: I rise to a point of order. Is the hon. gentleman in order in asserting that I have lived on child labour or women's labour?

The DEPUTY SPEAKER: The remark is offensive, and the hon. member must withdraw it.

Mr. BEBBINGTON: If it is offensive to the hon. member, I will withdraw it. What I mean is this—the foodstuffs, not only of the hon. member, but of the whole of the people of Australia, have been produced by cheap labour—by women's labour and children's labour; and those people who have been howling for cheap food have been howling for more slavery of the women and children—of the producers' wives and families.

A GOVERNMENT MEMBER: It is a deliberate untruth.

Mr. BEBBINGTON: More women's labour, more children's labour, in order to provide them with cheap food; and if we tell them that they live on women's and children's labour they begin to feel it, and say it is insulting. But the facts remain the same, and will remain the same until we have a change. When I tell them that they have lived on women's and children's labour, I tell them the truth. They can say what they like about it, but those are the facts.

The DEPUTY SPEAKER: Order! Order!

Mr. BEBBINGTON: I say those are the facts; they can say what they like.

The DEPUTY SPEAKER: Order! Order! The hon. member is not in order in repeating an expression which I compelled him to withdraw. I ask him to use more parliamentary language.

Mr. BEBBINGTON: I admit I was wrong, Sir.

Mr. F. A. COOPER: I admit I was wrong, Sir! (*Laughter.*)

The DEPUTY SPEAKER: Order! Order!

Mr. BEBBINGTON: I admit I was wrong, Sir, in disobeying the Chair, but not in my facts. Now, as I say, in all our production in industrial matters, both primary and secondary, we should have the best system that we can possibly get. I doubt very much if we have the best. If I had my way, I would wipe out the Arbitration Court entirely.

Mr. KIRWAN: I thought so. What would you substitute instead?

Mr. BEBBINGTON: I would put in its stead something which I think is better.

Mr. F. A. COOPER: Direct action?

Mr. BEBBINGTON: I maintain that a practical engineer, who is in the work every day, is more able to judge what is right and fair in an engineering difficulty than a lawyer or a judge is. I contend that we have appointed the wrong men as judges of our Arbitration Court. Instead of appointing men who know something about [4.30 p.m.] industrial matters, we have appointed lawyers who know nothing about these things, but who want to make a very good living out of the business. If I had my way, I would wipe out the Arbitration Court, and, where we now have two judges, each drawing his £2,000 a year, I would have three commissioners—practical men—who would give the whole of their time to the business.

Mr. FREE: Would you give them the same powers as the judges?

Mr. BEBBINGTON: Yes. To show how the party opposite has stirred up industrial trouble, it is only necessary to point out that, whereas in 1914, under the Denham Government, there were eighteen industrial disputes, involving 1,686 workers, who lost 25,703 working days and £11,747 in wages, in 1916, under the Ryan Government, there were sixty-four industrial disputes in Queensland, involving 20,318 workers, who lost 170,691 working days and £96,976 in wages.

Mr. F. A. COOPER: What are you quoting from?

Mr. BEBBINGTON: Those are official figures. Instead of making things better, they have made things much worse. I contend that such a commission as is proposed by the motion would go a long way to improve things, and it would go a long way towards bringing to the surface some of the things which are undoubtedly simmering beneath the surface. I maintain that a strike is such a serious matter, and it means such a serious loss to the community as well as to those more immediately concerned, that everything possible should be done to put an end to strikes and lockouts.

Mr. SMITH: Why did your party seek to encourage the railway strike?

Mr. BEBBINGTON: The hon. member knows perfectly well that we on this side have never encouraged a strike in our existence. He knows perfectly well that it was his own party which encouraged that strike. When the railway strike took place over the border, we had the spectacle of one man, who was an ordinary porter—not a regular hand in the Railway Department—together with a few other men of the same standard, meeting at Wallangarra, and deciding that they would not handle any stuff coming over the railway from New South Wales; and, immediately they came to that decision, the

Secretary for Railways issued a proclamation practically agreeing with them, and refusing to allow stuff to be received from the South at Wallangarra. Now, I would ask, who was it who helped that strike? Strikes are so serious that neither employers nor employees should be allowed to stop our means of communication or our industries. We have our Arbitration Court; we have provided every means possible for enabling masters and men to settle their disputes. What right has either party to involve the community in serious loss by their disputes? I believe that a strike or a lockout should be made a crime, punishable by law, and that the law should be carried out. At the same time, I believe that everything possible should be done; as cheaply as possible, to enable every man to get his right, to get the best possible conditions of life, and that conditions of work should be made as good and as easy as possible. I believe that what is at the bottom of our industrial troubles is—

A GOVERNMENT MEMBER: Low wages.

Mr. BEBBINGTON: That may be the cause sometimes; but what is really at the bottom of the trouble is that we have educated our working people to such a point—and I may say I am a believer in giving our people the very best education we can—but we have educated them to such a point that they do not want to work for other people—they want to work for themselves.

Mr. F. A. COOPER: Ah! They do not want to be slaves. They want their freedom.

Mr. BEBBINGTON: Certainly. I hope we all have a desire to improve our position, and that we are always reaching out for something better. I believe that desire is implanted within us by our Creator. Without it, we would be going backwards and there would be no progress whatever. Such a desire is not to be deplored; on the contrary, it is something to be proud of. But we want to make sure that we are animated by right principles. We should all strive for increased production and for increasing the value of our products, because, if we are going to have improved conditions of life, we have to pay for them. We cannot have improved conditions and live cheaply. If you want to live, you can easily live like a Chinaman, and you can easily compete with that Chinaman. If you like, you can live on a bit of rice and compete with a Chinaman. But we do not want that kind of thing. We want to raise the standard of living as much as we can. At the same time, we have to remember that the money with which we have to pay for these things does not flow like a river. We have to earn the wherewithal if we are going to raise our standard of living. There is no use paying a man 15s a day if he only earns 10s. a day. The end will soon come. We want to provide the worker with the best machinery obtainable and the best means of earning his living, so that he can not only earn those wages, but also earn the interest on the money spent in finding employment for him. I am very glad that there is a desire inherent in man to improve his condition, and I believe there is a means by which that end can be brought about. It is this desire to improve one's condition that has driven many a man to seek refuge in socialism, which has failed. The people have turned towards socialism and

Mr. Bebbington.]

have found it a failure, because a socialist is a person who is always anxious to divide with someone who has more than himself.

Mr. KIRWAN: That is not correct. That is rot.

Mr. BEBBINGTON: If you are always dividing with someone else, the time comes when you have not got anything. As stated in the "Worker," you find that the end comes, and that all that is left to the worker, after all his years of work, is a toothbrush and his clothes. It was stated in the "Worker" of 23rd February, 1916, that socialism would not go all the way, and that it would only leave a man his toothbrush and his clothes. When we come to the end of socialism and what it has to offer, we have to conclude that when it only leaves a man his toothbrush and his clothes it is a failure, and we have to turn some other way. I am going to show a way in which we can go. It is obvious that we cannot have improved conditions of living unless we pay for them. The only way to pay for them is to work, and that is what most of us do not like; but there is no other way. It is no use taking it from the other fellow, because the time will come when the other fellow has not got it, and there will be nothing to take, and that will be the end. There are only two ways to look for a permanent increase of production in Australia—that is, either in profit-sharing with the employees or in co-operative manufacture. Those are the two ways open to us to maintain the high standard of living which we have set up.

Mr. HARTLEY: That is our way.

Mr. BEBBINGTON: No; your way is socialism that leaves a man only his toothbrush and his clothes.

A GOVERNMENT MEMBER: And his wife. (Laughter.)

Mr. BEBBINGTON: I doubt that he would be left his wife. (Laughter.) I maintain that what the farmer has done the worker can do also. In the first place, we have the very best material possible to work on—I mean the raw material in the worker. Our lads, whether they come from the farm or the town, when they have gone out to compete in the world, have proved that they are the best. It does not matter whether they are in Palestine or on the Equator, or in France; they have proved equal to the best, and they will prove equal to the best in industrial matters if you will give them the same opportunity. To-day they have not the same opportunity.

Mr. O'SULLIVAN: Hear, hear!

Mr. BEBBINGTON: The hon. member says, "Hear, hear." I will tell you why. It is because we have such a big proportion of stuff coming from other countries.

Mr. BRENNAN: High protection you want.

Mr. BEBBINGTON: We have 40 per cent. protection now.

The DEPUTY SPEAKER: Order! I would like the hon. member to connect his remarks with the resolution.

Mr. BEBBINGTON: My remarks are connected in this way: that these are matters for the commission to inquire into. I am showing the means which can be used, and the matters they can inquire into. Those matters are as to what are the best means of maintaining our standard of living and

[Mr. Bebbington.

increasing our production. There is no reason why the worker cannot do what the farmer has done. Twenty-five years ago the farmer took his produce to the storekeeper, who gave him what he liked, or what he could give for it. He scarcely balanced up once in three, six, or nine months. Then, when a drought came, the storekeeper had to carry the farmer on over the drought period. This was a position which very often resulted in bankruptcy for both parties.

Mr. SMITH: More often for the farmer than the storekeeper.

Mr. BEBBINGTON: There were storekeepers who carried hundreds of farmers through the drought, and then went through the Bankruptcy Court themselves. What is the position to-day? Those farmers who, twenty-five years ago, had to take what they could get for their produce, to-day own 95 per cent. of the producing machinery of Queensland. We own nearly one hundred cheese factories; I believe ninety-four or ninety-six. We own a very large number of butter factories, some of which have cost up to £16,000, and instead of having to send half a million of money to New Zealand for produce, we to-day export about two or three million pounds' worth to England, as well as supplying the whole of Queensland, which is something to be proud of. Under the same conditions the worker can do the same. He would put his heart and soul into it, and instead of going slow—

Mr. KIRWAN: Which he does not do.

Mr. BEBBINGTON: I do not say he does, but I say he is advised to do it. Whether he takes the advice or not I do not know. He is told to go slow, and make room for other people, and leave something for somebody else to do. That is all changed in the co-operative factory, and when he gets the result of his own labour there will be no slowing down; he will want to improve his position. In the Demaine policy we were told that every workman must for ever dismiss from his mind the idea of improving his position or being his own boss. Those are the words used at the socialist convention at Rockhampton.

Mr. SMITH: Give the context. You quote a little bit and turn it to suit your purpose.

Mr. KIRWAN: You are advocating syndicalism. You ought to be careful.

Mr. GUNN: I rise to a point of order. I cannot hear the hon. member for Drayton owing to the continual clacking. (Laughter.)

The DEPUTY SPEAKER: Order! Order!

Mr. BEBBINGTON: I am going to prove over and over again that men have been advised to dismiss from their minds for ever any possibility of improving their condition in life, or so as to become their own masters and to give them that independence—

The DEPUTY SPEAKER: Order! The hon. member must connect his remarks with the resolution, the purpose of which is the appointment of a Royal Commission to inquire into industrial matters.

Mr. BEBBINGTON: These are industrial matters which I think might very well be inquired into by the commission, and that is why I mention them. I will read from the pamphlet, I am referring to the president's address at the socialist convention at

Rockhampton. The president was the Hon. W. H. Demaine, and I am quoting from the "Worker"—

Mr. PETERSON: No, you are not; that is the Nationalist paper.

Mr. BEBBINGTON: This is from the "Worker." It says—

"The fond hope that some of them have that they may become employers and exploiters of labour in due course must be dispelled, and the fact that there can be no possible identity of interest between employer and employees must be driven into their minds."

(Government laughter.) They have that kind of advice from their union bosses. That is the Demaine poison; those are the words of the president of the conference. I say when the workers get away from that condition of things, and when we assist them to form their own co-operative factories, as we are going to do, their conditions will be improved. I will give them all the help possible. I have been connected with co-operative companies for the last twenty years. Ever since there was co-operation in Queensland I have been in it, and I have given my name as security for co-operative companies; I suppose my name is down now for security to the extent of £1,000. I believe that assistance to the working men to form co-operative companies is one of the chief planks of members on this side of the House. We wish to help them to own their own machinery, to be their own employers, to become independent; and generally to bring about such a state of affairs in connection with co-operative factories as will revolutionise things in the industrial world, equally as much as they have been revolutionised in the world of primary producers. I think I have given very good reasons for changing the present conditions of industrial life. If hon. members opposite can give something better, let them trot it out, but for Heaven's sake do not bring in socialism, which leaves a man only his toothbrush.

Mr. KIRWAN (*Brisbane*): I am sure we all listened to the hon. member for Mirani with the expectation that on such a very important subject as this he would have made some definite pronouncement, but the hon. member succeeded in talking all round the subject without giving the House any definite idea as to what his own views are, must less the views of his party. If I am able to interpret his speech correctly, his chief complaint is that to-day, owing to the Arbitration Court awards, and the improvement of the condition of the workers generally, production is on the wane. He evidently is of the opinion that low wages are a good thing for the country.

Mr. BEBBINGTON: No, he is not.

Mr. KIRWAN: The hon. member for Mirani is too cunning—he is not like the hon. member for Drayton, who is sometimes guilty of indiscretion, in telling something about his own party—the hon. member for Mirani is too cunning to state that plainly. But, apparently, he considers that the abolition of the Arbitration Court would be a good thing. He suggests that it would have the effect of improving production. I am justified in saying that the major portion of the hon. member's speech was directed entirely to Arbitration Court awards, and that his idea is that the Arbitration Court should be abolished. The hon. member even

went so far as to say, in a wailing voice, that strikes have not been prevented by the operations of the Arbitration Court. I am not aware that it was said that strikes would be prevented by the establishment of that court. I was astounded to hear the hon. member for Drayton give his blessing to the divine spark of discontent, which is responsible for all the progress that history records. That hon. member said he quite agreed with men trying to better their conditions. The hon. member for Mirani condemned men for trying to do that, and said that they had no right to go out on strike. I would suggest to the hon. member that he address his remarks to his own particular class, who, ever since the war began, have struck, day after day, week after week, and month after month, for increased prices for their commodities. Even when the war broke out they went on strike, and raised the prices of the goods they imported from abroad, and the daily Press had the audacity to suggest that all arbitration awards should be discontinued while the war was on, so that they might have a grand career of profiteering without any check.

Hon. J. G. APPEL: Haven't you recommended that railway fares and freights should be increased?

Mr. KIRWAN: No. The hon. gentleman has not yet received the report of the Railway Commission; he has only read a summary of the report in the Press.

Hon. J. G. APPEL: But that is your report, isn't it?

Mr. KIRWAN: There is no recommendation in favour of increasing fares and freights. But allowing, for the sake of argument, that there is such a recommendation, why should there be any objection to it? Are not the public paying increased fares and freights in other directions? Have not the shipping companies put up their fares? It is well known that they have, and yet the hon. gentleman, in accordance with the tradition of his party, has maintained silence about that matter.

Hon. J. G. APPEL: You say you will have to increase freights and fares in order to make the railways pay.

The DEPUTY SPEAKER: Order! Order!

Mr. KIRWAN: The hon. member for Mirani pointed out that the Dickson award was against private enterprise. We know the views of the hon. member on that question, and we know the views of his party on it. We know the hon. member predicted that the whole of North Queensland would become a waste if that award was enforced. Yet the hon. member knows perfectly well—no one knows it better—that the production of sugar since the application of that award has been a record for Queensland.

Mr. BEBBINGTON: Because they got increased prices for sugar.

Mr. KIRWAN: I am speaking of the prediction uttered by the hon. member for Mirani. Even now that hon. member declares that there is not the same amount of cultivation going on in the North as there was previously. During my visit to the North quite recently I had an opportunity of going into the sugar areas and speaking to men engaged in sugar cultivation, and they told me that the areas under cultivation would shortly be larger than ever. (Hear, hear!) To state that the effect of that award has been to restrict enterprise as far

as the sugar industry is concerned, is to state what is not correct. Let us take the figures in connection with the sugar industry, and I will take them over a series of years beginning with 1910. According to the "A B C of Queensland Statistics," page 4, in 1910 the area under cane was 141,779 acres. That was when there was no Dickson award to contend with; when there was no award at all; when they paid the cane-cutters any wages they liked and worked them any hours they considered desirable, and gave them any sort of tucker they could "chuck" to them. Then, in 1913, under the beneficent influence of the Denham Government, of which the hon. member was a strong supporter, we find the area under cane had increased up to 147,745 acres. Then, in 1916, after eighteen months of the terrible Labour Government, we find a record in the acreage under cane, the area being 167,221 acres.

Mr. SWAYNE: Because the Denham Government put up two new mills.

Mr. KIRWAN: The hon. member can say what he likes. I am pointing out that the labour legislation, labour conditions, and improved conditions generally as far as the workers are concerned, have not had the effect the hon. member contemplated. If there is anything in the argument of the hon. member, it is this: That high wages, short hours, and good conditions are against the best interests of any country, and therefore the opposite should be correct. That is, that countries like Turkey and China, where they have no labour laws, no Labour party, and where they work the round of the clock, ought to be the most prosperous countries in the world.

Hon. J. G. APPEL: Does the Labour party spell prosperity to the general community?

GOVERNMENT MEMBERS: Yes.

Mr. KIRWAN: The hon. member for Drayton, in the course of his remarks, pointed out that the worker should earn more than his wages. We know perfectly well that the worker does earn more than his wages. We know perfectly well that he carries on his back all those gentlemen who do not do any work. As an illustration, we find, according to the "A B C" figures, that notwithstanding the increased wages, notwithstanding the shorter hours, and notwithstanding the better conditions the workers have obtained under the Arbitration Act passed by this Government, the manufacturers are producing more in Queensland to-day than ever they produced before, which does not bear out the argument of the hon. member. The hon. member for Mirani was very careful not to quote a solitary figure, which he could not have quoted from "Knibbs" or the "Australian Year Book," to show that the effect of these conditions has been against private enterprise.

Mr. SIZER: Is that an increase in the value or an increase in the bulk?

Mr. KIRWAN: An increase in value.

Mr. SIZER: That is a very different thing.

Mr. KIRWAN: The point of view from which the manufacturer would look at it is how is his banking account affected. If he got more value for his output he would not trouble about the bulk of it. The hon. member for Drayton suggested that the workers are going slow, and that they are not doing as much work as they should do. I remember when it was suggested that white

workers could do the field work in connection with sugar-growing, they were told that they could not do it. The very men who have immortalised the name of this country on the battlefields of Europe were told, when they applied for work in the canefields of North Queensland, that they could not do the work of a kanaka.

Mr. G. P. BARNES: That is very old.

Mr. KIRWAN: It is quite true, nevertheless, and the hon. member cannot deny it. If he does, I can produce it in black and white from his own side; from ladies connected with the National Liberal Union who attended a conference in Melbourne which was reported in the "Melbourne Daily Herald." Now that the hon. member has mentioned it, I would point out that they also made the statement that now the white workers were in the canefields in North Queensland no girl could go out at night time. On page 27 of the "A B C of Queensland Statistics" I find, in connection with manufactures, that in 1910 there were 1,563 factories, 39,944 employees, and £2,830,704 was paid in wages, and the total value of the output was £15,792,109. In 1913, the number of factories was 1,838, the number of employees, 42,363; the amount of wages and salaries paid was £4,075,191; and the total value of the output was £23,688,789. In 1916, there were 1,782 factories, 39,983 employees—a decrease in the number of employees—the wages paid totalled £4,188,254, but notwithstanding that there was a decrease in the number of employees, there was an increase in the value of the output, which totalled £25,541,024. I would like to point out that in 1909, when there were 1,420 employees, the value of the output was £12,823,695, whereas in 1916, with 1,782 employees—an increase of only 350—the value of the output had doubled, and was worth £25,541,024. Yet we are told that the effect of the industrial legislation has been to cripple industry, and drive capital out of the country. The hon. member knows perfectly well that those statements are not correct. We are being continually told about the "go slow" policy.

Mr. CARTER: The shipping companies go slow.

Mr. KIRWAN: Some figures were recently collected by one of the Sydney daily papers showing that although the wages of the employees had only increased by about 4.4 per cent., the value of output had increased 19 per cent. All this goes to show that, as far as the workers are concerned, they are doing their whack, and what is more, that they are not getting a fair proportion of the value they create. On the other hand, the manufacturers are doing remarkably well, notwithstanding there is a war on, and notwithstanding both they and their representatives are continually preaching the necessity of self-sacrifice, there is no danger of their sacrificing their "pound of flesh," as far as their profits are concerned, and they and their class are determined to exploit this war to the last bottom dollar. My reading of the speech of the hon. member for Mirani is, that because there happens to be a Labour Government in power things are going back, and he wants a commission.

Mr. SWAYNE: I ask for a commission of inquiry.

Mr. KIRWAN: The hon. member had more reason to ask for a commission of inquiry when his own party occupied the

[Mr. Kirwan.]

Treasury benches, and the sugar industry was the battledore and shuttlecock of politics. (Hear, hear!) The hon. member cannot deny that the sugar industry is better off to-day than ever it was. Can the hon. member tell me where any cheap sugar farms are to be bought? One would imagine that the real place to go to for prosperity and find increased production, and, generally speaking, to find things as hon. members opposite would like to see them, would be to a State where the beneficent rule of a Liberal Government, or a National Government—which ever they like to call it—is in full sway. For that particular purpose I looked up what happened in Victoria. They have not got a Labour Government in Victoria; they have not got an Arbitration Court, with Dickson awards to harry production there. And what do I find? I am now quoting from the "Melbourne Age" of 10th October, 1917. They have an Agricultural Department with 265 paid officers who draw salaries to the total extent of £52,000. I find that the Melbourne "Age," in commenting on the decrease of production, pointed out that in 1910 the number of people employed in primary production was 154,031, and in 1916 147,655, or a decrease of 6,376. There you have the effects of a Liberal Government, so far as the primary producers are concerned. Then we find that the hon. gentleman was complaining that the sugar-grower up North could not keep his pig now because of the Dickson award. Yet I find that in 1906 there were 96,618 pigs in Victoria, while in 1916—or ten years later—that number had been reduced to 31,000, notwithstanding that there were no blasting effects of the Dickson award, making the farmer drop his pig or his other by-industries generally associated with mixed farming. The hon. member for Mirani might study that and give this House an explanation as to why under Liberal Government this great decrease has taken place in Victoria. Then, we find that the cultivation of potatoes has decreased. The area under flax in 1910 was 1,213 acres; in 1916 it was 361 acres. The area under vine cultivation has decreased 25 per cent. in fifteen years, and the production of dried fruits has steadily decreased since 1910. Then, I find that cheese—in which the hon. member for Drayton is particularly interested—has decreased from 2,000,000 to 1,500,000 lb.

Mr. BEBBINGTON: Ours has increased by leaps and bounds.

Mr. KIRWAN: Yes, because you have a Labour Government here. (Hear, hear!)

Mr. BEBBINGTON: It has not increased since the Labour Government has been in; there is no comparison in the increase.

Mr. KIRWAN: I am glad of that interjection, because it gives me an opportunity of pointing out that primary production is going ahead, notwithstanding the cry of the hon. member for Drayton, who draws most harrowing pictures on the floor of this House—pictures which are reproduced in "Hansard" and in the "Darling Downs Gazette" and the "Toowoomba Chronicle," for the benefit of the people on the Downs. Those workers know that the hon. member is not telling the truth when he says they are not doing well. I propose now to quote from the "Trustees' Quarterly Review," for January, 1918

Mr. G. P. BARNES: Is it the same edition as yesterday?

Mr. KIRWAN: The hon. member does not like to hear these home truths. It would be a very good thing if some hon. members opposite were dipped in the well of truth. When it was brought to the top during the debates, they would recognise it. They leave it on the parliamentary doorstep at the present time. Dealing with the dairying industry, it says—

"Prices have been well sustained, and the dairying industry is making steady progress, not only in the more temperate portions of the State, but also in the North."

Mr. BEBBINGTON: Owing to the action of the British Government.

Mr. KIRWAN: The hon. member cannot bring that "gag" in here. He told the farmers that the very fact that there was a Labour Government in power meant that they would be swept off the land, and that the homesteads on the Downs would become rookeries for the fowls of the air.

Mr. BEBBINGTON: And so they would be, if the British Government had not taken it out of your hands

Mr. KIRWAN: I would like to know from the hon. member whether the British Government do not take products from Victoria? Will he explain why there is a decrease in Victoria? They have not got a Labour Government in power there. The hon. member should be careful.

Mr. G. P. BARNES: They lost all their dairy stock in the drought.

Mr. BEBBINGTON: There was a drought on the Darling Downs.

Mr. KIRWAN: Of course, there was no drought in Queensland? The hon. member for Warwick was evidently asleep in 1914 and the greater portion of 1915, or else he would have known that there was a very severe drought on the Darling Downs. I am glad that the hon. member for Drayton is able to remind him that there was such a drought.

Mr. BEBBINGTON: The hon. member had to pay for it, and very dearly, too.

Mr. KIRWAN: The article goes on—

"The period of drought, between March and September last, of course, had its effect on production; but, on the whole, the season has been remarkably successful. Attention has been directed to the quick recovery of the industry from the drought of 1915; and it is pointed out that the estimated yield of milk for the year to 31st December, 1915, was, approximately, 87,000,000 gallons, as against a little over 30,000,000 in the preceding year. One feature worthy of note in the development of the industry has been the adoption of the pasteurising system in a number of the factories, and it is anticipated that the system will spread. A notable increase is taking place in the manufacture of cheese, an advance of upwards of 4,000,000 lb. weight having been established as between 1915 and 1916."

Mr. BEBBINGTON: But you stole our cheese.

Mr. KIRWAN: The hon. member has paid a very poor compliment to the intelligence of the farming community of Queensland when he says that they make cheese

Mr. Kirwan.]

for a Labour Government to steal, and that they are evidently so satisfied with the existing conditions that, although under the Denham Government they only made 4,000,000 lb., under a Labour Government they increased it to 8,000,000 lb., so that the Labour Government could have the greater amount to commandeer.

Mr. BEBBINGTON: A few years ago we did not make any. This is the natural increase.

The DEPUTY SPEAKER: Order! Order!

Mr. KIRWAN: I am simply pointing out that the fact that the Labour party is in power, although they have determined that the workers of the State, irrespective of the industries in which they are engaged, should not only get a living wage but also decent conditions, has not affected the production of Queensland as far as the dairying industry is concerned, or so far as the sugar industry is concerned, and neither has it affected production so far as manufacturing is concerned. All of which goes to show that the premises on which the hon. member for Mirani based his speech are altogether wrong, or else the hon. member did not take the trouble, which hon. members in this House ought to take before they rise to speak, of acquainting himself with the actual facts of the case.

Mr. BEBBINGTON: He is not far wrong.

Mr. KIRWAN: The hon. member is like the hon. member for Drayton.

Mr. PETERSON: What is troubling him is that there is no disaster.

Mr. BEBBINGTON: What is troubling you is that you cannot steal as you did before. The Federal Government took it over.

Mr. KIRWAN: The hon. member knows that the producers are worse off under the Federal Government than they were under the State.

Mr. BEBBINGTON: It is not correct.

Mr. KIRWAN: It is correct. I challenge the hon. member to produce the figures.

The DEPUTY SPEAKER: Order! Order!

Mr. KIRWAN: The hon. member for Mirani in his speech principally went outside Queensland for his arguments and illustrations. Now, I presume that the hon. member knows that there has been established by the Federal Government a Bureau of Science and Industry, whose main and particular work, I understand, whose sphere of duties, would lie in the particular direction which the hon. member wishes his commission to cover. Surely when we have a combination in control of the National Parliament, such as we have to-day, a combination which we are told embraces all the brilliant intellects of the Liberal party and all the brains of the Labour party, surely they ought to be able to devise means for dealing with matters that come within their province, these post-war problems that have been hinted at by the hon. member in the course of his address this afternoon. I think that it is distinctly the duty of the Federal Government, and I would suggest to the hon. member for Mirani that he get some of his friends to rise in their places in the Federal Parliament and ask the Government what their policy is as to post-war problems. The hon. member for Drayton is one of those who generally make it his particular business

[*Mr. Kirwan.*

to point out the terrible effects of Labour legislation so far as this party is concerned. I read this for the special benefit of that hon. gentleman; and it does not occur in Queensland. The article which appears in the "Age" says—

"Patches of ground where nature is fast wiping out traces of cultivation; broken fences and empty homesteads tell the tale of settlers who were beaten, not because the land was not rich or because they could not grow wheat for the market, but because they could not get their produce to market."

Now, that happened in Victoria, under a Liberal Government. The hon. gentleman cannot paint me any picture like that in Queensland, due to the policy of this party since they came on the Treasury benches.

Mr. BEBBINGTON: The hon. member for Aubigny yesterday told you about the deserted farms which have been left by their owners.

Mr. KIRWAN: I remember the hon. member for Cooroora introducing a deputation to the Minister for Lands when the Denham Government were in power, when he stated that the settlers were in such a condition that their womenfolk could not dress respectably enough to go to the slip-rails to get the letters from the mailman. That occurred under a Liberal Administration.

Mr. BEBBINGTON: Quite right; through feeding you people too cheaply. The farmer did not get enough for his produce.

Mr. KIRWAN: That did not happen under a Labour Government. I would like to remind the hon. member for Drayton that that happened under a Government which the farmers continually supported; and if they support a party which robs them, they support a party which they richly deserve and which they are entitled to have representing them in the House. I contend that the hon. member has not made out a case as far as Queensland is concerned. It does not matter whether it is dairying, whether it is the sugar industry, whether it is the pastoral industry, or whether it is agriculture—generally speaking there is prosperity in Queensland to-day. If, on the other hand, you take the manufacturers, they are doing remarkably well, notwithstanding the handicaps a large number of them have to suffer and the disabilities they labour under because they are not able to get the necessary material. I admit that the hon. gentleman raised a very important question when he raised the question of imports as against exports, and when he pointed out that it was absolutely essential—and perhaps more necessary to-day than ever before in its history—for Australia to be up and doing and to manufacture within the confines of the Commonwealth a large quantity of goods which she previously imported from other countries. (Hear, hear!) He was calling attention to a fact which will require a solution immediately this great war is over, if we are to pay the enormous interest on the great burden of debt involved in our participation in this war.

HONOURABLE MEMBERS: Hear, hear!

Mr. KIRWAN: But which party is directly responsible for this? It is only quite recently, since this war broke out, that you could get the majority of Liberals to admit

that anything should be made in Australia, or that the average Australian was any good.

Mr. PETERSON: Hear, hear!

Mr. BEBBINGTON: Or that the working man would buy the goods made in Australia.

Mr. KIRWAN: The reason why the working man did not buy a pair of boots made in Australia, or made in Queensland, was because the anti-national daily Press of Australia supported the "Calico Jimmy" policy, and they were taught to decry anything Australian. I remember reading of a rather remarkable instance of that nature. A gentleman who gave evidence before the Interstate Commission in regard to the manufacture of Australian-made pianos, said that after having made an Australian piano entirely of Australian material—he gave this evidence on his oath—he was compelled to send to America for "fake" German plates to enable that piano to be sold to the Australian public, because the anti-national Press had declared that anything made in Australia was no good. As soon as he said that this was made in Hamburg, or wherever it was, a person bought it and said it was a beautiful piano. If we cultivate a national spirit, and a faith in our own country and a belief in our own power to develop our own country, and if that were the policy which our daily Press would advocate irrespective of their political views, then the point raised by the hon. member for Drayton—that the Australian would not buy Australian goods—would soon be got over.

Mr. BEBBINGTON: The man who put that plate on that piano ought to be put in gaol; never mind who he was.

Mr. KIRWAN: He was the manufacturer. I am only pointing out what the man was compelled to do for a living.

Mr. BEBBINGTON: He was not compelled at all.

Mr. KIRWAN: The position, as it appeals to me, is this—that I do think great problems face Australia after the conclusion of this war—which, I hope, will be at a very early date. Then it is the duty of the Federal Government, whichever party may be in power, to endeavour to solve those problems; and the only way in which they can be solved is to keep Australia solvent, in the direction of encouraging local industry as far as possible. While it is necessary to encourage primary production, it is no good the constituents of the hon. member for Drayton producing butter or making cheese if there is not the population in Queensland to eat it.

Mr. BEBBINGTON: That does not make any difference. Our market is London.

Mr. KIRWAN: The hon. gentleman will recognise that he is not always going to have London for a market. I hope the present conditions will not last much longer. He knows perfectly well that it is due to the abnormal conditions that there is to-day a large export of primary products.

Mr. G. P. BARNES: Now you are stating the truth.

Mr. BEBBINGTON: Queensland can eat half her production.

Mr. KIRWAN: Quite so; but I am pointing out that it is not wise to depend wholly and entirely on a foreign market. Side by side with the encouragement of our primary

industries, should go the building up of our secondary industries, in the shape of manufactures.

Mr. BEBBINGTON: Certainly; we all agree with that.

Mr. KIRWAN: I am glad that the hon. member agrees with something said by an hon. member on this side. If that is going to be done, it can only be done by a system of protection, and the encouragement of a national sentiment, which will insist on wearing things Australian and looking at things from the Australian standpoint. (Hear, hear!) We know perfectly well that for many years prior to the war the Australian people had been contributing £13,000,000 a year in the shape of imported German manufactures. The greater part of that money went to the building of warships, or else in equipping an army which to-day is responsible for fighting the Australians on the western front. We have transferred that, since the war began, to another nation. We made no attempt to deal with these problems locally. As long as we can get the material imported from some other country, we are prepared to do it. I trust, for the good name of Australia, and for the safety of Australia, we will try and live within our own resources, and manufacture our own products, instead of sending them off to Japan, and not getting the best material back; we get some shoddy stuff back.

Mr. BEBBINGTON: You have taken our policy.

The DEPUTY SPEAKER: Order! The hon. gentleman is going wide of the motion before the House, which is to appoint a Royal Commission for a specific purpose.

Mr. KIRWAN: I plead guilty to the impeachment, Mr. Deputy Speaker, but plead in extenuation that I have been somewhat following other hon. members. However, the hon. member for Mirani, much as he may be committed to the necessity of this, has not, I contend, placed before the House evidence and facts which would incline members to adopt his view, and vote for the resolution. The hon. gentleman simply delivered a criticism of industrial awards, and a sort of left-handed compliment of certain other legislation, without indicating in any particular way what would be the effect of this particular Royal Commission if it were appointed. I contend that this bureau of industry which the Commonwealth has established is the body which should, at any rate, be given an opportunity of demonstrating its usefulness; and if it failed, then it would be rather a sad thing to think that it is left to a private member in a State Parliament to take up the cudgels, plead a cause, and advocate a system which should be the bounden duty and should form part and parcel of the policy of the party in the National Parliament.

HONOURABLE MEMBERS: Hear, hear!

Mr. G. P. BARNES (Warwick): I am in full sympathy with the resolution proposed by the hon. member for Mirani. It is to be regretted that hon. members on the other side, both by interjection and by speech, have shown that they do not rise to the occasion, but look at the question through the blurred vision of party spectacles. The debate, so far as hon. members opposite are [5.30 p.m.] concerned, has been conducted entirely from the party standpoint. I contend that the real objective of

Mr. G. P. Barnes.]

the hon. member for Mirani is quite in conformity with the later remarks of the hon. member for Brisbane, when he argued that the idea and aspiration of every man who has the real interests of Australia at heart is that her resources should be developed to the fullest possible extent, and that these things should be considered from the national standpoint. In expressing those views the hon. member rose to the occasion. I rise with a view to enabling the question to be very considerably widened, and to do so I purpose moving the following amendment:—

“To add to the motion the words ‘and to suggest legislation that may be necessary for the protection of existing industries, and such other industries that may be encouraged and launched.’”

We are aware that pretty well every country in the world is at present giving the closest possible attention to post-war conditions, and is preparing for a trade which must come, and it seems necessary that, if Australia is to play her part, she, too, must awaken to her full responsibilities and to a sense of her high privileges. I am aware that I shall be immediately told that we are out for protection. It is quite evident that under the industrial conditions which now exist, and under the competitive conditions which will follow the settlement of the war, it will be essential that we should be prepared for the new conditions which will arise. We have only to read the papers day by day to realise that shipbuilding is being encouraged in Japan, in America, in Britain, and in other countries. The result will be that competition for freights is going to be exceedingly keen by and by, and, as a result, they will be low. We are aware that, as a result of the war, new industries have been established in Australia, and some in Queensland I am glad to say; but there is room for a further development, and it would be wise that some inquiries should be made into these matters in order that we may embark on industries that this State is competent to encourage, and that we may understand what particular commodities our people should be urged to produce. I take it that there is scope for the fullest and freest inquiry in this direction. There is a boundless vista opening before us, and the question for us to solve is how we may encourage the starting of industries which are likely to prove permanent. Inquiry into these matters will require the services of our ablest business men. The Government have already determined to undertake the iron and steel industry. But what about all the allied industries? Why not endeavour to establish some of those industries here also? What about the manufacture of farm implements, which should be manufactured in Australia? Is there not room for inquiry in that direction, and into the protection that should be given to make that industry permanent and safe? I think there is not an hon. member of this House who will not agree with that view. Particular attention is being given by the Department of Agriculture to the sowing of cotton seed. Under the abnormal conditions existing at the present time, the growth of cotton is worthy of consideration, but the moment you remove those conditions you are face to face with possibilities which must be taken into account. We know that encouragement is not only being given to the growth of cotton but also to the manufacture of cotton goods;

[*Mr. G. P. Barnes.*

but unless we take into consideration the conditions that will arise in connection with the continuance of any industry that may be launched as a result of the growth of cotton in the State, we cannot feel certain as to the prosperous continuance of such an industry. We must not forget what happened at Ipswich in days gone by in connection with the cotton industry, and the industry may fall off again. You, Sir, as an old business man, are aware that cotton goods are imported practically free of duty. If we are to be successful in the industry, some protection will be necessary. I just mention these two industries—the manufacture of iron and steel and cotton—and the encouragement that is being given to their establishment by the Government, to show that it is the duty of hon. members on the other side to support, if not the original motion, certainly the motion as I propose to amend it. I think that every well-wisher of Queensland must wish to see industries developed on broad lines. At present we are not a manufacturing State, nor is Australia a manufacturing country, to any great extent. Still, during the last three or four years the development in this direction has been most pronounced. Business men know the development that has taken place in the confectionery industry. Is it not likely, if that industry is to become permanent, that there are aspects in connection with it that should be inquired into? Glass is also being manufactured in Australia now to an extent unknown in pre-war days. There has also been a very considerable development in the manufacture of woollens and blankets. There is a very wide field there for development, and there is room for inquiry as to how far the industry can be extended. It seems to me that in directions such as I have named—and there must be many other directions—the very fullest inquiry is needed, and the hon. member for Drayton is to be congratulated on bringing this matter before us. I have noticed how attention is being given by the British Government, and by the Federal Parliament, to the introduction of further industries, but that does not go to say that our motion may not be beneficial and acceptable. We are moving on right lines when we awaken to the aspects, not only of the industrial side of our life, but to the development of the production we are able to bring about. In to-day's "Telegraph" the following remarks by the Acting Prime Minister, Mr. Watt, are reported:—

“Melbourne, 13th June.

“The acting Prime Minister (Mr. Watt) yesterday said that two applications recently had been received for the establishment of new industries in Australia, with the aid of British capital. On 13th May the Treasury agreed to the registration of a company, which was being formed in Victoria, to carry on in Melbourne wool-scouring, wool-combing, weaving, and spinning operations, and the manufacture of yarn generally. The capital of the company would be £150,000, of which £120,000 was to be subscribed in cash. Of the latter sum, £77,000 would be subscribed in Australia, and the balance by certain English manufacturers of yarn in England, to pay for the machinery obtained there. No reply yet had been received from the British Treasury to the application to allow £43,000 to be raised in England.

"Another company, registered in Victoria, with a capital of £300,000, proposed the manufacture, mainly from Australian products, of white lead, various classes of paints, and lead and zinc products,"

and so on. Why should we not be doing that? Are we to allow the consideration of these great matters to be dormant, when we should be up and doing? We are surely interested in the development of our country, and here is the opportunity for us to put a spoke in the wheel. Without dwelling further upon this matter, I am sure that the House will unanimously agree that the motion is one that should receive the confirmation, not only of the House, but of the whole of the people of Queensland. There was, perhaps, too much consideration given to this aspect of it this afternoon—I will admit that there is a necessity to inquire into the industrial conditions. Look how industrial matters are clashing under the different awards of the Commonwealth and the State. Is there not room for inquiry on that score? We hope to see Queensland develop, and if there are any anomalies in the way, surely we will be at one in having them removed. If there is a better way to be found, I take it that it is our duty as legislators who profess to be leading the way for the people, to show the way and help them. I have extreme pleasure in supporting the original motion, and in moving the further amendment. I am sure the hon. member for Brisbane, judging by his later remarks, made a good speech on the whole, but it was spoilt by the general party references. But I will forgive him for all he said in that connection, considering the high national note which he struck at the end of his remarks.

Mr. SIZER (*Mundah*): I have much pleasure in adding a few remarks on the motion, and in support of the amendment, which makes it more comprehensive. I could very well agree with the latter portion of the speech made by the hon. member for Brisbane, in which he voiced such high national ideals. I think that a motion like this should be dealt with, not so much from a party as from a national point of view, in the broadest sense. We have to consider many things, because we have an opportunity to make or mar our position in the future afforded us, unfortunately, by the war. Owing to the war we have suffered a lack of commodities and essentials which were produced by enemy countries of to-day. Aniline dyes, amongst many other things, were wholly in the hands of the enemy, and we have now an opportunity to capture a large portion of that trade. We have to bear in mind that we are yet a very small number of people, about 5,000,000, and that if we go in for an extensive scheme of increased production we must have a bigger market than our own market, because 5,000,000 people will not support very big industries. Therefore, it is essential to go into the question of immigration, but that is outside the scope of this motion. Following on that, we must also provide work for those people who are attracted to these shores. I think the proposed commission should direct its attention to the matters mentioned by the hon. member for Brisbane. We have to admit that, unfortunately—there may be reasons attributable to both sections of the community—we have not

the industrial peace we all desire, and we should be much better off if it were possible to eliminate the industrial unrest there is to-day. With that object in view, I think this commission could spend a considerable time in getting down to the basic objections to industrial legislation of to-day. We know that the courts are presided over by men of legal mind. I do not know what experience such men have to give an award which is likely to encourage production in any particular industry. I think it is a question as to whether it would not be advisable to get an impartial man, not a man who to-day is employed in some business, but a man with a thorough business knowledge of some particular trade, to preside over the court which deals with that trade. I am inclined to believe that we should get far better results if we had a man trained in one particular trade judging complaints and fixing awards for that industry. Such a man would be more likely to frame awards which would improve the industry. I agree that the judges of the Arbitration Court are quite competent to interpret the law, but the fact remains that it is not so much a matter of interpreting the law, which may be made elastic or rigid, as of framing awards which may make or mar an industry. There is a lot to be said in favour of the argument that an impartial man with a proper knowledge of the industry should be appointed to frame awards.

We might also go into the question of the overlapping of awards. That is a very serious problem, and is becoming more serious as time goes on. The further one goes into the matter of industrial legislation, the more he is convinced that where two authorities deal with the same matter there is a liability of complications arising. There is no doubt that many misunderstandings and many breaches of awards by both sides are due to the fact that people are not aware that they are breaking the award. They may be endeavouring to comply with what they think is a Federal award, when, as a matter of fact, the award is one that has been fixed by the State Arbitration Court. We have so many industrial courts that we hardly know where to go. The time is coming when we must either have all industrial legislation in the hands of the State or have it in the hands of the Commonwealth. I am not exactly prepared to say which would be the more beneficial, but there is no doubt that industrial legislation cannot stand dual control. Dual control always leads to complications, complications lead to breaches of awards, and breaches of awards lead to the greatest of all the causes of industrial unrest—that is, class hatred. We see one side triumphant over the other side, and the latter endeavours to get revenge, and, if they succeed, the other side then seek to get their revenge; so that there is constant turmoil. Capital cannot do without labour, and labour cannot do without capital; they are part and parcel of each other.

Mr. SMITH: Does not labour create capital?

Mr. SIZER: Possibly; but we must bear in mind that the man who is at the head of a business concern, and is managing director, has to put all the brains he possesses into that business, and in that way he works just the same as the man who does pick and shovel work. The man who guides a ship may not stoke the fire, but he has the

Mr. Sizer.]

wheel, and he does just as much work in connection with the ship as anyone else, possibly more; because if he wrongly guided the ship it would go on the rocks, and directly it went on the rocks the bottom would be knocked out and the ship would sink, and all those dependent upon the working of the ship would be out of work. That man is in a very important position, and is doing a big amount of work to assist production, and he is entitled to his share of remuneration, for he is helping to create capital. But I do not think that the hon. member who interjected meant men who do such work. The fact remains that labour and capital are part and parcel of each other, and that both are essential for the welfare of the community. If you have a cog out of a wheel it will not run smoothly, but will jerk, and labour and capital must work amicably together in order to secure success. If they do not, then unanimity will be destroyed, and that will throw the whole machine out of gear. We could very well spend a lot of time in endeavouring to find some means whereby we can get over objectionable matters in this respect.

A lot can be said in favour of co-partnership and co-operation. I am inclined to think that eventually we shall be compelled to realise that we shall have to adopt the system of profit-sharing. It has worked successfully in other countries, and no greater example of the success of the system can be found than Lever Brothers, at Port Sunlight. Those works are operated purely and simply on the profit-sharing system. The workers live under the most ideal conditions possible; they have their own town, Port Sunlight; they get the best of wages; and afterwards have a share of the profits; and they can, if they wish, demand to see the books in order to ascertain if they are getting their fair share of the profits.

AN HONOURABLE MEMBER: What share are they allowed?

Mr. SIZER: They have a fair share of the profits; but the point is not what share they get. If you adopt the system, you can always adjust the fine points of it. The system is an incentive to men to work.

At 7 o'clock the House, in accordance with Sessional Order, proceeded with Government business.

WAYS AND MEANS.

RECEPTION OF RESOLUTION.

The TEMPORARY CHAIRMAN (Mr. Smith, *Mackay*) brought up the resolutions reported from the Committee of Ways and Means on Wednesday, the 12th instant.

On the motion of the HON. W. N. GILLIES, the resolutions were received and agreed to by the House.

SUCCESSION AND PROBATE DUTIES ACTS AMENDMENT BILL.

FIRST READING.

On the motion of the HON. W. N. GILLIES, this Bill, founded on the resolution, was introduced and read a first time. The second reading of the Bill was made an Order of the Day for Tuesday next.

[*Mr. Sizer.*]

STAMP ACT AMENDMENT BILL.

SECOND READING.

HON. W. N. GILLIES: In rising to move the second reading of this Bill, I wish to say that I am somewhat surprised at the opposition shown to a measure of this kind. Of course, it is only natural that certain people should object to all forms of taxation. In fact, it has been said that all forms of taxation are objectionable. It would be a very good thing if the Government could repeal all measures involving taxation instead of having to impose fresh taxation. It is not a pleasant thing to have to impose taxation, although some hon. members indicated that it gave the Government a great deal of pleasure to extract what they called blood and more blood. I would like to point out with regard to the stamp duties that in New South Wales some years ago—in 1907, to be correct—Mr. Carruthers thought he was doing a very wise thing in repealing a part of the New South Wales Stamp Act. They wiped out the duty on receipts of all kinds, the duty on cheque book forms and on promissory notes, and Mr. Waddell, who was Treasurer at the time, said the wiping out of those forms of taxation would involve the annual loss of £150,000. That Act was re-enacted and brought up to its present form by an anti-Labour Government since the war broke out, so it will be seen that though it may be a popular thing to wipe out any form of taxation, it is not possible to do it at the present time. I would like to say that, generally speaking, the Bill is popular with the trading and commercial people. It removes misunderstandings and anomalies, and provides exemptions which should make it popular. It is not sought to raise a great deal of additional revenue by means of the amendments brought in, and probably the total amount of additional revenue will not be more than £25,000. It is proposed to do away with stamp duty on all receipts for wages and salaries up to £400 per annum. I think that is an innovation which should appeal to hon. members. The hon. member for Drayton, when speaking in connection with this taxation both this year and last year, said that this was a form of taxation that would relieve the people in the city and impose fresh taxation on the people in the country.

Mr. BEBBINGTON: A man in receipt of £400 can afford to give a receipt for his wages.

HON. W. N. GILLIES: People in the country get wages as well as the people in the cities. I regard this proposal just the other way about. In my opinion the people who have large business transactions in the city will pay most of the stamp duty. One particular matter that I should like to refer to and one which should appeal to the hon. member for Drayton, being a country representative, is that hitherto cash sales very largely escaped stamp duty. I have often wondered why the small country storekeeper who sends out his bills monthly should be compelled to pay stamp duty while large firms like T. C. Beirne and others, who sell for cash over the counter, were not called upon to pay on cash sales. We are going to make the Act absolutely water-tight, so that all amounts, with the exemptions I will mention presently, will pay stamp duty.

Mr. GUNN: Will you have to stamp a verbal receipt? (Laughter.)

HON. W. N. GILLIES: We are not compelling people to stamp verbal receipts, but we are doing something which is of very great importance—we are doing away with verbal receipts and are compelling people to give paper receipts. Under the existing law a person was only compelled to give a receipt when asked, while this Bill makes the issue of a receipt compulsory and such receipt must be stamped.

Mr. GUNN: If I were to give a beggar a half a crown he would have to give me a receipt. (Laughter.)

HON. W. N. GILLIES: I may say that this Bill is practically identical with the one introduced twelve months ago by Mr. Fihelly. In fact, the only important alteration made in the Bill is in regard to the schedule dealing with receipts, and in my opinion they are more liberal as I propose them. For instance, Mr. Fihelly proposed to exempt all receipts under £2, and then to make the duty 2d. from £2 upwards. I propose to exempt all sums under £2, and then to make the stamp duty 1d. for receipts for all sums up to £5. I think that is a concession that should appeal to the hon. member for Drayton, because he knows very well that people in the country making small transactions will benefit very largely by the exemption. As to contracts, it is sought to relieve the commercial community and the public generally of a lot of misunderstanding, and to make everything absolutely clear as to what the duties of the trading public are. The duty now stands at 2s. 6d. on all contracts, whether great or small. That presses very heavily on people who have small agreements, and we propose a sliding scale of 6d. for every £20 with a maximum of 5s., so that it will be necessary for a contract to involve £100 before the present duty of 2s. 6d. under the existing Liberal legislation becomes payable. The exemption of an agreement or memorandum the matter whereof does not reach the value of £5 is retained, and all other agreements not for value carry a fixed duty of 2s. 6d. as at present. I do not think it is necessary to explain again the schedule with respect to receipt duty; that has been made quite clear to the Chamber. I want, however, to repeat this: that we are going to make cash sales carry stamp duty, and the giving of a receipt compulsory. Duplicates or any further receipts, which hitherto have carried stamp duty, are to be exempt, with necessary safeguards. Another exemption is receipts for wages which would amount to £400 a year. In future, as I have already stated, it will be necessary to give receipts for every sum of £2 and upwards, but receipts given by church and charitable institutions for donations are exempt.

When Mr. Fihelly brought in this Bill last year it was pointed out that under the existing Act, passed by a Liberal Government, stamp duty to the amount of £10 10s. was imposed on apprenticeship agreements, such as for legal clerkships, and so on. That was wiped right out in Committee on that Bill, and, respecting the wishes of the Committee, I have not reintroduced it. I propose in future, as in the last Bill, a new duty of 2s. 6d. on agreements to learn a profession—solicitors, surveyors, chemists, dentists, and the like.

Another alteration which is proposed in the existing law is to impose a duty on all conveyances, whether of freehold or leasehold. That, to my mind, is an important thing, and a fair proposal, too, because, if a man has much leasehold property and sells it, why should he not pay the same amount of stamp duty as the man who deals purely in freehold? We propose, therefore, to charge 15s. per cent. on conveyances of land, whether freehold or leasehold, and also to include stock. Hitherto it has been found that people disposing of leasehold property carrying stock, when disposing of them together, have placed a very high value on the stock and a very low valuation on the leasehold, in order to evade conveyance duty on the leasehold, and the only safe way, and a fair way, in my opinion, to avoid that is to make them both pay the same. At the present time the charge on leasehold is $\frac{1}{2}$ per cent., and on freehold $\frac{1}{4}$ per cent.

Mr. BEBBINGTON: Could he sell his stock by taking them off the station and avoid stamp duty?

HON. W. N. GILLIES: If he sells the stock apart from the property, of course he avoids paying the 15s. per cent. We have no desire to impose conveyancing duty on people selling stock, driving them off the stations, and then selling them, but where the stock is sold with the property the only way to safeguard the revenue and compel people to pay a fair and reasonable amount is to treat the stock with the property.

All agreements for the sale of property will be chargeable with a conveyance duty, which is in accordance with the English law. New duties include that on declarations of trust, which is a very necessary provision to ensure the production of these arrangements at the Stamp Office. I have made a slight alteration with regard to powers of attorney, and there is another slight alteration which I propose to make in Committee. Powers of attorney under seal were liable as deeds, and if under hand only carried a fixed duty of 10s. I realised that this might press unduly hard on people taking up land—that is, farmers engaging another farmer or a relative to apply for a selection for him under the Land Act, and that it might be an unfair thing to impose a duty of 10s. on that man, because it would be discouraging land settlement, which we desire rather to encourage in every possible way. I noticed that myself when going through the Bill, and I have provided an exemption of powers of attorney under the Land Act. I also propose to make another small amendment with regard to proxies for shareholders in co-operative companies. It has been pointed out that a proxy is really a power of attorney. My learned legal friends on the other side will understand that, and that being so, it is a fair thing to allow shareholders who are giving powers of attorney to give them without making them liable as such. It will affect many shareholders in co-operative companies, including dairy companies.

Mr. VOWLES: What about proxies at insolvency meetings?

HON. W. N. GILLIES: There are other forms of proxies, but I think that a general exemption would be a rather dangerous thing. However, that matter can be discussed in Committee, and if the hon. member can show me that other forms of proxy should be exempt and it would be a hard-

Hon. W. N. Gillies.]

ship to have all pay the stamp duty of 10s., I will consider the matter. With regard to settlements, the old schedule is repealed, and a more comprehensive schedule, such as that in force in New South Wales, is substituted. Declarations of trust will be included, and the duties will take effect on them. With regard to policies of insurance, the old schedule is repealed, and the duty increases from 1s. on an amount between £50 and £100, to the extent of 1s. on each £100 up to £1,000, and over £1,000 at the rate of 2s. for each £100. The duty on fire policies is reduced from 1s. to 6d.

AN OPPOSITION MEMBER: Do the Government pay on their policies?

HON. W. N. GILLIES: Yes, the Government pay on their policies. Each renewal carries 3d. per cent., and we propose to make it 3d. per cent. per annum. The other provisions of the Bill are largely machinery, and I don't think there is any occasion for me to speak any further, only to call the attention of the Chamber to a meeting of the Chamber of Manufactures, as reported in the daily Press of 14th May, 1918. I give this "tip" to the Legislative Council—

"Mr. Walters asked the secretary what was the stamp fee for an indenture.

"Mr. Benjamin said that it was £1 1s., and in the amending Act thrown out by the Council 2s. 6d. was proposed.

"A member: Why did the Upper House throw it out?

"Mr. Stafford: Cussedness. (Laughter.)

"Mr. Benjamin: Force of habit. (More laughter.)"

I am quite sure when the Chamber of Manufactures realises that this Bill promises a certain amount of relief acceptable to them, and the Upper House evidently did the wrong thing, in their opinion, in throwing it out, we are quite satisfied the Bill will go through this time.

MR. MORGAN: Why should they take any notice of the Chamber of Manufactures any more than of anybody else?

HON. W. N. GILLIES: It is a very important body.

MR. VOWLES: They were referring to one clause in the Bill only.

HON. W. N. GILLIES: They have to take the good with the bad. Generally speaking, I think this is a very good measure, and brings about a long-needed reform. I have pointed out before that it is twenty-four years since this Bill was amended in any way, and I am quite sure that the Bill will go through and reach the statute-book of this State. I have very much pleasure in moving the second reading.

GOVERNMENT MEMBERS: Hear, hear!

MR. MACARTNEY: I don't suppose it is necessary to discuss the second reading of this Bill at any length. Practically, all that can be said has been said in the earlier stages, in the consideration of the taxation proposals of the Government. It is, perhaps, a Bill that can best be discussed going through Committee. But, again, I feel that we are at a disadvantage in not having a precise statement from the Minister of the

differences to be found in this Bill as against the Bill that was introduced and discussed here last year.

HON. W. N. GILLIES: If the hon. gentleman had been in the Chamber when I spoke, he would know that I made that very clear. The only important difference is in the schedule, with regard to receipts.

MR. MACARTNEY: Otherwise the Bill is a verbatim copy of the other?

HON. W. N. GILLIES: Practically the same.

MR. MACARTNEY: If I understand that that is so, it will simplify matters very much. If, when the Bill goes into Committee, the Minister is prepared to show us, as we go along, that there are no differences, it will help us very much in getting through the business. After all is said and done, the matter was fully discussed last year, the record is to be found in "Hansard" of last year, and, generally speaking, the general provisions were discussed in the earlier stages. Under the circumstances, I don't propose to enter into any of the details of the Bill just now. I trust when we get into Committee the hon. gentleman will give us the information I have asked for.

MR. ELPHINSTONE (*Oxley*): The Assistant Minister for Justice certainly can be complimented on the fact that this Bill does remove a great many misunderstandings. It makes many points clear that were clouded in mystery in the previous Act—which, he says, is somewhat antiquated—but, as I will endeavour to show during the course of these proceedings, there are still many provisions in this Act which are still clouded in mystery; and when this Bill passes into Committee I propose moving a few amendments, with a view to calling attention to these anomalies. The Minister has referred to the fact—or has, rather, made a statement—that this Bill is popular with the trading community. I think when we are in Committee I will be able to show that, in one section at any rate, it is most unpopular with the trading community. He has made capital out of the fact that the Chamber of Manufactures has criticised another House for having turned down this Bill on account of one particular provision in it being in their favour; but he has nothing to show that a large number of other incidents of this Bill are distinctly contrary to their wishes. I would also call his attention to the fact that the Chamber of Commerce, when this Bill was last before the House, passed some very stringent criticisms on certain provisions in this Bill. If he cares to inquire as to the commercial standing of those two chambers, I think he will find that the views of the Chamber of Commerce probably are rather more important than those of the other. He has referred to the question of proxies. The only proxy that he endeavours to give relief to is the proxy associated with co-operative companies. I would remind him—possibly he is not aware of it—that proxies are the usual means of representing absent shareholders in every company meeting; and if this relief is to be extended in connection with co-operative companies, I contend it is only reasonable that all commercial companies should have the relief extended to them; because if you look at the shareholders' lists in many of our companies you will find that they consist of great numbers of that smaller class of investor which the Assistant Minister is so

[*Hon. W. N. Gillies.*]

anxious—and as we are, too—to protect. I would also like to ask him, before we go into Committee, whether the Government, in its trading undertakings, does stamp receipts? I am given to understand, and my experience of it is, to the contrary. I have in my possession a receipt for an insurance premium which bears no stamp; and as I purpose moving an amendment with regard to this matter when this Bill passes into Committee, I would like to know, before we reach that stage, whether the Government trading undertakings do stamp receipts.

Mr. BRENNAN: Why should they tax their own business?

Mr. ELPHINSTONE: This is a very important question. If the interjector were acquainted with the conditions appertaining to Government trading, as compared with proprietary trading, he would understand what I mean, without making an interjection of that sort.

Mr. VOWLES (*Dalby*): I desire to support the leader of the Opposition in saying that we have dealt with the subject-matter of taxation at very great length on another occasion during this debate, and we will have an opportunity, of course, of dealing in detail with the various subjects in Committee. But there are some matters that I would like to bring before the Chamber which, to my mind, are wrong and inequitable. One is the matter that the Minister referred to, and that is regarding the form of taxation that is to be charged on the sale of pastoral leases, occupation licenses, and grazing farms. It is true they are on a different scale to ordinary transactions, and only pay 10s. per centum, instead of three-quarters. As the other ad valorem duty is; but it is proposed now, by way of levelling up, I understand, as compared with the freeholder, that on all sales of leasehold country of that description, where stock is part of the consideration, that the ad valorem duty is to be paid on the stock, whether that is on the property in question or whether it is not. That does not apply to any other transaction, and if the only excuse is as given by the Minister, all I can say is that the department has not been administering the Act in the direction in which it could. They have the power to fix values if they think the valuation submitted is unjust. They have power to go further, and compel a person who objects to it to go into the fields. If they have not been doing that, and the department has not complained, why should the general public be penalised: because it is a very big penalty if you have to pay 15s. a hundred on the whole value of stock in the event of the sale of a leasehold? Then, the leaseholder is placed, in that respect, in a worse position, as far as the freeholder is concerned, with a similar transaction.

Mr. BRENNAN: They pay commission agents £2 10s. a hundred, and never say a word.

Mr. VOWLES: It does not matter whether stock is sold from a leasehold or a freehold, the commission agent gets his commission just the same.

Mr. BRENNAN: Thousands of pounds.

Mr. VOWLES: It does not matter how many thousands of pounds he gets, it is an understood thing that that comes out of the

purchase money. A man makes provision for that when he is selling, and [7.30 p.m.] he allows for it in the price.

Why should a leaseholder be placed in a different position to a man who is running his stock on freehold land? Now, with regard to the altered conditions in connection with insurance policies. The rates are low, but a policy only carries on from year to year, and it has to be renewed every year, and the stamp duty will now have to be paid every year, which was not the case in the past. Once a man paid the duty on his policy, until such time as the policy lapsed and he took out another, there was no further stamp duty to pay. This will place private insurance companies in a worse position than the State Insurance Office, unless the State office has also to pay stamp duty on these renewals of policies.

Hon. W. N. GILLIES: It will have to pay, too.

Mr. VOWLES: I do not think it will. It has not had to do it in the past. If it is not intended to place the State office in a better position than insurance companies, then I am greatly mistaken. Now, with regard to the duty on powers of attorney. I am rather astonished to learn that, after all the years the Stamp Act has been in existence—after all the various transactions there have been necessitating the signing of proxies, both so far as representation at company meetings is concerned, and also in connection with meetings of creditors in insolvencies, at this late hour it has been suddenly discovered that powers of attorney require to be stamped.

Hon. W. N. GILLIES: Do you say they do not require to be stamped?

Mr. VOWLES: No; but I say that they have never been regarded as requiring to be stamped.

Hon. W. N. GILLIES: Well, if they are not liable, I will not put them in the list of exemptions.

Mr. VOWLES: In connection with the Lands Department and the holding of Land Courts, powers of attorney are issued by the thousand. I have been given any number of these powers of attorney myself, and they have never been regarded as subject to stamp duty, and the Minister has said nothing when he tells us that they are going to be exempted from the operations of the Act. If I am appointed to appear at a Land Court merely to say that I appear on behalf of a certain applicant, why should the document which authorises me to appear require to pay stamp duty? I am only appearing because the law requires each applicant to appear in person or by attorney, and these powers of attorney are given to save applicants from the expense of having to travel long distances to appear at the court. Why should such a document be considered as a transaction and be the subject-matter of stamp duty? It has never been so regarded in the past. There are other matters which are more properly Committee-matters, but I would just like to ask the Minister whether there is to be any right of appeal from the decision of the Commissioner or a deputy commissioner with respect to the amount of duty payable in any case? I find that this Bill proposes to take away that right of appeal, and I am unable to see why that right should be taken

Mr. Vowles.]

away. The right is being taken away under certain conditions, and I cannot find where it is revived in any other direction.

Mr. BRENNAN: The common law gives the right of appeal in every case.

Mr. VOWLES: If the common law gives the right of appeal, to whom does that appeal lie? The Government have denied the right of appeal from the decisions of the judges of the Arbitration Court. Well, if there is a right of appeal in every case under the common law, does the hon. member contend that there is a right of appeal from the Arbitration Court to the High Court? I do not think the hon. member will take up that position.

Mr. BRENNAN: No.

Mr. VOWLES: Then, how can the hon. member say that there will be a right of appeal from the decision of the Commissioner or a deputy commissioner under this Bill? The Bill says that section 12 of the principal Act is repealed, and that section reads—

“Any person who presents an instrument to the Chief Commissioner or any other commissioner acting alone or to a deputy commissioner for his opinion as to the stamp duty with which the same is chargeable, and who is dissatisfied with the determination of such Commissioner or deputy commissioner, may appeal therefrom to the Commissioners, who, with the Master of Titles, shall hear and determine the appeal, and if in their opinion the amount of duty paid by the appellant on the instrument is in excess of the amount properly chargeable thereon, the amount of such excess shall be refunded to the appellant.”

The DEPUTY SPEAKER: Order! The hon. member is not in order in referring to the details of the Bill at this stage.

Mr. VOWLES: I am quoting from the principal Act.

The DEPUTY SPEAKER: I beg the hon. member's pardon. I thought he was quoting from the Bill.

Hon. W. N. GILLIES: That power is still retained.

Mr. VOWLES: Then, to whom does the appeal lie?

Hon. W. N. GILLIES: To the Supreme Court.

Mr. VOWLES: Well, I am rather surprised to learn that that is so, because it appears to me that it is not the case. However, I am pleased to be told that the right of appeal is to be retained, as I do not think that any man should be allowed to give an arbitrary decision from which there is no appeal, more particularly when it is a matter of taking money out of the other fellow's pocket.

Hon. W. N. GILLIES: Whom do you refer to as the “other fellow”?

Mr. VOWLES: The person who has to pay the stamp duty. If there is a difference of opinion as to the interpretation of the Act, there should be a right of appeal to some authority. I venture to say that there are some of the interpretation clauses which will be the subject-matter of various legal decisions, notwithstanding the fact that they are framed for the purpose of meeting

[Mr. Vowles.

decisions which have been given against the department and are intended to clear up doubts which have existed in the past. With regard to the revision of taxation on ordinary documents, the principle of stamp taxation has been that an instrument is the subject-matter of taxation. Now we find that a part of an instrument is to be the subject-matter of taxation, and consequently every transaction over a certain value is to be subject to taxation. It will not be optional on the part of the parties whether it shall be reduced to writing or not; it must be reduced to writing so that it shall become liable to stamp duty. The rates have been amended with advantage in some directions, but it appears to me that it would have been far better if we had a uniform rate—say, for example, that all transactions over £5 in value should be subject to a duty of 2d., and all transactions of a less value than £5 should be exempt from duty. Then the general public would know where they stand. The people understand that the stamp duty is 1d. or 2d., as the case may be; but here we have a scale of different charges.

Hon. W. N. GILLIES: There are only three rates.

Mr. VOWLES: But look at the penalties that are to be imposed because a man happens to be ignorant with respect to those different rates. If a document bears a man's signature and it has only a 2d. duty stamp on it instead of a 3d. stamp, he will be hauled into court and subjected to a heavy penalty. If there was one uniform rate of duty, there could be no misunderstanding.

The TREASURER: We want to avoid costs if we can.

Mr. VOWLES: There is not much in that, because the only people who make anything out of costs are the Crown Law Department and their nominees. However, I have dealt with the matter on other occasions, and I do not propose to take up any further time. I will deal with the various clauses in Committee, when I will have amendments to move, and I hope that, as those amendments are reasonable, the hon. gentleman will give them every consideration.

The TREASURER: If they are reasonable.

Mr. VOWLES: I hope one of these times to be in a position to be able to say that hon. gentlemen opposite are reasonable; I have never had an opportunity of saying it yet.

The HOME SECRETARY: You congratulated him last time.

Mr. VOWLES: It must have been the Minister who is interjecting whom I congratulated, because I do not think it likely that I could congratulate anybody else. (Laughter.)

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

COMMITTEE.

(Mr. Foley Mundingburra, in the chair.)

Clauses 1 to 6, both inclusive, put and passed.

On clause 7—“Amendment of section 9: Inspection of documents”—

Mr. VOWLES moved the deletion, on lines 41, 42, and 43, of the words “all or any instruments, documents, or writings relating to all or any business transactions in the

possession or under the power or control of such person," and the insertion in lieu thereof of the words "any specified instrument chargeable with stamp duty which he has reason to believe has not been sufficiently stamped."

Mr. O'SULLIVAN: That will leave a very great loophole.

Mr. VOWLES: No; it will not. The object was that if the department wanted to attack any particular document they would have all the power they required to get the production of the document for inspection and impounding it for duty. He objected to the Commissioner being able to go into a man's business premises, and under the guise of looking for a document to have access to any papers he thought fit.

Hon. W. N. GILLIES: What do you think the officers go in there for?

Mr. VOWLES: There was a desire in some cases when the officers went into a man's business place to get all the information they could that might be of any use to them. The power to inspect should be limited to specific documents. He trusted that the Government would not allow a man to be placed in the position that an official could go into his business place and inspect his private documents, merely for the purpose of spying on his private affairs, under the plea that he was doing it for stamp duty purposes.

Mr. MACARTNEY: He hoped the Minister would accept the amendment, or some modification of it. This was a very peculiar power to place in the hands of an inspector, because not only could use be made of it as suggested by the hon. member for Dalry, but it might mean very serious inconvenience. For instance, if the department decided to make an investigation of the strong-room of any big institution, it would mean the detailing of a member or members of the staff to wait upon the inspector, and probably having to spend days, a week, or even a month in overhauling documents. There was an objection to giving such a wide power.

Hon. W. N. GILLIES pointed out that a similar provision was included in the Land Tax Act. Notwithstanding all the talk about inquisitorially prying into people's private affairs, there was no desire on the part of the Government to do that. Without arming an inspector with these powers it would be impossible to administer the Act and deal with those who tried to evade doing the right thing. He could not, therefore, see his way to accept the amendment.

Mr. MOORE thought the Minister was ill-advised to take such a stand. Under this provision an inspector could go on a fishing inquiry. Inspectors sometimes showed a spirit of vindictiveness, and if they wanted to "get at" a certain firm, all sorts of unpleasantness might accrue. It had happened before that an inspector had used the power given to him to the very fullest extent and caused as much trouble to the employer as possible. A reasonable search would not be objected to. The Commissioner should know and specify what document he suspected of not being stamped. With this authority an inspector could make himself as unpleasant as he liked.

The TREASURER: He could exercise a common-sense discretion.

Mr. MOORE: An inspector might not be gifted with a common-sense discretion. The Minister should limit the power to a reasonable extent.

Mr. G. P. BARNES: The request made in this matter was certainly fair and reasonable.

The TREASURER: An honest business man need have no fear under this provision.

Mr. G. P. BARNES: It was not a question of honesty; it was a question of the advisability of giving such wide powers to an inspector. It was reasonable and right that if some specific document was wanted it should be produced, but why should all receipts in an establishment be forthcoming in order to satisfy the whim of the department or an inspector? Such a proposal was unfair, and he hoped the amendment would be accepted.

Mr. BRENNAN: The clause would give a general authority to an inspector to go to a man and ask for a particular document or for the information he required in order to make an investigation for a particular purpose. The inspector might want a man to produce all his receipts for six months, and that would be a reasonable thing. He hoped the clause would be retained.

Mr. MORGAN: It was quite true, as the hon. member had said, that this clause gave a general authority to the department or an inspector, and that was what was objected to. An inspector should not have a general authority to go through the whole of the papers of a business man in order to see whether the law had been complied with. Such a thing would do away with all privacy. If a man had cyanide on his place and used it for the poisoning of cattle, a search could not be made for that cyanide without a search warrant, but under this provision an inspector could go along and ask for the whole of a business man's papers. Among the inspectors there might be men who would take advantage of the information they obtained. Such things had occurred, and might occur again, and the Government should not give the opportunities for their occurrence. The clause placed too much power in the hands of the Commissioner or an inspector.

Amendment (*Mr. Vowles's*) put and negatived.

Clause 7 put and passed.

Clause 8—"Repeal of section 12"—put and passed.

On clause 9—"Amendment of section 16"—

Mr. MACARTNEY asked if the words "with intent to defraud Her Majesty," which were proposed to be repealed, were in the Bill of last year?

Hon. W. N. GILLIES: Yes, I believe so.

Mr. MACARTNEY: It seemed to him that the repeal of those words in section 16 of the principal Act might lead to a certain amount of hardship. A mistake might very easily be made without any intent to defraud His Majesty, and yet such a mistake would, under this provision, be held to be an offence. Did the hon. gentleman think it necessary to omit those words from section 16?

Hon. W. N. GILLIES: He thought the words should be taken out of the section of the principal Act, as it was quite impossible to prove "intent."

Clause put and passed.

Hon. W. N. Gillies.]

Clause 10—"Repeal of section 25"—put and passed.

On clause 11—"Amendment of section 31"—

Mr. ELPHINSTONE: He wished to point out a little matter which, if amended, would considerably simplify the translation of the clause. The object of the clause was to add the words, "on sale," after the word, "transfer," in section 31 of the principal Act. The intention of the Minister, [8 p.m.] he took it, was to see that all transfers for shares which were registered at a company's office should be impressed with a stamp, and not have an adhesive duty stamp attached, so that all transfers which were by way of gifts would come under the Commissioner's notice, so that he may assess what stamp duty was necessary.

Hon. W. N. GILLIES: That is right.

Mr. ELPHINSTONE: That was quite reasonable, but he would call the Minister's attention to the second paragraph of page 9 of the principal Act, in which he would see that the duty on the transfer of shares or stock may be noted by an adhesive stamp. Therefore, the protection the Minister was asking for in the first paragraph of section 31 was taken away by the third paragraph of that same section, and therefore the words, "on sale" should be added in that paragraph just as in the first paragraph.

Hon. W. N. GILLIES: Does the hon. member wish to forecast an amendment?

Mr. ELPHINSTONE: No. He simply placed the matter before the Minister with the view of elucidating matters.

Mr. VOWLES said, before the clause was put, he would like to hear the views of the Minister in regard to the question raised.

Mr. ELPHINSTONE: The leader of the Opposition had pointed out to him that the alteration was in the last paragraph of clause 31, and therefore that materially altered the interpretation.

Clause put and passed.

Clauses 12 to 19, both inclusive, put and passed.

On clause 20—"Amendment of section 49"—

Mr. VOWLES: He wished to move, as an amendment, the deletion of clause 20 altogether.

The TEMPORARY CHAIRMAN: I cannot accept that amendment. The Committee may negative the clause, if necessary.

Mr. VOWLES: That was so. But he would like to impress upon the Committee that that was altogether a new basis for obtaining revenue. It was putting the leaseholder on a far different footing to the freeholder, inasmuch that when he sold his property he had to pay ad valorem duty not only on the land portion of it but on all the live stock, movable chattels, plant, etc. That had never been so in the past, and unless it was for the purpose of extorting duty out of the public, there was no equitable reason why it should be so in the future. Why should a man who dealt in stock on freehold country be put in a better position than a

man dealing in stock on leasehold country when he sold his property? The excuse given by the Minister was a deplorable one, if he told the Committee that the reason for creating that new form of taxation was merely because of the fact that in the past the department had been robbed of duty through the fact that vendors had put in false values against the value of leasehold country. If that was so, it did not reflect very much credit on the department and its officers. They had the power, if they had that knowledge, to inquire into every one of those transactions, and they could assess an arbitrary taxation and place the vendor in the position of disproving the value by evidence given on oath. The clause was certainly going to be the means of getting a lot of revenue, and it was going to place the owners of stock in the position that they would have to pay duties which the Crown, which was competing against them, as far as the sale of cattle was concerned, would not have to pay. It was an innovation pure and simple, and the Committee should stand up against it and not allow a new principle like that to get on the statute-book. Ad valorem duty was chargeable in respect of the sale of an hotel or property. Where there was goodwill they charge ad valorem duty on the goodwill portion and the chattels go free. It was only in respect of the cash transactions that they charged even under those conditions, and under that clause a man could sell his cattle off leasehold country and simply pay 2s. 6d. or 5s. stamp duty; but if that man sold the whole of his stock with the land, he would have to pay 2 per cent. on the whole value of the stock, together with the whole of the plant, etc. He sincerely trusted that the Minister would not inflict that new class of taxation on the public.

Mr. BRENNAN moved the insertion, after the word "delivery," on line 11, of the words "or by or pursuant to any writing or instrument or in any other manner." An interjection was made by a member of the Opposition pointing out that if the stock were sold separately it would not be necessary to pay stamp duty. Of course, if they were sold under separate instruments, that point might arise. By putting in the amendment, they provided that if the transactions were contemporaneous duty should be paid, and would prevent any squatter or other person purchasing the land from evading stamp duty. It was very material to provide that if there were two documents, one for the lease and one for the stock, the latter should be considered as part of the original document and liable to stamp duty.

Mr. MACARTNEY: This was one of the department's provisions to prevent evasion of which they heard so much, with the intention of making the law a little harsher than it was, if possible. The clause seemed to be directed particularly against the pastoralists and grazing farmers, and he would like to have some explanation from the Minister as to why that class of person should be selected whilst there were other classes of persons who made dispositions which operated in the same way and who, perhaps, were not touched. He would like to know whether under any other parts of the Bill those persons were caught, too. Take the proprietor of an hotel who sold his lease together with the stock and furniture. Were

[Mr. Elphinstone.]

the stock and furniture caught in the same way as it was proposed to catch stock under the present clause? If the Bill were for the purpose of putting taxation on a particular class of the community—

HON. W. N. GILLIES: There is no intention to put a tax on any part of the community.

MR. MACARTNEY: Did he understand the hon. member to say that the Bill would apply to hotelkeepers?

HON. W. N. GILLIES: Look at page 15, lines 35 to 40.

MR. MACARTNEY: I find—

“Lease of any kind not hereinbefore described—

For every transfer or cancellation of any lease (other than a transfer of any run or station held under lease or license from the Crown, or of any interest therein), one-half the amount of lease duty originally paid, and conveyance duty on the consideration paid for the lease, license, and movable chattels included in the transaction.”

Did he understand the hon. member to say that would catch the stock and furniture of the hotelkeeper?

HON. W. N. GILLIES: Yes. At least, I presume so.

MR. MACARTNEY: And would it catch the transfer of a business from one person to another where there was a large stock in trade? (Laughter.)

THE TREASURER: You do not seem to understand it. (Renewed laughter.)

MR. MACARTNEY: At any rate, the amendment was being made because it was said that duty was not being paid which ought to be paid. If conveyance duty had not been paid where there was no conveyance, how could it be argued that there was evasion? If there was never a document, there was no duty on it, and so there could be no evasion. The idea of the Bill was to conserve to the department the revenue which they should have got before, but they were never entitled to the revenue before under the provisions of the Stamp Act.

HON. W. N. GILLIES: We claim that we were entitled to it.

MR. MACARTNEY: The hon. member could not suggest that. He knew that there was a duty on a conveyance before, but that was if there was a conveyance. In respect of those matters, there never was a conveyance unless the purchaser asked for it.

HON. W. N. GILLIES: There was a conveyance on leasehold.

MR. MACARTNEY: There was for registration purposes, but if a man sold stock apart from the leasehold, no conveyance was necessary, because the stock passed by delivery. Therefore there was no duty in respect of it. Was it not better to come right out into the open and say that the new duty which was being imposed was being imposed on a particular class of transaction? It was called conveyance duty, but it was not going to be imposed on the conveyance, but on the contract. Was not it an indirect method of punishing a particular class of the community? Was it not in accordance with the

declared intention of the Government to make a particular class in the community squeal?

HON. W. N. GILLIES: A very poor class.

MR. MACARTNEY: It might be a very useful class just now—(hear, hear!)—but things might not always be the same. Surely stamp duty was a duty intended to be collected on different classes of instruments in existence, at rates according to the opinion of the Government for the time being as to what was good for the business and commerce of the State. What was the idea of transferring that duty from conveyance back to contract?

HON. W. N. GILLIES: On two different occasions he had endeavoured to make it very clear to the House and the Committee as to what the object was. (Laughter.) The laughter of the hon. member for Murilla reminded him of the beautiful words of Goldsmith, which he would not quote at that stage. (Laughter.) If he would be serious for the moment and look after his friends the squatters, he would endeavour to explain what the object of the amendment was.

MR. MORGAN: I am not ashamed of the squatters.

HON. W. N. GILLIES: No; but some of the small farmers were ashamed of the hon. member, at any rate. It had been found in the past that pastoralists holding leasehold property, in order to evade conveyance duty and help other people who came within the scope of the Act, put a very high valuation on their movable property, such as stock, and a very low one on the leasehold. In order to make the matter absolutely watertight and secure, they were putting what was, in his opinion, a reasonable conveyance duty of 15s. per cent. on the whole thing. That should be quite clear to the leader of the Opposition. If it hurt them and their wealthy friends, he could not help it.

MR. MACARTNEY: Do you know of any other conveyance duty of 15s. in the hundred?

HON. W. N. GILLIES: On freehold property he did. They were bringing it into line with freehold. The men who were making the most money in this country at the present time were not the men who had small portions of freehold, but those who had large areas of the public estate at very reasonable rentals. There was nothing to squeal about in bringing them into line with the freeholders.

MR. VOWLES: He could not see why they should bring them into line with the freeholder. The freeholder sold his property and stock, and only paid on the value of the land, not on the value of the stock. If he were a grazing farmer, occupation licensee, or pastoral lessee, he had to pay on the stock.

MR. BRENNAN: What is the difference in the value of leasehold and freehold?

MR. VOWLES: It was not what was the difference in the value of leasehold and freehold; it was what was the dutiable value. He should pay ad valorem duty on the value of the lease, not on anything else. The same principle applied on the conveyance or transfer, on page 14. That was where it came in so far as an hotel was concerned and the

Mr. Vowles.]

furniture in it. He could not see why that particular class of persons should be penalised. There were plenty of small grazing farmers just beyond his electorate, in the Murilla electorate. They were small, modest men who lived on grazing selections in prickly-pear areas, and their land was not very valuable. They were not big squatters, as the Minister said. Many of the big squatters and grazing farmers which the Minister talked about were his own supporters, down in the St. George district, and they would not thank him for penalising them.

HON. W. N. GILLIES: That shows how honest I am.

Mr. VOWLES: The man they would get the revenue out of eventually was not the big squatter but the small selector who, when he sold his property, would have to pay duty under that section.

Mr. BRENNAN: The vendor does not pay duty.

Mr. VOWLES: He knew the vendor did not pay it, but did it not come out of the transaction? Was it not like a commission? If a man was going to expend a certain amount of money, he would expend that amount and the other man had to suffer. All those deductions, whether stamp duty or commission, came out of the purchase money, and a man made provision for that when he bought. Now, this was perfectly new, and it looked like an attempt to get at one section of the community. They were failing to get at the big man, and they were going to hit the class of man it should not be the desire of the Committee to penalise in any direction at all.

Mr. BRENNAN: If the hon. member for Dalby were honest in his argument, he would say to bring the leaseholder into line with the freeholder; to pay on a leasehold the same basis of duty as on a freehold. Then possibly the Minister might consider the question of leaving the stock out.

Mr. MORGAN: The general run of occupation licenses averaged about 10s. per square mile. With 30,000 square miles the annual rent would be £15,000. Instead of the person who bought the stock taking the occupation license, it will be allowed to run out, and the Government will be put to the expense of advertising and opening it for lease once again; and the man who bought the stock would apply for the occupation license and get it.

Mr. WINSTANLEY: Not necessarily.

Mr. MORGAN: They generally did. There was so much country at present not occupied that the Government would not refuse. In his electorate there were thousands of acres which they could get under occupation license for a very small rental, which no one would pay.

A GOVERNMENT MEMBER: It is not good land.

Mr. MORGAN: It was good land.

A GOVERNMENT MEMBER: It is prickly-pear land.

Mr. MORGAN: Cattlemen were making more money on prickly-pear land than on any other land which was not infested. He thought the Government made a mistake in including occupation licenses. It was going

[*Mr. Vowles.*

to cause a lot of trouble in the Lands Department, and was going to serve no good purpose. He understood, under the amendment of the hon. member for Toowoomba, that if a man bought stock off a grazing farmer, and six months afterwards bought the lease, he would be subject to the taxation. A grazing farmer might come along and buy the whole of the cattle on an occupation license as a separate trans-

[8.30 p.m.] action, and six months afterwards that land might be offered for sale as a lease, and the same man who had bought the stock might then buy the lease. If the amendment were carried, he would be subject to taxation on the whole of the cattle he had bought six months previously. If the two purchases were made simultaneously, he could understand it. The amendment should be in such a form as to make it clear what period should elapse between the two transactions.

Mr. BRENNAN: If a man bought £5,000 worth of stock and did not remove that stock, and bought the lease later on, fraud was apparent. He was going to move an amendment to exempt under clause 9 those who removed the stock.

HON. W. N. GILLIES: He found that in the Bill introduced twelve months ago by his predecessor occupation licenses were not included. The leader of the Opposition called attention to the omission, and it was to meet the views of the hon. gentleman that they were included in the Bill now before the Committee.

Mr. MORGAN: It was a bad thing to do. I am not responsible for the leader of the Opposition. (Laughter.)

HON. W. N. GILLIES: "Hansard" showed that the leader of the Opposition was responsible for it. Last year, when his predecessor was dealing with the subject of including stock in the conveyance, he quoted the opinion of counsel, to the following effect:—

"Counsel, in a case in which Mr. Oscar Flemmich was concerned, said—

"We are not going for one moment to say that erroneous values were put down by Mr. Simpson in his declaration to defraud the revenue, but I say the avoidance of a taxing statute is a legitimate thing for every man. It has been stated by one of the judges in England that if a man can avoid, in a fair way, the taxation statute, it is legitimate for him to do so; and I submit that when a portion of the money derived from the sale of a property is subject to stamp duty and another portion is not subject to stamp duty—i.e., the stock—it is a legitimate thing to put the value of the portion of the property subject to duty as low as possible."

It was in order to deal with people who held that code of morals and equity that the clause was brought in. He repeated that the clause was a fair one, and the amendment moved by the hon. member for Toowoomba would be found to be absolutely necessary, with a further amendment to be moved in clause 25 to exclude live stock from the operations of any conveyance duty when they were sold apart from a property.

Mr. MACARTNEY: He was puzzled to find that a special provision was needed for

that particular class of property. There was a reference in the schedule to the leasing of licensed premises with the movable property that was associated with the transaction, and he could not understand the different treatment meted out to the two classes of transactions. When they looked to the provision on page 15 with regard to leases, they did not find the amendment which had been moved by the hon. member for Toowoomba. He did not know whether the hon. member intended to move a similar amendment there. It seemed to him to be quite possible for an evasion to take place in regard to that transaction, and yet the provision for that transaction was differently set out to the way in which it was proposed to deal with the transaction now under consideration. As he said at an earlier stage, if the stock-in-trade of the largest merchant in Brisbane were sold to-morrow, seeing it could be defined as "goods, wares, or merchandise," apparently it would be exempt from duty under the provisions of clause 25. Surely that pointed to the fact that that particular form of taxation was being put specially on one class of the community. He granted that, if the sale of a freehold or the sale of something that was not "goods, wares, or merchandise" were associated with the sale of "goods, wares, or merchandise," they would not be exempted under the wording of that clause. What was the difference? The idea was simply to get at one particular class in the community, and, according to the Minister, because some English judge had said that, if a duty could be avoided fairly, it was a fair thing to avoid it, and because two classes of property were included in the transaction, it was not an unreasonable thing to do to treat the property that was subject to duty as reasonably as you could. Surely that was not the sole argument for the imposition of such a heavy duty.

Amendment agreed to: and clause 20, as amended, put and passed.

Clause 21—"Collection of duty in cases of property vested by Act or purchased under statutory power"—put and passed.

*On clause 22—"Amendment of section 56: How ad valorem duty to be calculated in respect of stock and securities"—

Mr. MACARTNEY: On the ground that the imposition of conveyance duty upon an agreement affecting the sale of a property to a company that might never be in fact conveyed, that clause was open to objection. It made the duty payable on a fixed value which might not be an actual value at any time. The true basis for assessing the duty was the real or market value. It might seem strange that consideration in shares of a certain face value should not be regarded as being of a value equal to the actual face value; but there were many transactions where such was the case, and where, from the very nature of the transaction, it was necessarily so. This was only an additional burden upon transactions of the kind, and it will tend to prevent the bonâ fide miner or prospector who finds a property that he thought was of value from obtaining the capital necessary to enable him to develop and test the property.

Mr. BRENNAN: This was another example of how the Opposition were out to

defeat the legitimate legislation brought in by the Government. Every day they saw cases where benevolent wealthy gentlemen, in anticipation of death, transferred the whole of their estates to companies comprising the members of their families.

Mr. MORGAN: Like the hon. member for Maranoa did. (Laughter.)

Mr. BRENNAN: He did not care whether it was done by the hon. member for Maranoa or by anybody else. The members of the family never received one penny during the life of the donor or transferrer. The shares were held by the children only when the father died, and the object of the transaction was to avoid the payment of succession and probate duties. It was only right to make those who engaged in such transactions pay duty on the value of the property transferred to the company. The hon. member for Toowoomba knew that that was so, because he had had a considerable amount of experience, and knew that it was a fair thing.

Mr. MACARTNEY: If it was the desire of the Government to catch the duties to which the hon. member referred, he had no objection to their saying so; but he would like to draw a distinction between those duties and duty upon transactions such as he had previously alluded to, where it was going to inflict hardship upon people. He did not know whether the hon. member for Toowoomba had any experience of mining transactions. He (Mr. Macartney) had some, and he realised the difficulties with which the bonâ fide miner would be confronted. He might have a real good show, which might make it worth his while to raise some money to see if it was as good as he believed it to be. That provision was going to stand in his way. The ideal legislation for taxation, if it was really scientific, would draw a distinction between the different transactions. If it was going to have the effect in the particular transaction to which he had referred, notwithstanding the specious arguments of the hon. member with regard to other matters, the fact remained.

Clause put and passed.

On clause 23—"Voluntary disposition to a company deemed to be a voluntary conveyance"—

Mr. ELPHINSTONE called attention to subclause (51) (c) of the clause, the object of which was to give the Commissioner penal power, where he was dissatisfied with the consideration in connection with a transfer or conveyance, to have a valuation made of the property. There was no fault to find with that power; but the Commissioner, whether the value which his valuer arrived at was in keeping with the value in the conveyance or transfer or not, could charge the owner of the property with the full cost of that valuation. He moved that an amendment should be added to the subclause, reading—

"Provided that if the valuation so made by direction of the Commissioner does not exceed the amount of the consideration stated in the transfer or conveyance, then the costs of such valuation shall be borne by the Commissioner."

If the Commissioner put an unreasonable value on the property, and it was ultimately found that the owner's value was quite right,

Mr. Elphinstone.]

it was unfair that the cost of the Commissioner's valuation should be imposed on the owner, and the amendment protected the owner from any such imposition. No doubt, the Minister would accept the amendment, as it was merely doing what was intended by the Bill.

Amendment put and negatived.

Mr. ELPHINSTONE was sorry that the Minister had not answered his criticisms.

Clause put and passed.

On clause 24—“*Amendment of section 53: Directions as to duty in certain cases*”—

Mr. ELPHINSTONE called attention to subclause (5), which stated—

“No instrument of conveyance or transfer of any estate or interest in any property whatsoever except stock or marketable security shall be valid, either at law or in equity, unless the name of the purchaser or transferee is written therein in ink at the time of the execution thereof.

“Any such instrument so made shall be absolutely void and inoperative, and shall in no case be made available by the insertion of a name or any other particulars afterwards.”

He proposed to move the omission of those words. The object of the amendment was to make it impossible for speculators in land to buy large tracts of land from an owner, and cut it up and sell it in small allotments and thus evade stamp duty. That had been the practice in the past, and the Opposition did not wish to raise any objection to protecting the Commissioner in this regard. He did not think the Minister realised the revolutionary character of the subclause. They could easily imagine an exemplification where A owned property and sold to B, but B's name was not put in the transfer. B then sold it to C, whose name was filled in. The transfer might be registered in the Real Property Office, and then it was ascertained that A had gone insolvent, and C was left with no redress whatever, by reason of the transfer not having been signed, against A's estate except as a creditor in the estate.

Mr. POLLOCK: Don't you know that every commission agent knows that as soon as this Bill is passed?

Mr. ELPHINSTONE: There were a great many men who were ignorant of laws as intricate as this was, and it was only when exemplifications came before the Stamp Commissioner that the real effect of this would be understood. He would like to ask if the opinion of the Registrar of Titles had been obtained in this matter, which seemed to be very far-reaching. His object was to call attention to the danger, so that the Registrar's opinion might be obtained and an ignorant dealer in an allotment of land protected.

Mr. BRENNAN: Section 53, subsection (4), of the principal Act provided—

“Where a person having contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same to any

[*Mr. Elphinstone.*

other person, and the property is in consequence conveyed immediately to the subpurchaser, the conveyance is to be charged with ad valorem duty in respect of the consideration moving from the subpurchaser.”

It meant that if you bought a piece of land and entered into an agreement, having an idea to gamble with the land on account of a railway being passed through Parliament, leaving it optional on your part to complete in three months' time, but binding on the vendor you paid half a crown stamp duty, you could come along afterwards and get the name of a person who paid £500 filled in and that person would have to pay the stamp duty, but the man from whom the land was purchased only received £50. If a transfer was signed, the Registrar of Titles could, under this clause, consent to the endorsement on the transfer of a statement to this effect, “I agree to the subsale,” such endorsement to be signed by the original purchaser. There was only one lot of duty payable, and that was on the higher price paid for the land. But, surely, a person gambling in land should pay a little stamp duty.

Mr. MACARTNEY: The hon. member who had just spoken would persist in taking* extraordinary views of this legislation. The hon. member had applied the clause to a peculiar transaction, as if that were the only transaction which could take place. There were many transactions which were not of the kind the hon. member mentioned, and which were perfectly bona fide transactions. A railway employee might purchase a property in one of the suburbs of Brisbane, and before he completed the purchase he might be transferred to Rockhampton. At present the employee would not have to pay on the conveyance because he had not actually received it, but if he sold the land the duty would be paid by the ultimate purchaser. It appeared that the object of this measure was not to collect duty on conveyances, but to make conveyances for the purpose of collecting duty upon them. Such a change in the law would operate very harshly in cases in which deserving people were concerned. The arguments used by the hon. member for Oxley were perfectly fair and reasonable, and should receive favourable consideration. There was a danger that in endeavouring to protect the revenue in the way proposed they might cause a great deal of litigation, and seriously affect titles where there had been no gambling in land.

Mr. VOWLES: He should like to know what would be the position of purchasers under this clause where documents were held in escrow, and would not mature probably for a dozen years. The purchase money was being paid in instalments, the transfer was signed but undated, and was held by the bank which held the promissory notes, and would be handed over to the purchaser after the final promissory note was paid. The vendors in many cases were dead, and it would be impossible to get the documents executed, and under this provision those documents would be voided. There were two ways in which land might be disposed of under the instalment system. One was to transfer directly and take a mortgage over the land, and the other was to lodge the documents with the transfer signed but

undated and unstamped, with the agreement, in a financial institution, to be handed over when the transaction was completed. With regard to buying land through which a railway might pass, as in the case referred to by the hon. member for Toowoomba, and then selling it at a profit before the transfer was completed, that was according to law. The Premier himself bought and disposed of land in that way. At the time he bought that Queen street property he did not register it in his name, but transferred it to the Wilcox trustees, and thus saved £92 10s. stamp duty. There was nothing wrong about that; it was according to the law. He should like the Minister to explain what would be the position of purchasers such as he had mentioned.

Hon. W. N. GILLIES: Look at clause 25; they pay on the agreement.

Mr. VOWLES: He knew they would pay on the agreement, but they had not been required to pay on the agreement in the past. Such agreements, together with the transfers, were lodged with a bank, but under this clause they would be void [9 p.m.] and inoperative. He knew plenty of cases where the vendors were dead, and those documents would have to lie in the bank for a number of years before the final payments were made. That should not be so. Why should the Government interfere with transactions which had been carried out in the ordinary course of business in the past when there was no possibility of remedying matters? He would like to have the assurance of the Minister that that matter would be rectified. If he did not do so, he would inflict a hardship on purchasers who were not in a position to protect themselves and who had acted in accordance with the law.

Mr. BRENNAN: The hon. member for Dalby had put a case which appeared to be reasonable, but it must be remembered that the following clause was imposing ad valorem stamp duty on any agreement for the sale of an estate, whereas under the law at present an agreement for the sale of an estate carried only the ordinary stamp duty. The hon. member for Dalby knew that his statement was not correct. The hon. member knew very well that under the clause an agreement or lease was liable to ad valorem duty, and he knew very well that an agreement or transfer at the present time, to be completed in five years' time, could be signed and stamped and held in escrow. The only difference under the Bill was that you paid the extra duty on it now and the transfer became valid by registration at the completion of the transaction. The hon. member referred to the "tricky" cases he (Mr. Brennan) had quoted. That case was not tricky. That sort of thing had happened dozens of times in Queensland. The hon. member for Toowoomba mentioned the hardship of a poor unfortunate railway man. He (Mr. Brennan) was very sympathetic towards railway men, because railway men were great friends of his. A railway man would buy land worth about £40, on which he would pay 12s. 6d. stamp duty. He would not buy land valued at £1,000. If he was liable to be shifted, he would buy a piece of land worth about £50, put up a building under the Workers' Dwellings Act, and he would be quite willing to pay the small stamp duty.

Mr. VOWLES: He would like to have the opinion of the Minister and not the opinion of the hon. member for Toowoomba, because that hon. member had been circling all round the question, and very severely got away from the main point. What the hon. member for Toowoomba had said was correct with regard to future documents, but he (Mr. Vowles) was talking about documents that had already been executed, and in some cases the vendors were dead. Would the completion of those documents, by filling in the dates, render them void or not under the clause?

Mr. MACARTNEY: Last year he had moved an amendment to the clause, which had been accepted by the Minister, as follows:—

" Provided that nothing in this section contained shall apply or affect any transaction entered into prior to the amendment of this Act or to any document prepared or to be prepared in connection therewith."

If that amendment had been included in the Bill, it would have prevented some of the hardships which the hon. member for Dalby had referred to, and it would also prevent some of the injustices mentioned by the hon. member for Oxley. He found that in reconstructing subclause (4) provision was made that where a person having contracted on or after the first day of July, 1918, for the purchase of any property, the provisions of section 4 were to apply.

Mr. D. RYAN: What is wrong?

Mr. MACARTNEY: What was wrong with the hon. member? (Laughter.) If a similar alteration had been made in subsection (5)—

Mr. D. RYAN: Then you are not wrong?

Mr. MACARTNEY: He asked again, what was wrong with the hon. member? He could not understand the interjection. If the hon. member made an intelligent interjection, he (Mr. Macartney) would be very glad to answer it. In clause 5, it was necessary to make it clear that that subsection was not to have reference to any transfer which took place prior to 1st July, 1918. If the Minister would accept an amendment to that effect, it would improve the position considerably.

Hon. W. N. GILLIES: I will accept the amendment suggested by the leader of the Opposition.

The TEMPORARY CHAIRMAN: I would point out that there is already an amendment before the Committee moved by the hon. member for Oxley.

Amendment (Mr. Elphinstone's) put and negatived.

Clause put and passed.

On clause 25—"Amendment of section 54"—

Mr. BRENNAN moved the deletion of the word "instrument" on line 14.

Amendment agreed to.

Mr. BRENNAN moved the insertion, after "goods" in line 20, page 9, of the word "live stock."

Mr. MACARTNEY: Have you got the definition of "live stock"?

Mr. Brennan.]

Mr. BRENNAN: The Stock Act has that.

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

Clauses 26 to 29, both inclusive, put and passed.

On clause 30—“*Amendment of section 70: Definition of receipt*”—

Mr. ELPHINSTONE asked whether the State trading departments paid stamp duty or not.

Hon W. N. GILLIES: Yes, the State trading departments do pay stamp duty.

Mr. ELPHINSTONE: He understood, then, that the State Insurance Office and all State trading departments paid stamp duty just as their competitors in the field. In that case he had nothing to say about the matter.

Clause put and passed.

Clauses 31 to 35, both inclusive, put and passed.

On clause 36—“*Regulations*”—

Mr. VOWLES: It seemed to him that there was a certain amount of surplusage about the last two lines providing—

“All such regulations shall be laid before both Houses of Parliament as soon as may be after the making thereof.”

What was the object of laying them before the Legislative Council when they had no power to object to them? The previous part of the clause simply provided that the Governor in Council should make them, and they had the force of law.

An HONOURABLE MEMBER: Does not the principal Act apply?

Mr. VOWLES: No. It seemed to him that it was surplusage, and that it was only courtesy to lay them before both Houses of Parliament.

Hon. W. N. GILLIES: Do you suggest that they should not be consulted at all?

Mr. VOWLES: He did not. The Government were just telling them as a matter of courtesy, because they had no right to object. So long as the Legislative Council was a part of the Legislature, the Minister should recognise it.

Hon. W. N. GILLIES: It was the usual clause in all Bills of that kind, giving power to make regulations. Practically the same clause was in the old Act.

Mr. MACARTNEY: That was not so. If the hon. member would look up the principal Act, he would find—

“all such registrations and forms, when published in the ‘Gazette,’ shall have the force of law, and they shall be laid before both Houses of Parliament forthwith if Parliament be sitting, and if not, then within twenty-one days after the commencement of the next session.”

The material difference was that the Bill provided that they should have the same effect as if enacted in this Act, and shall not be questioned in any proceedings whatever. The effect was to allow the Government to prepare regulations which would be as effective as the Act, and they could not be questioned as being ultra vires.

Mr. BRENNAN: They must be consistent with the Act

[Mr. Brennan.

Mr. MACARTNEY: It said, “They shall not be questioned in any proceedings whatever.” That practically extended to this: that you could not raise the question of whether they were ultra vires. It ought to be noticed, too, that there was a clause by which penalties not exceeding £20 could be imposed by the breach of any regulation. They could make any number of offences they liked under those regulations. There was practically power to legislate. At any rate, they had departed from the language adopted in the principal Act, and it was to be assumed that that had been done for some reason. They knew that during recent sessions the practice was followed of not tabling certain regulations at all, so that they could not be questioned. He thought it was in connection with the Workers’ Compensation Act. The regulations were gazetted, and they were not tabled in the other Chamber, with the object of preventing the other Chamber disallowing them.

The TREASURER: Did the other Chamber intend to disallow them?

Mr. MACARTNEY: He did not know what the other Chamber intended to do, but he believed a discussion afterwards cropped up, and it was shown that the regulations were ultra vires. As a matter of fact, they were held by the Supreme Court to be ultra vires, and they also were disallowed in the other Chamber. There should be no room for misunderstanding about those things. They ought to be told when these regulations were made, and everything should be fair and aboveboard.

Clause 36 put and passed.

On clause 37—“*Amendments of the schedule*”—

Mr. ELPHINSTONE said he wished to call attention to lines 26 and 27, on page 13. He contended that the words “under any Wages Act in force or hereafter to be enacted” were quite unnecessary.

Hon. W. N. GILLIES: Why?

Mr. ELPHINSTONE: Seeing that the last six words of that particular portion of the clause were “would not exceed four hundred pounds.” Unless they were to anticipate that further Wages Acts were going to raise wages to over £400 a year, he could not see how those words were necessary. He contended that the words “would not exceed four hundred pounds” were all that were necessary in that clause.

Hon. W. N. GILLIES: They cannot do any harm.

Mr. ELPHINSTONE: They are quite unnecessary, and he moved an amendment to delete these words, “under any Wages Act in force or hereafter to be enacted.”

Amendment put and negatived.

Mr. ELPHINSTONE moved to add after line 34, page 13, the following:—

“(6.) Agreement, letter, or memorandum made or relating to the sale of any goods, wares, or merchandise.”

The Assistant Minister for Justice, when making his preliminary remarks, stated that the Chamber of Manufactures was quite proud of that Bill and certain provisions in it: and he had replied, saying that he was quite certain that the Chamber

of Commerce had taken great exception to the leaving out of that particular exemption. He did not know whether hon. members opposite had any idea of the full significance of that particular duty. It meant that any commercial transaction of £5 and over, whether by telegram or letter or any other means, had to be stamped. Therefore, if an hon. gentleman opposite happened to send a telegram to his grocer to say, "Can you supply me with 10 tons of potatoes?" and the reply came back, "Yes, I can, they are being forwarded," by omitting that exemption it brought that within the operation of that particular clause, and rendered it liable to stamp duty. One of the worst things that that Chamber could do was to interfere with the business activities of the State. If there were business men framing that Act, they would see how unjust and how harassing the lack of an exemption of that description was going to be. In Great Britain, and also in Western Australia and New South Wales, all contracts on goods were exempt from duty. He contended that here also they should be exempt. They all appreciated the fact that the encouragement of business in this State was essential. They had in that House gentlemen who were engaged in mercantile enterprise, and if they only thought for a minute how harassing that particular clause was going to be, he was certain they would realise that the amendment was a reasonable one. The Assistant Minister for Justice stated that the objects of that amending Bill were not for the purpose of revenue, but for the purpose of amending what were found to be a lot of irregularities in the old Act. They should not amend it to such an extent as to harass commerce. He was certain the Minister would appreciate how harassing and unnecessary the elimination of such an exemption was.

Hon. W. N. GILLIES: He believed the hon. member suggested the amendment in good faith, but it would be a most dangerous thing to put it in. It would spoil the effect of the whole idea of making agreements subject to duty. He could not see that there would be any great hardship with regard to giving orders by telegram, or anything of that kind. He could not agree to the amendment.

Mr. GUNN (*Carnarvon*): Several merchants in Brisbane had spoken to him during the last two days about that provision. If a grazing farmer, dairyman, or orchardist in his electorate wired or wrote to a merchant in Brisbane, asking him to forward certain merchandise to Stanthorpe or Goondiwindi, if the merchant acknowledged the order and said that the goods would go forward in due course, that acknowledgment [9.30 p.m.] would have to be stamped if the value of the goods was more than £5. That would be a hardship. The consequence would be that no acknowledgment of the order would be sent, and the man on the land would not know whether his order was being filled or not. He hoped the Minister would agree to some modification so that an acknowledgment of an order of that kind would not require to be stamped.

Amendment put and negatived.

Mr. MOORE (*Aubigny*) moved the insertion, after line 34, page 13, of the words—

"(6) Agreement made between a local authority and parties tendering for the

performance of work and labour or the supply of materials used by the local authorities."

Local authorities were just as much entitled to exemption from stamp duty in respect of agreements of the kind as the Government. Both were performing public work for the benefit of the community.

Hon. W. N. GILLIES: The scale of duties on agreements was very low, and that particular class of duties had always been paid. Further than that, it was not the local authority that had to pay the duty, but the contractor. The local authority argument had been exploited a good deal during the passage of the Bill. While he had every sympathy with the "great unpaid parliament of Queensland," as local authorities had been described by the hon. member for Albert, he did not think the amendment was in the interests of the local authorities at all, so that he saw no reason for accepting it.

Mr. MOORE: Surely, the same argument should apply in the case of local authorities that applied in the case of Government contracts. Both were performing public duties, and, if the contractor to the local authority was the person who paid the duty, the contractor to the Government also had to pay the duty, and not the Government. He failed to see why any distinction should be drawn.

Amendment put and negatived.

Mr. BRENNAN moved the insertion, after line 9, page 15, of the words—

"Transfer of a pastoral holding, not being a preferential pastoral holding, from a mortgagee to the mortgagor having the effect of a release of a mortgage."

Amendment agreed to.

Mr. ELPHINSTONE: The Opposition had not had very much encouragement in lending their brains and their attention to the consideration of the Bill so far. He supposed they must go on in the hope that sooner or later they would be listened to. He would just draw attention to lines 21 and 22, page 15, which read—

"Deed of any kind whatsoever not described in this schedule, or any duplicate thereof."

Hitherto, if the original document was stamped, it was quite unnecessary to stamp a duplicate, which was merely endorsed with the words "Original stamped." It was now proposed that all duplicates should be stamped as well as the original documents, and, as he thought that was a harassing provision, he moved the omission, on line 22, of the words, "or any duplicate thereof."

Mr. VOWLES would like to know what the words "Deed of any kind whatsoever not described in this schedule" referred to.

Hon. W. N. GILLIES: It refers to a deed under seal.

Mr. VOWLES thought it was a double taxation.

Hon. W. N. GILLIES: It is quite in accord with the laws in the other States.

Mr. VOWLES: It was not in accord with the existing laws of this State. It only meant a small amount of duty, and was an unnecessary imposition.

Amendment (*Mr. Elphinstone's*) put and negatived.

[*Mr. Vowles.*]

Mr. ELPHINSTONE desired to move an amendment on page 16, with reference to stamp duty on life insurance policies. When this proposed amendment was first introduced here, he had called attention to the fact that the stamp duty had been increased on policies of over £1,000 from 1s. to 2s. on every additional £100 over that amount. The idea, of course, was that the larger policy-holders should pay the higher stamp duty. But stamp duty was not charged to policy-holders in life assurance companies, and it became a charge on the company's expenses. Therefore, the small policy-holders paid their proportion of the higher stamp duty on the larger policies. The Minister, instead of protecting the small policy-holders to the extent he wished to do, was imposing a further penalty on them. The Opposition was just as anxious to assist the small policy-holders as the larger ones. He moved the omission, on line 12, of the words "but does not exceed £1,000," and the total omission of the third paragraph, namely:—

"Exceeds £1,000—For the first £1,000 thereof at the rate prescribed for a policy not exceeding £1,000, and for every £100 or fractional part thereof exceeding £1,000."

Amendment put and negatived.

Mr. BRENNAN moved the addition, on page 16, after line 35, of the following words:—

"In the case of an industrial accident policy or personal accident policy, where a weekly payment is made as a premium, and such payment is continued, or where the premium is paid for any period less than a year and such payment is continued, the payment for renewal or continuance of such policy shall be made each year."

Mr. MACARTNEY: Has this the approval of the Minister?

Hon. W. N. GILLIES: Yes.

Amendment agreed to.

Mr. BRENNAN moved the insertion, on page 16, after line 56, of the word:—

"A payment in writing for the sole purpose of appointing, or authorising a proxy to vote at any one meeting at which votes may be given by proxy."

Amendment agreed to.

Mr. BRENNAN moved the addition on page 17, line 1, after the word "receipt," of the word:—

"after the word 'stamped,' in the second exemption, the words 'with ad valorem duty' are inserted, and."

Mr. MACARTNEY: He should like to know if the Minister proposed to accept the amendment.

Hon. W. N. GILLIES: Yes, I propose to accept it.

Mr. MACARTNEY: He thought the amendment did not convey any meaning from the way in which it was to be included in the schedule. Certainly, he could not follow it.

Hon. W. N. GILLIES: I can't help it if you can't follow it. That's not my fault.

Mr. MACARTNEY: Did the hon. gentleman understand it himself? Surely they were entitled to ask the Minister for an

[*Mr. Elphinstone.*

explanation after perusing the amendment. It might be Greek for all he could make out, after referring to the Act, and it was not an unreasonable request to ask the Minister to explain it. If the Minister did not explain it, he could only assume that the hon. gentleman did not understand it himself. He was sorry to say that, but the Assistant Minister for Justice had not given them any information in regard to it, and the Assistant Minister for Justice had not attempted to explain it. Surely that was not a position in which members should be placed!

Mr. VOWLES said he had the amendment in his hand, and he could not understand it. The second exemption had not got the word "stamp" in it.

Mr. BRENNAN: If there was any doubt about the matter, he would alter the amendment by inserting the words "in the principal Act," but all the exemptions referred to the principal Act, and the hon. member for Dalby knew that.

After a pause,

Mr. BAYLEY moved that the Committee now adjourn, in order to enable the Government to examine their position and find out what the amendment meant.

Mr. BRENNAN asked that the amendment be put as originally moved.

Mr. VOWLES rose to a point of order, and asked if the hon. member for Toowoomba was in order in speaking from the table.

Mr. BRENNAN resumed his seat.

Mr. MORGAN: He should like to know what words it was proposed to insert. He did not know what was happening. It was a disgraceful state of affairs that had been brought about. The mover did not understand the amendment, and the Minister knew nothing about it. In fact, no one in the Chamber understood the amendment. He objected to business being carried on in this manner. The position the Committee were placed in was absolutely humiliating. He did not know what the people in the gallery would think of a tangle of this description. The Government talked about doing away with the Upper House, and yet this thing would have to be revised by the Upper House. He asked the Chairman to read the amendment to the Committee.

The CHAIRMAN: Is it the pleasure of the Committee that I again read the amendment?

OPPOSITION MEMBERS: Hear, hear!

The CHAIRMAN again read the amendment.

Mr. ROBERTS: Like the hon. member for Murilla, he was somewhat depressed at the way in which the Bill had been dealt with by the Committee. In an important measure like this a reasonable opportunity should be given to the Opposition [10 p.m.] to understand what amendments the Ministry was going to move in their own measures. He could quite understand the Opposition, not knowing the intentions of the Government, as far as the business of the House was concerned, having to draft amendments at a moment's notice, but there could be no excuse for the Government. The way the Minister had handled the taxation proposals was unreasonable, and was making a laughing-stock of the whole Committee.

Mr. VOWLES moved the omission, after the word "duty" on line 40, of the words—
"hereunder on the amount or value of such property:

Amount or Value.	Rate per Centum of Duty.
Not exceeding £1,000	$\frac{1}{2}$
Exceeding—	
£1,000 but not exceeding £2,000	1
£2,000 but not exceeding £3,000	$1\frac{1}{2}$
£3,000 but not exceeding £4,000	2
£4,000 but not exceeding £5,000	$2\frac{1}{2}$
£5,000 but not exceeding £6,000	3
£6,000 but not exceeding £7,000	$3\frac{1}{2}$
£7,000 but not exceeding £8,000	4
£8,000 but not exceeding £9,000	$4\frac{1}{2}$
£9,000	5"

with the view to inserting the words "at the rate of 15s. per centum of the value of such property." It had been contended that the rate of duty proposed on deeds of gifts and conveyances of property was equitable. It had been 10s. in the past, which was considered a proper consideration, and it was now proposed to bring it up to as high as 5 per cent. His suggestion was that, instead of having a progressive duty, rising as high as 5 per cent., the duty should be on the value. That was, they would be in exactly the same position as if the land was sold for cash.

Amendment put and negatived.

Clause, as amended, put and passed.

New clause to follow clause 37—

Mr. BRENNAN moved the insertion of the following new clause:—

"In section 249 of the Local Authorities Act of 1902, as amended by section 23 of the Local Authorities Acts Amendment Act of 1912, the words 'or for stamp duty' are repealed."

That was a consequential amendment, to bring the Bill into line with the Local Authorities Act.

Mr. VOWLES: They had something sprung on them at that late hour, and he would like to know what it meant.

Mr. BRENNAN: The effect was to exempt local authorities from stamp duty, as provided in the Local Authorities Act of 1912. The purchaser paid the duty, and not the local authority.

Amendment agreed to.

Hon. W. N. GILLIES: Mr. Chairman,—I beg to move that you do now leave the chair and report the Bill, with amendments, to the House.

Mr. MACARTNEY: Before the Chairman left the chair, he would like the Minister to see that the amendment suggested in clause 24—which the Minister had agreed to accept—was inserted in the Bill in another place, or that the Bill was recommitted for that purpose. An amendment having been put by the Chairman in a latter part of the clause, it was not possible to move the amendment which the Minister had agreed to accept. Would the hon. member undertake to see that that amendment was made?

Hon. W. N. GILLIES: Yes.

Question put and passed.

The House resumed. The TEMPORARY CHAIRMAN reported the Bill with amendments. The third reading of the Bill was made an Order of the Day for Tuesday next.

The House adjourned at ten minutes past 10 o'clock p.m.