

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 13 DECEMBER 1932**

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## TUESDAY, 13 DECEMBER, 1932.

Mr. SPEAKER (Hon. G. Pollock, *Gregory*) took the chair at 10.30 a.m.

## ASSENT TO BILLS.

Mr. SPEAKER announced the receipt of messages from His Excellency the Governor, conveying His Excellency's assent to the following Bills:—

- Notification of Births Bill;
- Stallions Registration Act Amendment Bill;
- State Advances Corporation Buildings Improvement Bill;
- Main Roads Fund Transfer Approval Bill;
- Farm Produce Agents Acts Amendment Bill;
- Dairy Produce Act Amendment Bill;
- Elections Acts Amendment Bill.

## QUESTIONS.

## SUGGESTED REDUCTION OF PRICE OF FLOUR.

Mr. GODFREY MORGAN (*Murilla*) asked the Secretary for Labour and Industry—

“Owing to the greatly reduced price of wheat to the miller, will he state what action, if any, is being taken to reduce the price of flour to the baker and bread to the consumer?”

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) replied—

“Suitable action is being taken in the matter.”

## RECOMMENDATIONS OF COMMONWEALTH WOOL INQUIRY COMMITTEE.

Mr. SPARKES (*Dalby*), without notice, asked the Premier—

“With reference to my question of the 18th November regarding the intention of the Government to give immediate effect to that portion of the report and recommendations of the Commonwealth Wool Inquiry Committee relative to a reduction in rail freights and the removal of the land tax, has the hon. gentleman any further communication to make to the House?”

The PREMIER (Hon. W. Forgan Smith, *Mackay*) replied—

“I have received an invitation from the Prime Minister to be associated with

an interstate conference in regard to the matter. On behalf of the Government, I have intimated that we shall be glad to take part in such conference."

**UNEMPLOYMENT RELIEF FUND AND UNEMPLOYMENT INSURANCE FUND BALANCES.**

Mr. KENNY *Cook*: I desire to ask the Secretary for Labour and Industry whether he has answers to the following questions which I addressed to him on 22nd November:—

"1. What was the balance of the Unemployment Relief Fund at 31st October, 1931, and 31st October, 1932?"

"2. What was the balance on same dates of the Unemployment Insurance Fund?"

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) replied—

"The information is being obtained."

**PAPERS.**

The following papers were laid on the table:—

By-laws Nos. 290 and 291 under section 134 of "The Railways Acts, 1914-1929."

Return of all moneys advanced or expended under "The Mining Machinery Advances Act of 1906" during last financial year.

Orders in Council under "The Supreme Court Act of 1921."

**INTERSTATE DESTITUTE PERSONS RELIEF ACT AMENDMENT BILL.**

**INITIATION.**

The ATTORNEY-GENERAL (Hon. J. Mullan, *Carpentaria*): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to make provision in 'The Interstate Destitute Persons Relief Act of 1914,' whereby a territory of the Commonwealth of Australia and a territory governed by the said Commonwealth under a mandate, shall be deemed to be a State in the said Commonwealth for the purposes of the said Act."

Question put and passed.

**APPLICATION OF STANDING ORDER No. 249.**

**INDUSTRIAL CONCILIATION AND ARBITRATION BILL.**

The PREMIER (Hon. W. Forgan Smith, *Mackay*): I move—

"That it be an Order of the House, under Standing Order No. 249, that the Industrial Conciliation and Arbitration Bill be reported from Committee on or before 4 p.m. on Wednesday, 14th December, notwithstanding the time mentioned for operating the Standing Order as amended by Sessional Order of 17th August last."

Mr. MOORE (*Aubigny*) [10.41 a.m.]: I called "Not formal" to this motion, although I quite realise that the Government intend to put the Bill through in the time mentioned. The Bill is of such outstanding importance—and there are many clauses in it that are going to have a far-reaching effect on industry in this State—that it is rather a pity that it should have been brought in at the close of the session and rushed through in the way proposed. This Bill and the Income Tax Amendment Bill are of immense importance to the community as a whole; and it seems to me that the fullest opportunity for the discussion of these Bills should have been given. After all, it is not the Government who are going to suffer so much by the passage of a Bill of this kind as industry and people outside who have to carry on their business under the rules and conditions laid down by the Bill.

The time mentioned in the motion does not give much opportunity for adequate discussion of a Bill containing eighty-five clauses and a schedule. Of course, the schedule is nothing. The Bill is practically a new one, although long clauses have been copied out of previous Acts; but, after the experience we have had of the working of those Acts, it seems to me that, before we definitely pass a Bill with such drastic clauses, a proper discussion should take place. I know the Government want to get into recess. Things are not too happy in the Government Party, and the Government want to get into safe haven; but that is no excuse for passing an important Bill such as this without giving an opportunity for the fullest discussion.

The SECRETARY FOR LABOUR AND INDUSTRY: You "gagged" through a similar Bill in 1929.

Mr. MOORE: We gave a week for the discussion of the Bill, which was not nearly so important as this. This Bill is going to have a tremendous effect on the industries of Queensland, and for that reason I object to its being passed by 4 o'clock to-morrow. The time is too short for Parliament to give proper attention to a Bill of such importance and significance.

The PREMIER (Hon. W. Forgan Smith, *Mackay*) [10.44 a.m.]: The time allotted under this motion, ordinarily speaking, is adequate to deal with the Bill, provided hon. members apply themselves to the most important clauses as they come along. Obviously, if a lot of time is wasted on one clause, it will shorten the time that may be left for subsequent clauses.

I would remind the Leader of the Opposition that, on the Industrial Conciliation and Arbitration Bill introduced by his Government in 1929, we were allowed less time in Committee than is proposed to be given to this Bill, and less time was allowed on the second reading than we have given in connection with this Bill. No time limit was imposed on the second reading of this Bill, nor was there any time limit imposed on the Income Tax Acts Amendment Bill which the hon. gentleman referred to. It is significant that on the second readings of both that Bill and this the Government had the highest majority in the divisions that we have had during the session, indicating that hon. members are apparently aware of the importance of those measures and the necessity for them from the point of view of the State.

*Hon. W. Forgan Smith.*

Question—"That the resolution (*Mr. Smith's motion*) be agreed to"—put; and the House divided:—

AYES, 27.

Mr. Barber	Mr. Llewelyn
" Bruce	" Mullan
" Bulcock	" O'Keefe
" Conroy	" Pease
" Cooper	" Smith
" Foley	" Stopford
" Funnell	" Taylor, G. C.
" Gair	" Wellington
" Gledson	" Williams
" Hanlon	" Wilson
" Hanson	
" Hynes	<i>Tellers:</i>
" Keogh	" Copley, P. K.
" King, W. T.	" Waters
" Larcombe	

NOES, 25.

Mr. Barnes, G. P.	Mr. Morgan
" Barnes, W. H.	" Nicklin
" Brand	" Peterson
" Clayton	" Roberts
" Costello	" Russell
" Daniel	" Sparkes
" Deacon	" Swayne
" Edwards	" Tozer
" Fadden	" Wienholt
" Kenny	
" King, R. M.	<i>Tellers:</i>
" Maher	" Nimmo
" Maxwell	" Plunkett
" Moore	

PAIRS.

AYES.	NOES.
Mr. Collins	Mr. Grimstone
" Dash	" Sizer
" Bedford	" Taylor, C.

Resolved in the affirmative.

## INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

### COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clauses 1, 2 and 3 agreed to.

Clause 4—"Interpretation"—

Mr. RUSSELL (*Hamilton*) [10.52 a.m.]: I move the following amendment:—

"On page 4, lines 23 to 35, both inclusive, omit the words—

'Notwithstanding anything to the contrary contained in any Act, no company, corporation, or firm shall proceed to the issue to any of its employees any shares in the company, corporation, or firm concerned until the consent of the court shall first be had and obtained:

'Moreover no deduction from the wages of any employee to whom any such shares shall be issued pursuant to any such consent of the court shall be made for or in respect of calls on any such shares so issued to any such employee.'

I cannot understand why the Government should attempt to deal with such an important question as the issue of shares to employees of a business in a definition of the word "employee," because, even taking a very wide view of the question, it is not really applicable to the definition. However, the provision has been included in the definition, and we object to it, and I hope to be able to adduce sufficient arguments to induce the Minister to omit it.

The first paragraph I propose to omit provides that shares shall not be issued to any

[*Mr. Russell.*

employee without the consent of the court, whilst the second paragraph prohibits any deduction from the wages of an employee in respect of such shares. It is a well-known fact that it is the practice of a number of companies to issue shares to their employees by way of bonus, or to encourage the employees to take an interest in the business in which they are employed. It is a very laudable object, and one of the outstanding features of our policy to encourage full co-operation between employer and employee, so that the latter will not be looked upon solely as a servant in receipt of a wage. Where a firm desires to obtain the services of good men it should be open to it to offer every inducement possible for the purpose. I suppose that a great number of business men started by being attached to a firm and getting an interest in it, which they built up gradually. We wish that practice to continue.

The Minister may say that there is no intention of stopping the practice; but, if a company is not allowed to manage its own business in its own way in allotting these shares or as to the means of payment, it certainly will not be encouraged. What right has the Industrial Court to say "Aye" or "Nay" to a proposition that shares should be issued to employees by way of bonus or as a means for the investment of their savings. We deny the right to the court to be consulted at all. The firms concerned should be allowed to continue the practice that has operated for a good many years in the past.

I do not know why this provision appears in the Bill; but I suspect that there is a motive behind it. It may be feared that employers will attempt to evade an award by offering shares to their employees. That is a matter for the employee to decide; and surely an employee will not allow his employer to put one over him in that way? Employees are just as sensible as their employers, and will invest their savings in a firm or company only if they feel that they will receive some return.

I do not want anything to be done that will hamper the procedure of the past. Firms and companies should be allowed to carry on their business in their own way so long as they observe the awards of the court. That is the only reason for the existence of the court—to see that employers and employees obey the awards. The Bill seeks to give the court a power which it has no right whatever to possess. If a company distributes shares amongst its employees either by way of bonus or as a field for investment, it should be left to such companies to decide how the shares shall be paid for. In a great number of instances bonus shares in the shape of fully paid-up are issued to employees, whilst contributing shares generally are offered to them as a field for investment. Surely it can be left to the employer on the one hand and the employee on the other to decide the method of paying for these contributing shares without first going to the court to obtain consent? I strongly object to the conferring on the Industrial Court of the power to dictate the policy of any company as to how it shall distribute its profits. It has nothing whatever to do with the court, and it is quite outside the scope of arbitration. We strongly object to this clause, firstly, because it has no application to the definition of "employee," and, secondly, because it is an unwarranted interference

with the right of a company, in that it attempts to dictate what its policy shall be in regard to granting shares to its employees.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [10.58 a.m.]: I do not intend to accept the amendment, because the safeguard is very necessary. Not only in Queensland, but also in other parts of the Commonwealth and other parts of the world, attention has been drawn to the fact that many employers compel their employees to take shares in their companies otherwise they will be dismissed. The clause does not prohibit the issue of shares to employees, but it provides that the consent of the court must first be obtained.

Mr. RUSSELL: We object to that.

The SECRETARY FOR LABOUR AND INDUSTRY: Let us consider a supposititious case. An employer employing a number of hands could say to his employees, "Unless you are prepared to take £50 worth of shares in my company, to be paid by way of deductions from your wages, your services will be dispensed with." That employer would be able to defeat the award, and the employee, who probably would not be in a position financially to pay for the shares, and who required his employer to abide by the terms and conditions of the award, would be dispensed with, whilst the employee who agreed to the dictates of the employer would be retained. All that is necessary on the part of the employer is to apply to the court for the purpose of securing its consent. If it is a bona fide proposition the court will certainly approve of it.

Mr. RUSSELL: There is no appeal against the decision of the court.

The SECRETARY FOR LABOUR AND INDUSTRY: I have come across a reference to this matter in the monthly bulletin of the publication "Labour and Industry" in the State of Pennsylvania, United States of America. This shows what has taken place in that country, and to some extent a similar state of affairs exists here. A couple of years ago a firm in my own electorate called for applications to fill a certain junior position. One of the parents of an applicant showed me a letter which he had received from the prospective employer indicating that unless the father was prepared to take fifty shares in the company, the boy would not be employed. My attention has also been drawn to the fact that this is going on in Brisbane. The article in the monthly bulletin to which I have referred states—

"An attorney writes on behalf of 100 employees of a certain firm: 'I am informed that at the time of employment of these men, the . . . company required them to subscribe to certain stocks, designated as preferred stock. Ten per cent. of the wages earned by the employees is deducted for this stock. Some employees have been discharged after having paid a considerable amount of money on the alleged preferred stock, and no equitable adjustment of the funds paid was ever made by the company. We feel that this is a case wherein your department certainly should make an investigation on behalf of these employees.'

"This complaint is typical. In August, Dr. Northrup recirculated a

statement to the effect that it was 'unwise for employees to accept stock in place of wages from the company employing them . . . There is a danger that the employees may not only lose their wages, but may also lose any property they possess in case the company goes into bankruptcy.'

"In September, support of this position was given by the Securities Commissioner of Kansas, who stated: 'Employees of these great corporations have been compelled to buy stock at excessive prices, and many are paying for it now on the monthly payment plan, with their monthly payments about what the stock is quoted at the present time. To surrender the contract means the loss of a job. They are, therefore, compelled to bear this heavy cross and suffer in silence, and just around the corner you will observe the lawyer and accountant who moves here and there during the inquest trying to put the best possible face on the murder.' At the same time Dr. C. C. Balderston, Professor of Industry at the University of Pennsylvania, said: 'Employees' purchase of stock is packed with dynamite, as most companies have found out. I consider it poor advice to any workman to invest his savings in the same company from which he draws his salary. It is unsound financial advice to ask the workman to invest in the common stock of any one company unless he has put away a substantial amount for a rainy day.'

"There should certainly be some protection for employees who are forced to buy stock to save their jobs. They are in no position to ascertain the value of such stock themselves."

That is the object of the clause—to protect the employee—and, if there are bona fide cases in which an employer is desirous of securing some closer co-operation with his employees, he can make application to the court in order to secure its consent to his proposal.

Mr. MOORE (*Aubigny*) [11.5 a.m.]: It is remarkable that in making an excuse for refusing to accept something that is for the benefit of the worker, the Minister has to go to some obscure place in the United States of America, where the legislation is totally different from what it is in Queensland. The hon. gentleman endeavours to bolster up a very weak argument by that sort of thing. The Minister knows perfectly well that the Wages Act prohibits any individual from having deductions made from his wages, and does not even permit those deductions to be made with the consent of the employee.

The whole basis of this provision in the Bill is to give effect to the idea of the Government that the worker shall always be kept a worker. Labour Governments have at all times endeavoured to divide the community into two classes—those whom they call "exploiters," and those who are termed "toilers." They want to keep the toilers down so that the unions will have tyrannical power over them in order that they may be kept in subjection.

Co-operation in industry has been one of the most beneficial factors for the success of the business and for the welfare of the worker. One need only read the reports of

*Mr. Moore.*]

companies where shares are held by the employees to note the high degree of co-operation which has been attained between all sections engaged in the business, to their mutual benefit. In order to find some reason for inserting such a drastic provision as this, the Minister has to go to the United States of America, where the conditions are entirely different. In this measure the Government are going out of their way in an endeavour to prevent employees taking a personal interest in the businesses in which they are engaged, whereas, if the Government were cognisant of the real interests of the workers, they would do all in their power to ensure that the workers were not only employees but also shareholders in the businesses in which they are engaged. In all industries co-operation has been one of the most potent factors in bringing about success. Men who have a definite interest in a business feel that they are not merely cogs in a machine, but human beings with an interest in the business, and that it is to their advantage to see that the industry progresses.

At the same time, that system removes to a great extent the tyranny that is exercised upon the workers by outside union officials; and it is with a desire to rivet the chains of bondage on the workers that the Government insert this provision in the Bill. The main idea actuating Government members is to keep the workers in subjection so that large blocks of votes may be moved about at various times with advantage to the Labour Government. Men are compelled to join organisations to which they have to make contributions for political purposes. The Government want to get quite away from the system by which the individual will be encouraged to help himself. Most of the shares which are issued are bonus shares which are paid for out of the profits of the company; and it is to the advantage of the men employed in the business to hold those shares. I would like to see the system more widespread, because it would be of infinite benefit to all workers. Merely because some abuse has crept in owing to the faulty legislation of some State in the United States of America, the Government are inserting a most drastic clause in this Bill.

The SECRETARY FOR LABOUR AND INDUSTRY: The abuse is prevalent here. I can give the hon. member particulars.

Mr. MOORE: The Minister evidently does not know the Wages Act passed by his own Government in 1918. If he had read that, he would know that the employee is protected.

The SECRETARY FOR LABOUR AND INDUSTRY: If any employee objected, he would be dismissed.

Mr. MOORE: The hon. gentleman also knows that under the Industrial Conciliation and Arbitration Act a dismissed employee has the right to appeal to the court, and the court may order his reinstatement if no just reason exists for the dismissal. The hon. gentleman also knows that in this Bill provision is made that the employer has no control whatever of his own business. The employer must employ the men who are sent to him; he cannot employ those whom he wants to employ; nor can he dismiss an employee without running the risk of an appeal to the Industrial Court. The Minister knows perfectly well that his arguments are mere camouflage to withhold a principle which is of benefit to the worker—a principle which will enable the worker to occupy a better

[Mr. Moore.

position than he otherwise would. I think the principle is an extremely good one, and I wonder why the Government object to a principle that is going to be for the benefit of the class they represent. Why should they endeavour to keep the workers in a position where they cannot rise to anything better? The idea is to try to bind them down so that they will have no opportunity of improving their position through their capacity and brains and reap some of the results of their work. The principle is a good one, and these paragraphs should be deleted from the Bill. They are only a blot on the measure and make the position of the worker infinitely worse than it otherwise would be.

Mr. GODFREY MORGAN (*Murilla*) [11.11 a.m.]: I remember an old Labourite saying at one time that, once a man owns a little bit of property, he ceases to be a Socialist, and, in order to keep the workers Socialists, they should not be allowed to own any property. This clause is of a somewhat similar nature. It is well known that the Socialists do not desire anyone to own property. Their desire is to keep the workers discontented. I have seen men in my own district who were some of the most rabid Labourites in the State when they were working on the roads or on stations; but, after getting possession of farms, they changed their views and become rabid Country-Party Nationalists; they saw the light, they got out of the rut immediately they became a little more prosperous than others. That is the reason why the Minister will not accept this amendment. He does not desire the workers to own property or become entitled to a share in the profits of the businesses in which they are engaged. The amendment provides that, if a worker so desires, he may accept shares in the business, and, should a strike occur in that industry, he will naturally refuse to go on strike, as he will know that if he does he will be endangering something in which he is interested.

We want to bring about peace in industry if possible, and thereby prevent strikes. It will be almost impossible for agitators to come along and get men to strike if they have a share in the businesses in which they are working. The Minister is desirous of keeping the people in two classes—employers and employees. The employers are in a minority, and the Minister wants to keep them in a minority. All he is anxious about is to get votes; so he desires to see that class-consciousness continue between the worker and the employer. All his life he has endeavoured to bring about dissension between the worker and the employer.

The SECRETARY FOR LABOUR AND INDUSTRY: That is an absolute lie.

The CHAIRMAN: Order! The hon. gentleman must withdraw the statement "That is an absolute lie."

The SECRETARY FOR LABOUR AND INDUSTRY: I withdraw! but I think the hon. member should withdraw his statement.

The CHAIRMAN: I did not hear what the hon. member for *Murilla* said.

Mr. GODFREY MORGAN: I said that the Minister had caused dissension between the worker and the employer during the whole of his life.

The CHAIRMAN: I ask the hon. member to withdraw it.

Mr. GODFREY MORGAN: I will withdraw it, if the Minister takes exception to it; but we know that for many years the Minister was a Labour organiser, and was connected with many strikes in different parts of the States.

Anything that will prevent an employee from becoming part owner of a business is going to be injurious to him as well as to the business concerned. The amendment will enable the employee, should he so desire, to become a partner in the concern he is working in. It may apply to a farm, grazing property, or any class of industry; because this Bill, unfortunately, takes in the whole of the industries of the State. Under previous Industrial Conciliation and Arbitration Bills farming industries were exempted, but every industry will come under the provisions of this Bill. It will be to a man's advantage if a portion of his wages can be used to help to give him an interest in the business he is engaged in and to develop that business; but this Bill will prevent anything like that taking place. I trust that, on reconsideration, the Minister will agree to the amendment.

Mr. PETERSON (*Fitzroy*) [11.17 a.m.]: I would ask the Minister to reconsider his attitude. This clause makes it illegal for any employee to take up shares in a company by way of deduction from his wages without the consent of the court; in other words, the Minister endeavours to place the future enhancement of the worker in the hands of the court. At present a worker is allowed to go to the racecourse and bet to his heart's content, as far as his purse will go. Under the Bill he is permitted to take up shares in a company as long as it is not the company for which he is working; but what better industry can a worker be engaged in or take an interest in than the one he knows most about? We are asking by this amendment that the workers concerned may be given the opportunity of taking up shares. The majority of the workers will never rise to a position above the wages level. It is only by the money they save or by working extra hours and becoming shareholders in co-operative concerns that they are able to rise to a higher position. We should not pass any legislation that will prevent workers from improving their conditions. That would be preposterous in this age when all classes are so hard pressed to make ends meet; and no legislation should deprive the workers of the right to control industry.

One of the arguments of the old Labour movement was that workers should control their industry. Here is a splendid opportunity whereby workers can control their industry by gradually absorbing shares in industrial concerns; yet, if they pay for them by way of deduction from their wages, they have to get a permit from the Industrial Court. I do not think the Minister has gone into the matter fairly and squarely. He will find there are many thousands of workers who would like to better their position by becoming part owners of the industry in which they work; and they will rise up in their wrath against the hon. member and his Government at this restrictive provision.

After all, the workers comprise the bulk of the community, and we should endeavour to assist them to rise to the higher positions to which they aspire. By being share-

holders in industry they will have tangible wealth, and, if the company is of any standing, they can sell the shares at a later period on the stock exchange. The workers can put their money in the Savings Bank or put it on the 'tote,' but, according to the Government, Heaven forbid that they should put it into their own industries! The thing is absurd, and the Minister is not viewing the matter from the right point of view. I say unhesitatingly that every worker has the right to control his industry, and this is one of the ways in which he can do so. I represent Mount Morgan and part of Rockhampton, and I know the majority of workers there believe in the right to buy into their industry. It is only the shirker who wants what the Bill provides.

HON. W. H. BARNES (*Wynnum*) [11.20 a.m.]: I am amazed that a Labour Government should have included such a provision in a Bill, although it removes any doubt which may have remained as to the attitude of the party opposite, who—I think during my administration of the Department of Public Works—said that a Workers' Dwellings Bill was absolutely against their policy. Their policy seems to be that the toiler shall remain a toiler forever, and that no scope shall be given for brains. If a man is anxious to get on, surely we should offer inducements to him to be thrifty and improve his condition! Surely that is very commendable indeed! It seems to me that the Minister and other Government members are afraid that, if men get an interest in the business in which they work, they will work too hard.

Mr. W. T. KING: Oh, no!

HON. W. H. BARNES: The hon. member for Maree is always ready to interject, but he knows how true that is. At any rate, he can explain to the Committee his view on the point. It seems to me that hon. members opposite are afraid that men may work too hard and become too keen. Is their policy to keep people down for ever? I venture to say that, if we could trace the men who have done most for the advancement of any State or people, they would be found to be men who had risen from the ranks. By this provision the Minister says that they shall remain there for ever unless they go to the court. One does not like to say very much about the court; but it seems to me that lately we have been following very closely the practice of leaving everything to the court. Hon. members opposite can draw their own inference.

Mr. W. T. KING: What is the inference?

HON. W. H. BARNES: I leave the hon. member to suggest it. Moreover, the chances are that men will be put to expense in going to the court. The policy of hon. members opposite seems to be to amend the law so that people must belong to a union before they can get any consideration from an employer. Just fancy a party who say they advocate freedom tying people hand and foot! I suppose that later on men will be required to take certain food only if it is produced by a certain organisation or bears a particular brand. It is incomprehensible that hon. members opposite should countenance such a provision as this. This is one of the most extraordinary provisions that I have ever seen. I venture the opinion that the Parliamentary Draftsman wondered what he was being asked to do when he was asked

*Hon. W. H. Barnes.]*

to frame it. I presume it merely carries out the behest of the extreme section of the party, who evidently dominate the whole position just now.

Mr. KENNY (*Cook*) [11.25 a.m.]: The hon. member for Wynnum expresses his amazement at such a provision in the Bill, but I am not in the least bit amazed, because I realise that its political significance overshadows all else! It is well known that nowadays hon. members opposite are very much concerned with the political aspect of everything. They are not concerned about the important principle contained in the amendment. They have no desire to give the workers a greater control of industry, or to give them any benefit in industry at all. They allege that they represent the workers; but behold the empty Government benches now! They are occupied by the Minister and two members of the party. Parliament has to rely upon the Opposition for the constitution of a quorum in this Chamber. That is an insult to the men whom hon. members opposite allege they represent. It is an insult to Parliament, and it is time that the people outside, who are vitally concerned, should be given the opportunity to come to a full realisation of the true position.

The amendment is not being considered on its merits. Caucus has considered this Bill, and it has decreed that it shall be passed in its present form. No doubt the Minister has suggested to the rest of the Government Party that they should absent themselves during the discussion in case they should be influenced by the views expressed by the Opposition. He fears that they will be convinced by the Opposition that the workers are entitled to some consideration, and that at least they are entitled to some control in their industries. The employer must first seek the consent of the court before he can issue shares to his employee; but, even after that consent has been obtained, the court cannot permit the employer to deduct the price of the shares from the wages of the employees to whom they are issued. That is clearly set out in this provision—

“Moreover no deduction from the wages of any employee to whom any such shares shall be issued pursuant to any such consent of the court shall be made for or in respect of calls on any such shares so issued to any such employee.”

The employer cannot obtain the consent of the court in conformity with the wishes of the employee to deduct the cost of calls from the wages of such employee. The employee is compelled to find other moneys for this purpose; otherwise the employer must issue the shares free. Is that any encouragement to industry? Is that any encouragement to the employer to take his employees into his confidence?

If ever there was a time in the history of Queensland when determined and concerted efforts should be made to save our industries, that time is now. Industries are declining daily, and bankruptcies are almost the order of the day. That is due to some extent to the lack of co-operation between employer and employee. If an employee holds shares in an industry, he is entitled indirectly to a voice in its management. As a shareholder, he has a shareholder's right to

suggest that justice be done to the employees in the company. The clause clearly savours strongly of political intention. If an employee who is a shareholder can express his opinion that the management is inefficient and that the manager should be removed, if such be the fact, there would then be no scope for the union organiser with his “hymn of hate” to create discord for the purpose of fomenting a strike.

When the Minister sat on this side of the Chamber, he expressed the opinion that, if industry could not pay a decent wage, it should cease to operate. If that be the view that he takes in connection with this Bill, is it any wonder that the provision that we now so definitely condemn should make its appearance? There is no need for amazement on the part of the hon. member for Wynnum. The Minister is endeavouring to create an atmosphere of hate between employer and employee.

What is required to-day in the interests of Queensland, Australia, and industry itself is for the employer and employee to come closer together. We need that co-operation; and the only way to get it is for the employee to have an interest in the business. If an employee has money in the industry, then it is incumbent on him to give of his best to make the industry profitable, and so that ultimately the industry can absorb him in the business. That is not desired by hon. members opposite. They desire to have these men as voting machines under the thumb of the union organisers and Labour organisations. If there should be closer union between employer and employee, the Labour Party would have no chance of being returned as a Government. If employees, through having control in management, see that an industry can only pay a certain amount, a stage is reached at which the union agitator is passed out, and the employees are not the slaves of the union movement or union agitator that they are now, nor can they be used as voting machines through intimidation and through their organisation which claims to represent them. Is it any wonder, then, that the Minister will not accept the amendment? Is it any wonder that we have the Government benches occupied by the Minister and only one Government member? Is it fair to the men they represent—is it fair to the consideration of this Bill—that Government members should not be present in the Chamber to weigh the arguments in support of the amendment? Why are they not behind the Minister? It is a fair assumption that many Government members are not standing behind the Government on this clause and believe in the amendment, but they are afraid to remain in the Chamber and stand up to their own convictions. That is why they are out of the Chamber. Some of them might be out under instructions from the Minister. Their job is in this Chamber. The Opposition are maintaining a quorum, and it is because of this fact that I draw your attention to the matter, Mr. Hanson. If it were not for the interest displayed by the Opposition in this measure, a number of its members might leave the Chamber and force the Government to maintain a quorum.

The CHAIRMAN: Order! The hon. member is indulging in a lot of tedious repetition. I cannot permit him to continue on those lines.

Mr. KENNY: I did so deliberately, Mr. Hanson, to make the Government realise

[*Hon. W. H. Barnes.*]

their responsibility in connection with this measure, and I am content with having achieved my purpose. You have directed attention to the position by calling me to order. I hope that the remaining members of the Government Party will come into the Chamber and consider the amendment on its merits. If they do so, I am sure that it will be carried.

Mr. TOZER (*Gympie*) [11.34 a.m.]: I regret that the Government have considered it advisable to include these two paragraphs in this clause, and that the Minister will not accept the amendment. Do the particular paragraphs we are considering apply to dairy farms? A man may own a property or a dairy farm, carrying on under a firm name, and make arrangements with a share farmer to work that property or farm. If this clause is applicable to such an arrangement, an injustice will be done to the dairying industry. If every share farmer and farm owner is to be compelled to make application to the court for the approval of an agreement, the dairying industry will be prejudicially affected.

The SECRETARY FOR LABOUR AND INDUSTRY: This clause does not apply to the share farmer.

Mr. TOZER: I am glad to have the assurance of the Minister on that point.

Mr. BRAND: It covers a firm, because it says "or firm."

Mr. TOZER: Again, does this clause refer to mining syndicates? At present nineteen persons may combine and form a syndicate, and in the case of a mining syndicate the nineteen persons are usually working miners. Have I the Minister's assurance that the clause does not refer to mining syndicates?

The SECRETARY FOR LABOUR AND INDUSTRY: Under the circumstances outlined by you, the clause would not apply.

Mr. TOZER: My argument is that, if it applies to mining syndicates—

The SECRETARY FOR LABOUR AND INDUSTRY: You are putting up a lot of Aunt Sallies. Do you want it to apply?

Mr. TOZER: No, because it will mean additional expense for the mining syndicate. In any case, why should it be necessary for an application to be made to the Industrial Court in Brisbane?

The SECRETARY FOR LABOUR AND INDUSTRY: Surely you are aware that the court travels?

Mr. TOZER: But look at the delay that will take place if it is necessary to wait until the court visits a particular place.

The SECRETARY FOR LABOUR AND INDUSTRY: Does not that obtain in ordinary civil cases?

Mr. TOZER: Why not extend the jurisdiction, and allow the industrial magistrate to function? He has to decide matters of greater importance than this. I am assuming that the provision will apply to all employees who wish to take an interest in the business. Does it not occur to the Government that, where employers and employees work amicably together, great benefit accrues not only to the business but to the community. To ensure that desirable state of affairs, why not give every employee the opportunity to become interested in the business in the easiest possible manner? The Government evidently do not desire that essential co-operation in industry which is the keynote

of success. Apparently they wish wages men always to remain on that level. Are they forgetful of the number of cases in which boys have entered a business and have ultimately become directors? Surely the Government would not hinder any desirable step like that! If a worker takes up shares in a company, why should he not come under the articles of association of the company? The clause provides that calls shall not be deducted from wages; but the Wages Act provides for all that, and I think these two paragraphs should be deleted. If the Government have the interests of the employees at heart, they will accept the amendment.

Mr. MAXWELL (*Toowong*) [11.41 a.m.]: A conference was held some years ago in Melbourne between the employers and employees in various industries at which a great number of trades union organisation representatives were present, and at that conference this very question of co-operation was discussed. I never thought it possible that a body of men possessing ordinary intelligence would raise such a barrier as this. I never thought it possible that a body of men meeting in conference with the employers of Australia would have refused and fought against this spirit of co-operation that was so loudly sung by Labour members on the hustings. The employers are to be shackled so long as Labour can keep control of them through their unions. That is all right; but, if the employees can become partners in the business they are helping to build up, these shackles are cast off and Labour loses control.

There is another fly in the ointment as far as this Bill is concerned. There is to be no appeal from Caesar. Whatever the judges say—they are not judges—I would insult judges by calling them judges—they are laymen—

The SECRETARY FOR LABOUR AND INDUSTRY: That is an insulting remark.

Mr. MAXWELL: I am not making any insulting remark. I am stating my own opinion. There is one judge on the court and there are two laymen; and there is to be no appeal against any decision they may make. Take the businesses of Finney, Isles, and Company, Allan and Stark, or McWhirters, what is going to happen to a number of their employees, who may have shares in those businesses? Are their shares going to be cancelled?

The SECRETARY FOR LABOUR AND INDUSTRY: There is no such restriction in this Bill.

Mr. MAXWELL: It is as plain as a pikestaff—

"Notwithstanding anything to the contrary contained in any Act, no company, corporation, or firm shall proceed to issue to any of its employees any shares in the company, corporation, or firm concerned until the consent of the court shall first be had and obtained."

A number of employees who at one time occupied positions behind the counter to-day are managers, and some of them are directors in these companies. Do the Government not intend to give the opportunity to young men and young women to rise to high positions in industry, or do they intend to shackle them? I say unhesitatingly that this is a dangerous clause. I do not say that some of the other clauses are not

*Mr. Maxwell.]*

dangerous; and, when we come to them, we will expose them just as we are exposing this clause. What is going to be the position of a number of employees who want shares in certain businesses in the city?

Men or women with energy and ability desire to improve their standing and to be associated with industry, and under this Bill there is no opportunity. The wages system, however, is controlled by trade unionism, and only those who are prepared to carry out the wishes of the unions are to have any consideration. This Bill is a disgrace to a British community. One would never have imagined that a clause such as this would have been submitted to a Legislature.

Hon. members opposite say to the workers, "We desire to give you the opportunity of rising," and the very first opportunity they get—

An OPPOSITION MEMBER: They give them the boot.

Mr. MAXWELL: Yes, they give them the boot. First of all they say, "The principles of our party will not allow you to take up shares in the business you are working in, unless you can get the permission of the court." God help anyone who goes to get the permission of the court!

Mr. W. T. KING: Don't you believe in the court?

Mr. MAXWELL: Never mind! I can say outside what I cannot say here, as I would be called to order. The Government have the opportunity to show the sincerity of their wish to benefit the workers by amending the clause as proposed by the amendment. We should let as many men and women as possible take up shares in businesses for the development of industry. All this talk of the employer taking the lifeblood out of the employee would then vanish in a moment. That is why the Minister refuses to accept the amendment. I hope that wiser counsels will prevail, and that the Minister will see that the same opportunity is given to the men on the lower rung of the ladder that is given to those at the top. One would gather from hon. members opposite that the brains are all on the employees' side, so why does the Minister not give the opportunity to the employee to rise? Many employees have risen from the position of office boys to leading positions in banking and commercial life, but they will not have the opportunity to do so under this Bill. Hon. members opposite have proclaimed that they are out to help the workers; but it is an insult to say to any person in the community that they must go to the court before they can take up shares in companies to improve their position in life.

Mr. R. M. KING (*Logan*) [11.49 a.m.]: I enter my emphatic protest against these words being included in the Bill. The amendment will make for the betterment of the Bill. These particular paragraphs are an unwarranted interference with the rights and liberties of the subject.

The SECRETARY FOR LABOUR AND INDUSTRY: All laws are.

Mr. R. M. KING: All laws are to a certain extent; but here we find a Labour Government who are everlastingly squealing about workers being kept down and yapping about workers having no opportunity; yet, when they come into power, they inflict a hardship like this on working men. The

[*Mr. Maxwell.*]

Labour Party should be the last party in the world to impose such an infliction as this upon the worker.

What is the object of preventing men employed in a business from taking such an active interest in the business that they can have more than a wage interest in it? As that business grows, their emolument will increase if they are shareholders in it.

If the Labour Party stand for the interest of any class in Queensland, surely they must stand for the interests of the worker! We have many businesses in which this principle is adopted. Take Allan and Stark, Ltd.: I suppose Mr. Allan is one of the biggest employers in Queensland, and he is a man of wide outlook and sympathetic interest in his employees, and the memorandum and articles of association of that company include clauses whereby employees may obtain an interest in the business by becoming shareholders, bonus or otherwise, and thus receive not only their wages but also any other return which the business may earn. Is there anything wrong in that? The Labour Government are doing their very utmost to prevent the worker from making some provision for himself and rising in the business in which he is employed.

We know that on more than one occasion the Labour Party have declared that the worker should get control of business by peaceful penetration. Here is an opportunity of doing exactly that, yet the opportunity is denied him. The amendment is perfectly reasonable, and the provision in the Bill is against the interests of the employees. I ask the Minister to consider seriously whether he, as a Minister of the great Labour movement, is doing something that will help that movement or that will prevent the workers from rising. I am just as anxious as the Minister to see employees get a fair deal, and it is to their interest that the amendment should be accepted. If the Minister is wise and is honestly working in their interests, he will accept it.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [11.52 a.m.]: The arguments of hon. members opposite are decidedly funny. The hon. member for Toowong and other ultra-Tory members say that it will give the working classes control of industry. We know that their political lives have been devoted to preventing that very desirable objective.

Mr. MAXWELL: That is not true.

The SECRETARY FOR LABOUR AND INDUSTRY: I have been looking for a reason for the amendment, and the hon. member for Murilla, who probably is not as discreet as some of the hon. members on that side, provided it for me. He said that it will prevent strikes taking place and that an employer can compel his employees to take shares.

Mr. KENNY: He did not say that.

The SECRETARY FOR LABOUR AND INDUSTRY: That is the statement of the hon. member for Murilla—that if the employees have shares in a business, they certainly will not go out on strike. In the interests of the employees, it is essential that the Government should make some provision to prohibit the issue of shares to employees who do not want them and cannot afford to take them and have probably no confidence in the undertaking. It is essential

that this provision should be directed against unscrupulous employers who compel employees to spend portion of their wages on stock of the company concerned in order to keep their jobs. There is no virtue in the position which has occurred in Brisbane, Townsville, and other cities and towns in Queensland, and also in other States and countries, where employees are bribed to take shares in a company against their own free will because they are afraid of losing their jobs. There is no objection to bona fide cases, where the employer is desirous of getting his employees to take a more intimate interest in the business, and for that purpose wishes to issue shares to them, provided the consent of the court is obtained. The Bill will not prevent the issue of shares in any bona fide case.

It is contended that the employee should be permitted to expend some of his savings in the purchase of shares in the company by which he is employed; but no employee and no individual with any business acumen at all would invest the whole of his savings in the stock of one particular company. That is bad business; and the person concerned would probably have to suffer a disability that he would not suffer if he were not a shareholder in the company. The proviso has been inserted to limit the conscription of employees into companies where they might suffer a disability. The court prescribes a definite wage for a certain calling; but there are occasions when unscrupulous employers pay less than the wage prescribed by compelling the employees to accept a portion of their wages by way of shares in the company. It has been said that is in contravention of the Wages Act, but, if the employee refuses to purchase the shares he is fired—he loses his job—therefore, in order to retain his job, he must suffer the disability in silence, and it is up to us as a Government to see that the condition is removed and that the protection to which the worker is entitled is extended to him. That is all that the clause means.

Mr. NIMMO (*Oaley*) [11.57 a.m.]: It is clearly evident that no argument adduced by this side will convince the Government, and that is patently evident by the empty Government benches at the present time. Hon. members opposite have no desire to hear argument, being determined that the Bill, as discussed in caucus, shall go through without amendment.

I want to refer to a great injustice that will be done to many employees by this provision. Throughout the State to-day many employees hold shares in the companies by which they are employed; and these companies continue to allot fresh shares to secure the necessary additional capital. Probably the shares to-day are quoted at a premium of 10s. or 15s. on their face value on the open market; but, when this clause is passed, the companies concerned will be compelled to say, "Every person can participate in the new issue except the employees of the company. The Labour Government have decided that the employees of the company are not entitled to shares in the new issue." That is a scandalous position to create and some effort should be made to protect the interests of such employees as those engaged by the Vacuum Oil Company and the City Electric Light Company, who probably purchased

their original holdings on the open market. We should endeavour to prevent any attempt to preclude employees from sharing in a new issue. Why should they be debarred from participating in this benefit merely because they are employees of such companies?

Mr. FOLEY: Where do you read that?

Mr. NIMMO: The clause provides—

"Notwithstanding anything to the contrary contained in any Act, no company, corporation, or firm, shall proceed to the issue to any of its employees any shares in the company, corporation, or firm concerned . . ."

Is that not plain enough? Under that the City Electric Light Company will be debarred from issuing new shares to its employees. The same prohibition will apply to gas companies, to the Vacuum Oil Company, or to any other company that is successfully carrying on trading operations to-day. The Labour Government have decided that employees in industry shall not share in the issue of new shares. I am sure that the Minister did not realise what he was doing when he agreed to this provision making it impossible for existing employee-shareholders to share in the new issue of shares. He has decided that any company must approach the court and say, "Please, Mr. Ferry, will you give me permission to issue new shares to our employees?" Will any company do that?

OPPOSITION MEMBERS: No.

Mr. NIMMO: Of course, not. They will simply pass over the employees and issue the shares in the ordinary way. An employee with a shareholding interest of £100 is to be compelled to lose £50 by being debarred from taking a further 100 shares in a company whose shares are quoted at a premium of 10s. on the open market. The Minister is doing a grave injustice to these employees by persisting in the retention of these paragraphs. Even at this stage I would ask him to reconsider the matter.

Mr. WIENHOLT (*Fassifern*) [12.1 p.m.]: I agree in general with the remarks made by hon. members on this side of the Chamber with regard to giving the best possible chance to employees to progress in industry, but I am just afraid that some of those who have spoken have lost sight of the point made by the Minister. I listened to his arguments and it seems possible that there might be some misuse of powers by an employer compelling an employee to take shares in the business. That power could be used as a species of blackmail over the employee, who, in order to keep his job, would consent to take shares.

The Minister made reference to a case in point in Townsville, where the father of a boy was asked to take up a certain number of shares before his son could get a job. I am not sure, however, that this clause will prevent that. I have an objection to anything that will put an employee in an unfair position. I want him to be free, and to be able to obtain and hold his job from the point of view of ability alone. That is why I object to that other blackmailing clause which compels employers to give preference to a man because he is a member of a union. There is something to be said for the argument that there shall not be any force used to compel a person to take shares to retain

*Mr. Wienholt.* }

his job, especially when his whole livelihood depends on his acquiescence in such a demand. It would be better to insert a proviso giving effect to the point of view of the Opposition. I am not concerned with the party aspect of the matter; but an employee should not be prevented from taking shares in the concern he is engaged in if he really desires to do so. I presume that the Minister would agree to such a course provided that an employee shall not be compelled to join the list of shareholders in order to retain his job.

Question—"That the words proposed to be omitted from clause 4 (*Mr. Russell's amendment*) stand part of the clause"—put; and the Committee divided:—

## AYES, 28.

Mr. Barber	Mr. Larcombe
" Bruce	" Mullan
" Bulcock	" O'Keefe
" Conroy	" Pease
" Cooper	" Smith
" Copley, P. K.	" Stopford
" Copley, W. J.	" Taylor, G. C.
" Foley	" Waters
" Funnell	" Wellington
" Gair	" Wienholt
" Gledson	" Wilson
" Hanlon	
" Hayes	<i>Tellers:</i>
" Hynes	" Llewelyn
" King, W. T.	" Williams

## NOES, 23.

Mr. Barnes, G. P.	Mr. Nimmo
" Barnes, W. H.	" Peterson
" Brand	" Plunkett
" Clayton	" Roberts
" Costello	" Russell
" Daniel	" Sparkes
" Deacon	" Swayne
" Edwards	" Tozer
" Fadden	
" King, R. M.	<i>Tellers:</i>
" Maxwell	" Kenny
" Moore	" Maher
" Nicklin	

## PAIRS.

AYES.	NOES.
Mr. Collins	Mr. Grimstone
" Dash	" Sizer
" Bedford	" Taylor, C.
" Keogh	" Morgan

Resolved in the affirmative.

Mr. RUSSELL (*Hamilton*) [12.9 p.m.]: I move the following amendment:—

"On page 6, lines 47, 48, and 49, omit the following paragraph:—

'(d) The right to dismiss or to refuse to employ or reinstate in employment any particular person or class of persons in any calling.'

I admit that a similar provision exists in the Industrial Conciliation and Arbitration Act of 1929, but I was not at all satisfied with the inclusion of that provision in the definition of "Industrial matters" in that measure. An employer should have the right to dismiss any person without interference. This clause means that, if an employer dismisses an employee for insubordination, the court may take a lenient view of the matter and order that the employee be reinstated. That is a very bad thing indeed. The employer should have the right to dismiss any employee without dictation from the union or from the court.

Hon. members opposite are very keen on having control of employees through the unions. They believe in the rotation system,

[*Mr. Wienholt.*

in which I do not believe; therefore, they will not agree to the deletion of this paragraph. At the same time, I contend that it is unfair to give the court power to determine who shall be employed in any business. The employer should be the sole judge as to whom he shall employ; and, so long as he conforms to the conditions of the award, he should have the sole right of deciding whether he shall or shall not terminate the engagement of any employee. No court should be allowed to intervene and dictate whom he shall employ, or whom he shall reinstate after dismissal for any cause whatsoever. It is a dangerous power to place in the hands of the Industrial Court. The Minister may say that the Moore Government included this provision in their Act, but I am opposed to it altogether; and, from the experience gained since 1929, I feel sure that members of the Opposition are convinced that it was a mistake to include in the powers of the court the right to dictate to an employer whom he shall employ, or whom he shall reinstate after dismissal.

At 12.14 p.m.,

Mr. W. T. KING (*Maree*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [12.14 p.m.]: I have no intention of accepting the amendment. It is a pity that the hon. member does not show some consistency. This is a principle that has been in all the Arbitration Acts since 1916, and it was included in the Bill introduced by his own party. I am wondering why the hon. member did not exercise his intelligence in the party caucus when they were introducing their Bill in 1929. No logical reason has been advanced as to why this power should be deleted. It is necessary in order to bring about peace in industry.

Mr. ROBERTS (*East Toowoomba*) [12.15 p.m.]: I certainly support the amendment of the hon. member for Hamilton. I admit that this provision was included in the 1929 Act, but I venture to say that there are many points in this Bill with which hon. members opposite do not agree. Unfortunately, however, under party government they cannot voice their opinions. This provision will be disastrous to industry. I personally claim the right to say who shall work in my establishment. I do not want the court to dictate to me whom I shall employ. I am the best judge in the matter, and have a fair knowledge of men, and I will do a fair thing by them.

If the court can direct an employer to take a man back into his employ, how can we get any good done between employer and employee? I have known cases in Toowoomba—and the hon. member for Toowoomba will bear me out—where certain boards of directors desired to get rid of employees but feared the unions. I have been on a board myself and know the feeling which exists. It is feared that the unions have some influence which would ultimately lead to the matter being brought before the court, and that in some way the unions would influence the court. They seem to have an influence with the court which employers cannot exercise. Time and again decisions are given by the court; but where do we see one given in favour of the employer?

Look at the comments of Mr. Ferry a few days ago in giving a decision! They talk about judicial decisions!

The TEMPORARY CHAIRMAN: Order! I do not propose to allow the hon. member to make comments upon the decisions which have been given by the Industrial Court.

Mr. ROBERTS: I am not going to accept your view of the matter, Mr. King. I am quite within my rights under this clause in showing the inconsistency of allowing someone outside to give a decision which he is not competent to give. You cannot tell me that a member of the court is able to give a decision as to whether a certain person shall be in my employ or not. If a man is working for me and doing a fair thing, it is to my interest to retain him. I have been in business in Queensland for forty-seven years, and have never dismissed a man yet. I had boys in my employ who grew up with the business; and, when I went out of business, it was carried on by them. I have had control of men in business since I was twenty-six years of age. I do not think that a judge should be able to replace in my employ someone whom I had dispensed with after giving consideration to the matter. I would not employ him again and remain in the business if I had any other means of livelihood.

Mr. MOORE (*Aubigny*) [12.19 p.m.]: I strongly support the amendment. This is the most outrageous thing that could possibly happen.

The SECRETARY FOR LABOUR AND INDUSTRY: You included it in your own Act.

Mr. MOORE: There are probably things in the Minister's own Act that he did not approve of. He seems to think that because something was in some Act passed by our Government we should therefore approve of it. Surely we can learn by experience!

The SECRETARY FOR LABOUR AND INDUSTRY: You must have approved of the principle if you put it in your own Act.

Mr. MOORE: The Minister is trying to get out of the difficulty by making an excuse that it is in some other Act. It would not alter the position if it was in five hundred other Acts. Is a man who is carrying on industry entitled to choose his own labour, or is he not? Is the court or the union entitled to tell him whom he must employ? If the court has power to tell me I must employ somebody in my own business that I do not want, I will give up my business.

The SECRETARY FOR LABOUR AND INDUSTRY: Why did you put it in your Act? It is an inconsistency on your part.

Mr. MOORE: The Minister is trying to get out of it by saying it is an inconsistency on my part. He has brought in a provision in this Bill which we will not have under any circumstances whatever—that is, preference to unionists. I say that the man who is finding the employment and putting capital into the business is the man who has the right to say whom he shall employ.

The SECRETARY FOR LABOUR AND INDUSTRY: You had preference to unionists in your Act.

Mr. MOORE: The hon. gentleman does not seem to be able to contain more than one idea in his head at one time, and at present that idea is that, because something is to be found in some other Act, it is, therefore, justified in this Bill. I deny that

is any reason. It may be an excuse; but I am trying to discover a reason for a provision like this, dictating to a man who provides employment whom he shall employ. All sorts of considerations enter into the question. A man may be a very good worker but very quarrelsome. I have known many men who were excellent workmen but who could not be employed in certain positions because they used to get intoxicated. Does the hon. gentleman mean to tell me that the court should have the right to say that I shall employ an individual I do not want? The position is intolerable.

The SECRETARY FOR LABOUR AND INDUSTRY: Do you mean to tell the Committee that the court would instruct you to employ a drunken man?

Mr. MOORE: I am prepared to believe that the court would tell me to do any stupid, silly thing, after what I have seen it do lately. It has gone directly against the evidence in certain cases.

The TEMPORARY CHAIRMAN: Order! I do not propose to allow the Leader of the Opposition to continue on those lines. If the hon. member criticises decisions which the court has given in the past, I shall ask him to resume his seat.

Mr. MOORE: The court is created by this Parliament, and hon. members had the right, if they think the court is wrong, to mention it in this Chamber. The Minister asked me whether I thought the court would do a certain thing, and I said that I did think it would. I say this principle is entirely wrong. The members of the court do not know; and to think that a union shall tell them whether a certain man shall be employed or not is monstrous. I ought to be the judge as to whether I shall employ a particular individual or not; and I ought to be able to employ him if he suits me and he does the work I want him to do. The union does not accept any responsibility; yet it is to dictate who shall be employed by the man who is finding the money. I do not care whether a similar provision is in every Act in Queensland, or whether the Minister can find such a clause in an Act in Pennsylvania or anywhere else. I object to the principle by which a decision of a court can come between an employer and employee on a question of this sort, where the court has no responsibility and the whole of the responsibility is on the employer.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*, [12.24 p.m.]): I rise to point out the inconsistency of hon. members opposite. I am satisfied that they are just putting up this fight to please some of their masters outside. The Leader of the Opposition ridiculed the idea of trying to justify this clause upon the ground that it appeared in a previous Act, but I was pointing out the inconsistency of the hon. member. He said that under the Act passed by the late Government preference to unionists was not operating, and that, therefore, this clause was not harmful; yet I find in the 1929 Act a provision which enabled preference to unionists to be given.

Mr. MOORE: Read all the conditions!

The SECRETARY FOR LABOUR AND INDUSTRY: The argument of the hon. member as to the disabilities under which

*Hon. M. P. Hynes.]*

employers would suffer if this provision remained in the Bill could have been used with equal effect on that occasion, because the conditions have not altered since. The court always acts judiciously, notwithstanding the disparaging remarks to the contrary from hon. members on the other side. I am satisfied that the court will act as it has done in the past—

Mr. MOORE: That is what we are afraid of.

The SECRETARY FOR LABOUR AND INDUSTRY: And that it will give full consideration to all the arguments adduced before it. The idea of the court compelling an employer to keep in his employ a drunken, incompetent employee is too ridiculous for a reply.

Mr. KENNY (*Cook*) [12.26 p.m.]: The Minister does not realise his responsibilities. He dismisses the matter merely by saying that the same provision appeared in an Act passed by the late Government. We are making a new law to-day; but the Minister is not prepared to consider the subject on its merits. There can be no justification in the mere assertion that the same provision was passed by the Moore Government. The time has arrived when Parliament should consider the whole of the statutes with a view to discovering what Acts can be removed from the statute-book. Instead of the Minister considering the matter on its merits, he says, "You put it in your Act." That is not a justification. We do not know who will constitute the court; but the court will have power to say what person shall be employed and what persons shall not be employed. That is absolutely wrong. I believe that Mr. Riordan is going to get the job. What sort of a go will the employer get from a court like that?

The Minister said that no court would do such a thing, but we do not know how the court will be constituted. That will be left to the Governor in Council and to the "Reds" behind the Government. We know what we got from the court in the past. We also know that the applications for preference were not heard—they were pre-heard.

The TEMPORARY CHAIRMAN: Order! I ask the hon. member for Cook not to continue in that strain. He must not continue to say that applications before the court were pre-heard. If he continues to do so, I shall have to ask him to resume his seat.

Mr. KENNY: I am confining myself to the question before the Committee, Mr. King. The Minister said that the court would consider these things, and I merely pointed out a case where the court did not consider the matter. We are discussing legislation which will shortly become law, and the Minister merely says, "You put it in your Act." That is not a justification.

The SECRETARY FOR LABOUR AND INDUSTRY: It points to your inconsistency.

Mr. KENNY: I am not concerned with inconsistency just now. I am concerned with the legislation now under consideration. The Minister should not be concerned about inconsistency just now. That is a matter for which the hon. member has no responsibility at all. It should be the duty of the Minister to see that justice is meted out to all sections of the community. It is not his duty to point to inconsistency or con-

sistency. Experience has shown that the late Government erred in including the provision in the Act passed by them; and we are justified in pointing out to the Minister that it would be wrong to include the provision in this Bill. The Minister has not submitted any argument against the amendment. He should realise his responsibilities, and realise that he is a Minister of the Crown—not a casual individual who can take any action regardless of its consequences.

Mr. TOZER (*Gympie*) [12.30 p.m.]: It has just occurred to me that Parliament might become seriously involved by the passage of this provision. I understand that Mr. Speaker exercises control over Parliament House, and that control includes the control of the employees of the House. Consider the position of an employee at Parliament House who is summarily dismissed or dismissed upon a week's notice. If he is a unionist, he will probably approach his union, and the matter will probably come before the court. Parliament is to be made subservient to the court. Mr. Speaker would be the nominal employer. The whole thing is absurd on the face of it. We have had an experience lately in this building in this connection.

The SECRETARY FOR LABOUR AND INDUSTRY: What is the difference between this paragraph and the paragraph in the previous Act?

Mr. TOZER: Why should Parliament be made subservient to the court?

The SECRETARY FOR LABOUR AND INDUSTRY: That would not be Parliament; that would be Mr. Speaker, who in that case would be the employer.

Mr. TOZER: The whole thing is such an absurdity and a farce that it should not be allowed to continue. I have been an employer ever since I was admitted as a solicitor. If I dismissed an employee he would have power, under this clause, to compel me to appear before the court to show cause why I dismissed him.

The SECRETARY FOR LABOUR AND INDUSTRY: Why should he not?

Mr. TOZER: An employer does not dismiss an employee unless he has some sound reason. It might be that an employer would be compelled to dismiss an employee on account of the economic conditions prevailing or because of the impending taxation proposals of the Government. Why should that employee be allowed to force the employer to appear before the court to state those reasons? I support the amendment for the deletion of the paragraph.

Question—"That the words proposed to be omitted from clause 4 (*Mr. Russell's amendment*) stand part of the clause"—put; and the Committee divided:—

AYES, 26.

Mr. Barber	Mr. Llewelyn
" Bruce	" Mullan
" Conroy	" O'Keefe
" Cooper	" Pease
" Copley, P. K.	" Smith
" Copley, W. J.	" Stopford
" Foley	" Waters
" Funnell	" Wellington
" Gair	" Williams
" Gledson	" Wilson
" Hanlon	
" Hanson	<i>Tellers:</i>
" Hynes	" Hayes
" Larcombe	" Taylor, G. C.

[*Hon. M. P. Hynes.*]

## NOES, 24.

Mr. Barnes, G. P.	Mr. Nimmo
" Barnes, W. H.	" Peterson
" Brand	" Plunkett
" Costello	" Roberts
" Daniel	" Russell
" Deacon	" Sparkes
" Edwards	" Swayne
" Fadden	" Tozer
" Kenny	" Wienholt
" King, R. M.	
" Maher	<i>Tellers:</i>
" Maxwell	" Clayton
" Moore	" Nicklin

## PAIRS.

AYES.	NOES.
Mr. Collins	Mr. Grimstone
" Dash	" Sizer
" Bedford	" Taylor, C.
" Bulcock	" Walker
" Keogh	" Morgan

Resolved in the affirmative.

Clause 4, as read, agreed to.

Clause 5—"Application of Act"—

Mr. EDWARDS (*Nanango*) [12.36 p.m.]: I move the following amendment:—

"On page 9, line 20, after the figures—  
' 1928 '

insert the words—

' or to persons engaged in domestic service or as a gardener or handyman or yardman in private homes, or to persons employed in work such as is usually carried on in farming operations on dairy farms, fruit farms, or agricultural farms. '

I hope the Minister will give careful consideration to the amendment, because it affects the welfare of the State. Only this morning we read the Premier's statement regarding the enormous decline in railway revenue, much of which is due to interference in many directions and to taxation imposed upon the primary producing industries of the State. We look to the efforts of the primary producers to keep in employment those persons who are at present employed, and, furthermore, to provide the taxation receipts necessary to keep unemployment relief and other work going. Looking at the matter from that point of view, we realise how serious it would be to impose further irritating conditions on the farming community.

It may be argued that men employed in farming operations may not even apply to the Industrial Court. I do not believe that 1 per cent. of the rural workers of the State desire to go to the court; but, once the power is given enabling them to apply to the court, the inspectors will urge them to take advantage of that power; and in that event it will not be difficult to obtain the signatures requisite to an application to the court. Such an application might be followed by an award of the court prescribing certain hours and conditions which would be irksome to the farming community generally. We recall a previous occasion on which such conditions were imposed. One case I have in mind was that of a man engaged in threshing peanuts. He desired to finish the work one evening in view of the approaching rain, which would have caused him considerable loss; and, in order to get the work through expeditiously, he obtained the assistance of a lad who was engaged in work in the milking-shed.

At 12.40 p.m.,

The CHAIRMAN resumed the chair.

Mr. EDWARDS: Towards sundown, while engaged on this work, an inspector arrived. The whole machinery was stopped, and inquiries made. As a result, the farmer was summoned, and he had to pay the inspector's expenses from Gympie to Kingaroy and from Kingaroy to Gympie.

Thousands of people who know nothing about the subject are everlastingly asking, "Why do the farmers not conserve fodder to keep themselves out of difficulties when a dry time comes?" From my very door I have seen fine crops of lucerne absolutely wasted because the farmer was not able to work on the field for a few hours a day. Owing to the farmer carrying out dairying at the same time, he was not able to work the lucerne at the opportune time. Lucerne crops, wheat crops, or any other crops suitable for fodder have to be tackled at the proper time; and, if it is four or five o'clock when the crop is sufficiently dry to take in, you have to work till eight or nine o'clock at night to get it in, otherwise you are likely to lose the whole lot.

The same thing happens on the Downs in regard to wheat. If you do not work every minute when the opportunity offers, you are likely to lose your crop; therefore, I ask the Minister to accept the amendment, as the farmers of this State are not in a position to stand any further obligations. They want all the assistance we can possibly give them at the present time.

In regard to gardeners, handy men, or yardmen, surely we have not come to such a position that these men should be under the control of the court and have their hours regulated? It is a well known fact that they may be doing no work for hours, and then, when the opportunity offers, they do a little bit of work.

Then, in regard to the domestic servants, if there is one section of the community that has never received any advantage during the time we were obtaining an enormous revenue, it was the mothers of this State. The mothers who are rearing the children of the State have had to bear the burden right through, and it can be safely said that at all times the domestic servant has had the big end of the stick. An odd case may occur in which hardship has occurred; but, generally speaking, the domestic servant is in the position of being able to dictate the conditions under which she will work. My experience is that it falls on the mother or the person who is looking after the home to do the lion's share of the work, and particularly the dirty work. This is carrying the position too far altogether. Owing to the financial position we are in, this will be a step which will bring us into such a condition that the people will be, as it were, wandering in the wilderness, wondering what is going to happen.

Mr. COLLINS: You are a Jeremiah.

Mr. EDWARDS: Unfortunately, the hon. member has been one of the Jeremiahs who have brought the State to the condition it is in at present, which has been unfortunate for the working man whom he is supposed to represent. I am pleading for the people generally, working men included. If we impose any further restrictions on the people at the present time, many more men will have to walk the streets. The people in the country districts cannot possibly bear this imposition, even if they try to do so. I

*Mr. Edwards.]*

would ask the Minister to give due consideration to the amendment.

Mr. FOLEY: Do you want them to have the power to employ men at any old time?

Mr. EDWARDS: I know of a case in my own district where a lad has been working for some years for £1 a week. The farmer has not been able to pay him £1 a week of late; he went to the lad, and said, "I will have to sell something to pay your wages, or you will have to continue at a lesser wage until we get a crop in and I am able to pay the full rate." The lad said that under no circumstances did he want to lose his job.

I am pleading to keep our men and boys in work. That is the only way we can build up the State. If we put harassing conditions on every industry in the State, sooner or later everybody will be in the same difficulty and wondering what is going to happen. There is no confidence on the part of people to spend money at the present time. If we could put everybody on the land to work independently, I would advocate that policy, but we cannot do anything of the sort. Every time a block of land is thrown open for selection there are 600 or 800 applicants for it, and all but one of them has to look for employment on the land. The effect of this provision will be disastrous in regard to our railway and general revenue, and it will have a bad effect on employees generally, because, if commodities are not produced at a reasonable cost, our secondary industries cannot carry on.

If the Government are desirous of creating conditions such as will bring about the nationalisation of everything, they are not likely to look at the position in the way for which I am pleading. In that case I do not expect to get any consideration from the Minister, but I do not think we have come to that state of things yet. We are not here to advocate the cutting away of the independence of the individual.

Mr. LLEWELYN: We do not want our men and boys to be beasts of burden.

Mr. EDWARDS: The desire of every hon. member should be to put men back to work again as soon as possible. If hon. members think that they can assist employment by imposing harassing conditions on industries, especially primary industries, they are mistaken. Primary industries especially can bear no further weight of taxation. I venture to say that, in the event of the rural employees in the State approaching the court and the court deciding, as it did before, that oppressive conditions should be imposed on rural industries, thousands more would be put on the road. Such a decision would have the effect not only of dispensing with the services of men now on the land but also of throwing out of employment men who handle the products of the land on their way to the factory, and in their transit to the consumer by rail or ship. Let us deal with the position as broadly as we can. To provide the revenue necessary to employ people and create confidence, it is time we reduced the burdens of the people on the land.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [12.51 p.m.]: I do not propose to accept the amendment. I would point out to hon. members opposite that the demand for exemption is not so great as it was in

1929, because section 6 of the Act passed by the Moore Government in that year was far more comprehensive in its exemptions than the proposed amendment, and excluded, amongst other employees, nurses. Hon. members must have seen the error of their ways during the last three years. We consider that every individual should have the right of access to the court, and the right to have his or her conditions of labour regulated by that tribunal. That is the principle underlying arbitration. Hon. members on this side gave an honourable undertaking on the hustings that, if they were returned, they would grant that right to every individual in the community; and we intend to give effect to that undertaking. If we followed the policy of the party opposite and excluded 50 per cent. of the industrial population, we would be entitled to the condemnation of every decent-minded person in the community.

Hon. members opposite talk about the disabilities of the primary producers. I would point out that in this case, as in the case of the conditions imposed by the court on various other industries, the court has always exercised good judgment. (Opposition dissent.)

I would like to point out, also, that the Governor in Council has power at any time to exempt any calling from the operations of the measure, and that, I think, is sufficient power to include in any Act. We promised to the people a full and comprehensive measure of arbitration, and we are fulfilling that promise. Every individual in the community who is pledged to obey our laws is entitled to the protection of the court.

Mr. DEACON (*Cunningham*) [12.55 p.m.]: The Minister has advanced no reason why the amendment should not be accepted. He contented himself with saying that the Government Party had made a promise during the last elections, and that that was being carried into effect. The same classes of employees were included under an Act passed by a previous Labour Government, but the provision proved a failure. It merely made for increased unemployment. At least 60 per cent. of the labourers engaged in farming operations were thrown out of employment; and the same will occur again, because it is impossible to conduct farming operations on a fixed hour schedule such as a 44-hour week. That is the most that the court can grant to those individuals. Never at any time have the labourers engaged in farming operations asked to be brought within the ambit of this legislation. It has been impossible to organise them, although an attempt was made. It was not possible to have a genuine application for an award placed before the court. An application was made, but it was not a genuine one. The court made an award, and immediately men were on the road everywhere. The same thing will happen again. To-day, unemployment is rife, but the Government are determined deliberately to add to the number of unemployed.

Just consider the conditions that exist in the farming districts to-day, whether it be dairying, general farming, or stock raising. Prices are so low that the industries are in an almost desperate situation. The position is very much worse to-day than it was a few years back, when the rural workers' award was made possible. Wheat is being sold at less than the cost of production.

[*Mr. Edwards.*]

The price for dairy products has fallen to the lowest level for a great many years. Still, the Government are determined to add to the cost of production, and thereby to create further unemployment. The Government will have to accept their responsibility in the matter. They will have to say to the farm labourers, "We deliberately threw you out of work." The Minister said that they were giving effect to an election promise; but in every farming electorate the Government were well defeated. They could not get working men in those electorates to support them. Whether the elections be Federal or State, the same results occur. The working men in the farming electorates have no desire to come under this measure. They have never asked for it on a single occasion. They have not formed a union, and they have no desire to be subject to arbitration; yet they are to be forced to come under the Act, and we shall then have less production, more unemployment, and an extremely unworkable situation. There is not an hon. member who represents a farming district who did not behold the tragic change that took place in farming districts when the rural workers' award was introduced. Men were dismissed, and immediately there was a tremendous development in the use of tractors. The farmer further economised by doing a lot more work himself, even at a good deal of personal inconvenience. A lot more work was done on the farm with the aid of machinery, but it only aggravated the situation. That position will be created again by bringing farm workers under the Act.

**THE SECRETARY FOR LABOUR AND INDUSTRY:** How can you account for the fact that more men were employed on farms while the rural workers' award was operating than are employed at the present time?

**MR. DEACON:** The Minister is quite wrong. He is taking the number of men employed altogether in general industry. There was a tremendous falling-off at the time mentioned in the amount of labour employed on farms. This Bill will have a similar effect on the labour market. It will not do any good, but it must inevitably do a great deal of harm. Many men are out of work, and for that reason it would be better to leave things as they are. The industries providing the vital necessities should be freed from irritating and harassing restrictions. The workers engaged in the farming industries must work longer hours than those working in the cities because they are creating work and thereby helping other industries.

**MR. COSTELLO (Carnarvon) [2.3 p.m.]:** In supporting the amendment moved by the hon. member for Nanango, I would ask hon. members to view it from a plain, sound, common sense point of view. The Minister is placing upon the court the responsibility of making an award; but, should an appeal be made to the court by any union, it is only natural that the court will make some kind of award. The wages fixed may not be high, but there will be a limitation as regards hours. The greatest handicap our primary industries can suffer would be to have an award restricting hours.

The principal fruit industry in this State is situated in my electorate. Anyone who has followed the market quotations for fruit since this season's fruit has been placed on

the market must be struck with the fact that this industry cannot stand an award or be worked according to a schedule of fixed hours. For several weeks past the fruit-growers and their labourers in the Stanthorpe district have been working twelve hours a day. Why are they doing that? To get their commodity—a perishable commodity—into the market at the earliest possible opportunity. They are harvesting a commodity that will not keep in the packing sheds; hence the necessity to market it as soon as it is ripe.

The same remarks apply to wheat harvesting and to haymaking. Is it any wonder that the community generally is going in for the more extensive use of labour-saving machinery? The union agitator and the union boss are driving industries into a more extensive use of machinery, resulting in the displacement of human labour. I recall the time when twelve or fourteen men were required to harvest a 200 or 300-acre paddock. Now the work is done by two or three men using a harvester. In this Bill the Government are imposing more strenuous conditions, quite overlooking the fact that if more impossible conditions are imposed so far as labour is concerned, more machinery will be used. When the harvest is ready, are we to sit down at 5 o'clock and allow the harvest to rot? When Providence has provided us with a bountiful harvest, are we to look at the clock and at a certain hour say, "No more work!"

**THE SECRETARY FOR MINES:** Pay them overtime.

**MR. COSTELLO:** We will pay them overtime if the consumers provide the money with which to pay the overtime.

**THE SECRETARY FOR MINES:** Under the Paterson scheme consumers had to pay 4d. per lb. for their butter that they should not have paid; and they had to pay 2½d. per lb. too much for their sugar too.

**MR. COSTELLO:** When the harvest is ready, it is the duty of mankind to harvest it. If, through any fault of our own, we lose the crop, then we deserve to lose it. If the people in the granite belt do not harvest their crop when it is ready, they lose it. The interjection of the Secretary for Mines regarding butter is most unjustified. The price of butter to-day is lower than it has been for many years; yet we are giving the Industrial Court the power to create an award for the industry. The workers who will be displaced as the result of the passage of this Bill will be forced into concentration camps.

Just before the lunch adjournment the hon. member for Toowoomba made some reference to treating men like beasts of burden. The hon. member must know that in Toowoomba—that beautiful inland town of which we are so proud—there have been more attempts at highway robbery than at any other period of its history simply because the Government encourage people of an undesirable type to congregate in the district. By their legislation the Government are forcing many respectable people to intermix with criminals who are a social menace to the community. By this legislation the Government are forcing men off farms—

**THE SECRETARY FOR LABOUR AND INDUSTRY:** The unemployed people are not criminals.

*Mr. Costello.]*

Mr. COSTELLO: No, but the hon. gentleman's Government, by their legislation, are making more criminals than any other Government did.

The SECRETARY FOR MINES: This legislation is not passed; yet you talk about highway robbery around Toowoomba.

Mr. COSTELLO: The legislation is as good as passed so far as the Government are concerned. When it has passed caucus, it passes this Assembly, and the Government are putting the responsibility on an outside authority. Why do hon. members opposite not stand up to their responsibilities? Instead of that, they want to force these people into the unions so that they can get more money out of them. The Australian Workers' Union is short of cash, and it has a lot of organisers that it has no need for. When this Bill is passed, it will be the business of these organisers to go round and organise a sufficient number of young fellows to get a petition signed to go to the court for an award; and then they will be compelled by Act of Parliament to become unionists. The milk in the coconut is the £1 5s. or £1 10s. that they have to pay to the union. The organisers are after their money to bolster up the union. We have already had the experience of a rural workers' award, and at that time prices were very much higher than they are to-day.

The SECRETARY FOR MINES: There were no highway robbers in Toowoomba in those days.

Mr. COSTELLO: The Government are to blame for the present position, because they have forced these young men into camps in Toowoomba and other cities. If the hours in regard to farm workers are fixed at all, it will force the workers off the farms, and it will mean a reduction of output.

We had the Premier yesterday making a loud squeal about the falling off in the railway revenue. He said that the people in the south and south-west are not using the railways to the extent they should, and he suggested there was some boycott on. The revenue of the railways is falling off, and it will continue to fall, and the railways will become a menace to the country. It will soon be a question as to how long we can continue the railways if we reduce production. By placing the responsibility on the Industrial Court in regard to the fixing of hours in the rural industries, the Government are forcing more men upon the unemployment relief fund. They are going to lose revenue, and they are going to create a social menace such as we have never seen before.

I am not an alarmist, but I know the conditions as they are, and I know that the farmers cannot afford to employ labour. They certainly cannot afford to pay overtime. When the crop is ready, it is the duty of the workers to harvest that crop. They cannot wait until 8 o'clock the following morning, but they must get the crop in immediately, irrespective of any conditions laid down by the Industrial Court. By the passing of this legislation the Government will reap a harvest of unemployment. I support the amendment.

Mr. LLEWELYN (*Toowoomba*) [2.15 p.m.]: The statement of the hon. member for Carnarvon that there have been highway hold-ups by the men who have been given

shelter in a shed constructed by the Social Service League is quite untrue. I recognise that there have been things done in Toowoomba which are very much to be regretted; but those incidents would have occurred in any town in Queensland under similar circumstances. The motor car incident was in connection with a domestic quarrel between the two parties, and the police have the matter in hand and can bear out my statements. The men who are living in the shelter shed in Toowoomba have invariably conducted themselves reasonably well, having regard to the conditions under which they live. The men are in distress and want, but they have observed the requirements of the law. The wild and rash statements made by the hon. member for Carnarvon in this Chamber will only have the effect of inciting these men to break the law.

Mr. COSTELLO: They are doing it now, and you know it.

Mr. LLEWELYN: I believe the effect of this measure will be to protect the genuine workers from the undesirable class the hon. member for Carnarvon is associating them with.

Mr. KENNY (*Cook*) [2.18 p.m.]: I am pleased to support the amendment of the hon. member for Nanango. If it is not accepted, the workers themselves will soon realise the position when we have the rural award with us again. The Minister will realise that that will not be in the best interests of the Queensland people.

I rose mainly to point out that we have a young industry capable of vast extension in Queensland that is likely to be killed by the operation of the rural workers' award, namely the tobacco industry. In the far northern part of Queensland tobacco has proved very satisfactory as a commercial crop; and the industry will find work for a large amount of labour during the harvesting and curing operations. If an award is imposed on the industry, we shall not have the expansion that we so much desire. It is becoming more unprofitable each year for the Southern States to grow the type of tobacco required by the market; so Queensland will soon be growing all the tobacco required in Australia and also for export abroad. It behoves the Minister seriously to consider the position, as an award may be the means of crippling this young industry. Many farmers in Queensland are facing the possibility of having to give up tobacco growing. They realise that they are facing bankruptcy by having gone in for tobacco cultivation before they found out whether their land was suitable for the purpose. The last tobacco sales in Brisbane showed that the tobacco placed on the market in Queensland to-day is, to a great extent, unsuitable for the requirements.

The CHAIRMAN: Order! A general discussion on the tobacco industry will not be in order; and I ask the hon. member to confine his remarks to the question before the Committee.

Mr. KENNY: I am pointing out to the Minister that, if he does not accept the amendment, we shall have an award affecting the industry, despite the fact that 60 tons of tobacco cannot be sold to-day. Many men, after spending thousands of pounds in readiness for the production of tobacco, will find that their money has been wasted and

[*Mr. Costello.*]

they have been crippled, with the result that they will be thrown upon the unemployed market. I regret, Mr. Hanson, that you rule that I cannot proceed to point out the position, because it is serious. The Minister and we, as a Parliament, should be concerned to see that nothing is done that will be detrimental to the industry. This is one of the surest ways of killing the industry, because an award would make tobacco farming unprofitable, and the throwing of tobacco farmers upon the unemployment market will be a calamity to the State. No doubt it will be argued that I am hitting the men employed in the industry; but I say definitely that, in their interests, and in the interests of others who hope to get work in the industry, it will be a calamity to allow an award to be placed upon the industry at its inception, because it will cripple it.

Mr. GLEDSON: I thought you said they were all bankrupt now.

Mr. KENNY: A number of them are; but they will go out, and others will take their places on land which is suitable. Had the Government gone ahead classifying land in the early stages, it might have been different. The late Government realised the possibilities in North Queensland, and threw open land.

The CHAIRMAN: Order!

Mr. KENNY: All right, Mr. Hanson, I am dealing with agricultural farms for tobacco growing.

The CHAIRMAN: The hon. member is not dealing with the question before the Committee.

Mr. KENNY: I accept your ruling, Mr. Hanson.

Another industry concerned in the amendment is dairying. We know that the prices of dairy products are lower at present than for thirty years. How, then, can there be any argument in favour of imposing an award on the industry? The industry cannot stand it any more than the tobacco industry can. If the Government are determined, the responsibility will rest on their shoulders; and it is better to absorb men in industry at a wage which it can pay than to throw them on the scrap-heap. The award that will be asked for by union organisers, if not by the men themselves, will have the effect of throwing out of work a number of men employed in the industry at present, because the Government are desirous of holding office, and will be out for their votes. They will be prepared to sacrifice the interests of the industry and of the State rather than sacrifice themselves. The amendment merely aims at protecting primary industries, which eventually will pull Queensland out of her difficulties.

Mr. SWAYNE (*Mirani*) [2.25 p.m.]: We had a very interesting interjection from the Secretary for Mines. I heard him say that both butter and sugar were 4d. per lb. too dear. Seeing that the retail price of sugar is 4½d. per lb., his interjection means that, if he had his way, he would bring the price of sugar down to ½d. per lb.

The SECRETARY FOR MINES: I did not say that of sugar.

Mr. SWAYNE: The hon. gentleman said that both commodities were 4d. per lb. too dear. That illustrates the attitude of mind of that hon. gentleman towards those two products.

Fixed working hours have operated for some time in the sugar industry as regards field work, but the conditions have always been most difficult. It will be impossible to work under those conditions when the new sugar price operates early next year. When the hours were first fixed in the industry, some latitude in working operations was permitted, in that work lost through wet weather on one day could be made up on other days of the week. The hours were eventually reduced to 48 hours per week; but I can say with the utmost confidence that it will be impossible in the future to maintain those agricultural operations on those conditions. Those farmers in a moderate way who employ, perhaps, one or two men will refrain from so doing, and will endeavour to continue their operations with the assistance of their families.

I have not now in mind the very small man who employs no labour, or the very big man who employs seven or eight ploughmen and probably a stableman to look after the horses. I am discussing the position of the farmer who employs two or three men. It will be impossible for him to conduct his operations on a fixed hourly basis unless, of course, he is prepared to work four hours per day longer than his employees. The horses must be brought in in the morning to be fed an hour or an hour and a-half before the time to turn to. They must be fed again at night; and, unless the employer is prepared while doing the same amount of field work as his employees to act as groom for his employees, farming operations will be impossible. Hired labour will be restricted to bare essentials, and that is not a desirable state of affairs. Will anyone say that the conditions of men living on a place from week to week are not quite different from the condition of factory hands employed in cities and towns? No great hardship is inflicted on a farming employee who is asked to assist to prepare the horses for work or to feed them at night. From another point of view, it is not an uncommon occurrence for horses to drop during an excessive heat wave. The work can be done without risk of dropping a horse only by commencing operations before daylight and working late in the evening, but the award in operation in the industry will not permit that. I have at times adopted the practice of having a cup of tea and commencing work at 4 o'clock in the morning, working until eight, and ceasing operations until 3 o'clock in the afternoon, when I have worked for an additional four or five hours. A fair amount of work can be done in that way, and the horses are not subject to the excessive heat, with probably fatal results.

It is impossible to carry on agricultural operations on hard and fast lines. The conditions are so different from the conditions in factories, where the employees are sheltered, operations are not hampered by weather conditions, and the raw material is close at hand. There are times when it is necessary to work every minute of daylight to cope with the work on the farm. This is particularly the case as the wet season approaches. As soon as the wet season commences, it means that perhaps months must elapse before operations can be resumed on the land. Prior to that time it is wise to clean the ground and have the crop in readiness in view of the approaching wet season. If cane is grown on ridges

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with furrows in between for drainage purposes, it is necessary for the cane farmer to see that the water furrows are cleaned out before the rain comes. All that kind of work must very often be done quickly, and without any regard to hours, or else it is not done at all.

The same remarks apply to haymaking or any harvesting work. If indications point to wet weather, or if a thunder-storm is threatening, one must make an effort to get all the hay in that is possible before the rain comes, otherwise it will be lost. It is impossible to apply hard and fast conditions to the agricultural industry. There can be no definite starting and knocking off time in agricultural operations. If that is done, the work on the farm will deteriorate, or higher prices must be obtained for our products to enable operations to be carried on.

I want to associate the sugar industry with the other agricultural industries that have been spoken of. It is no use saying that the sugar industry is specially favoured, and that it can carry on under conditions which are not applicable to other agricultural industries. I have a list of agricultural industries which receive bonuses and bounties, and sugar is the only agricultural industry that is not included. I observe that meat that is exported, flax, linseed, and canned fruits, cotton, and wheat are included. We know that our fruit industry has received assistance in this direction to the extent of over £300,000 paid them directly by the cane-growers. I have not the time to read through the whole of the products receiving Federal assistance by way of bonuses and bounties. There is no truth in the assertion that the sugar industry is specially favoured, and can carry on, because the facts are the reverse. Anyone acquainted with the working of farms knows that it is impossible to work horses in the heat of the day in the summer months, and that they must be got in and fed some little time before they are worked and fed again at the conclusion of the day's operations. It would be impossible to govern all these conditions by an award. If an award is made, the farmer will endeavour to confine his operations to what he can cover with his own and his family's labour. He will not engage men under vexatious conditions. That is not a desirable state of things. It is our desire to bring about close settlement conditions on the northern shores of Australia, but restrictive conditions of an award will make that impossible with any degree of satisfaction.

Mr. FOLEY (*Normanby*) [2.34 p.m.]: If this amendment were carried, agricultural labourers would be forced to accept the old conditions which existed in the industry many years ago, when they were compelled to accept 5s. and 10s. a week and their keep, and work any old hours that the farmer desired them to work. The farmer does not desire those conditions to exist. He desires to see the agricultural labourer possess a fair purchasing power, and is quite prepared when his farm is developed to that stage when he can employ labour, to do so at the rates laid down by the court. As a matter of fact, the average farmer is beginning to realise that if the old conditions obtained whereby a worker was paid 5s. or 7s. 6d. per week and his keep, those conditions would be reflected in the price that the

farmer received for his commodity. Hon. members opposite claiming to represent farming constituencies have been arguing all day that the agricultural labourer should be exempted from any conditions imposed by the Industrial Court so that the individual farmer can pay him and work him as he desires.

Mr. SPARKES: You exempted agricultural labourers in 1916.

All we are aiming to do is to provide that agricultural labourers shall receive the same protection as other workers in the State. It does not necessarily follow that the Industrial Court will rush in and award a wage of £10 or £20 a week to agricultural labourers, irrespective of the conditions of the industry. Experience in the past has shown that, before the Industrial Court made an award for primary producing industries, it ordered an extensive inquiry to be made. Years ago such an inquiry was made, and as a result a rural workers' award was made. I ask hon. members seriously, did the rural workers' award cripple the farming industries of the State?

Mr. EDWARDS: It sacked hundreds of men.

Mr. FOLEY: Our statistics show a continual increase in the production of these primary industries. If the rural workers' award crippled the industries, surely that fact would have been revealed in the statistics! We know that, on the contrary, a continual increase in production was made, notwithstanding that the rural workers' award was in operation.

Hon. members should realise that in this Bill power is given to the judges to spread the working hours according to the needs of an industry. I agree with hon. members opposite that at harvesting and on other occasions operations cannot be stopped just when one pleases; and the members of the Industrial Court will be wise enough to realise that fact and to make the necessary provision. There is no need for the panicky fears expressed by members of the Opposition, who will find that the primary industries will continue to thrive as they did when the rural workers' award was in operation.

Mr. PLUNKETT (*Albert*) [2.39 p.m.]: I did not intend to speak; but, when I heard a responsible Minister say that the price of butter in this State was 4d. per lb. too much—

The SECRETARY FOR LABOUR AND INDUSTRY: Who said that?

Mr. PLUNKETT: The Secretary for Mines said that butter was 4d. per lb. too dear.

Mr. FUNNELL: That is not true.

Mr. PLUNKETT: I protest against such a statement from a responsible Minister. Perhaps the hon. gentleman was speaking on behalf of the Government. We have recently had the Premier and the Secretary for Agriculture doing everything they can through the press to encourage dairying and other primary industries. Does any hon. member on the Government side want the producer to get only 6d. per lb. for his butter? At the present time the farmers are getting 10d. per lb. for their butter, although the only time we have had an official examination, the decision was that the cost of production of butter in Queensland was 1s. 7d. per lb. The amendment is to exclude the primary industries from the operations of

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the Industrial Court. It seems to me that the Government in framing this Bill forgot altogether that the rural industries are more or less seasonal industries.

The SECRETARY FOR MINES: What about the seasonal workers?

Mr. PLUNKETT: The hon. member said that the producers were getting 4d. per lb. too much for their butter.

The SECRETARY FOR MINES: You are a liar.

The CHAIRMAN: Order! I ask the Secretary for Mines to withdraw the expression "liar."

The SECRETARY FOR MINES: I withdraw.

Mr. PLUNKETT: We want to exempt those primary industries that are seasonal in character and those industries where it is necessary to work early in the morning and late at night. To make a success of dairying milking must be done early in the morning and again late in the evening, and the court is not likely to award conditions that will suit that industry. If the dairying industry is put under an award, it will have to work 44 hours a week.

The SECRETARY FOR LABOUR AND INDUSTRY: You are wrong there.

Mr. PLUNKETT: They would have to apply to the court before they could get relief. That means further pin-pricking.

The SECRETARY FOR LABOUR AND INDUSTRY: The court will prescribe the standard hours.

Mr. PLUNKETT: Why drive all these people to the court? Already some of the primary industries have been placed under awards. The Government had an award made in the fruit industry, and it played ducks and drakes with the industry, and drove it into such a position that the award had to be withdrawn. We had an award in regard to the cotton industry. What happened there? The Premier and the Labour Government had to come along and give a guarantee.

The SECRETARY FOR LABOUR AND INDUSTRY: That shows the Labour Government are not the wreckers you make out.

Mr. PLUNKETT: After our experience in the past in regard to the rural workers' award, it makes one wonder why the Government are attempting to bring the primary industries under the Industrial Court, especially as prices now are not nearly so high as they were when the rural workers' award was in force. The amendment is only a reasonable one, more especially under present conditions. If awards are going to be imposed on all our primary industries, who is going to come here and invest money to develop the country? The Government claim to be trying to encourage people to open up land, and, before the people can make one stride towards success, the Government subject them to award wages, hours, and conditions.

We have to sell the greater portion of our dairy production in the markets of the world. The Labour Party claim—and I agree with that to a certain extent—that we should not have to compete with black-grown products; but at the same time we have to sell the bulk of our products overseas, and what competition do we meet with there? Some of the products may not be grown by black labour; but a large portion is grown by labour employed under vastly different conditions to ours. If it is right that our industries should be preserved from exploitation

by black-labour countries, what about the position in regard to the banana industry?

It is evident that there are not many practical dairymen amongst hon. members on the opposite side, as they do not seem to understand the difficulties of the men on the land. The hon. member for Normanby said that we on this side wanted to go back to the old times when wages were 5s. or 7s. 6d. per week; but those conditions are gone for all time. It is idle for the hon. member to talk in that way.

A GOVERNMENT MEMBER: What are you afraid of?

Mr. PLUNKETT: I am afraid of the pin-pricking tactics that go on in industry. If a man wants to employ anyone, he has to see whether the applicant has a union ticket and do half a dozen things that he cannot possibly find time to do.

Some hon. members opposite asked why it was that production had increased. It has increased, not by employing more labour, but because the farmers have been driven to go in for milking machines and other inventions, although in many cases they were not able to afford to do so. They have been frightened of the labour conditions which might be imposed under an award. Wheat-growers, for instance, are employing tractors to do work where they should be employing men. The awards cause men to feel that somebody else is controlling them, and they will not put up with that if they can afford to dispense with labour.

It is all very well for the Minister to say that he wants to give everybody the right to apply to the court. That sounds very well; and, if we could guarantee the weather conditions and the production in our primary industries, it might be all right; but Queensland is a vast country with varying conditions in different districts, and a diversity of crops have to be grown; yet the producer has to submit the conditions in them all for the decision of the court.

The SECRETARY FOR LABOUR AND INDUSTRY: Not all of them. The different conditions would be considered.

Mr. PLUNKETT: It seems to me that all the Minister is anxious about is the forming of the employees in the country into a union in order to get their fees from them, regardless of whether they get employment or not. When we get to the stage that it is a fight between one class of the community and another, and have to submit to all sorts of wages, hours, and conditions that it is impossible to put up with, we shall kill our primary industries.

It is all very well to say that the court, in its wisdom, will do certain things; but why should we have to apply to the court? It is all right in some industries, where numbers of men are employed and there is a certain amount of production from day to day and from week to week; but in others, with world conditions as they are and prices as low as they have ever been, when the meat, wool, and dairying industries are just staggering along and the country has to help the producers by passing legislation to lighten the burden they carry in respect of interest they owe—in such cases such legislation is unwise. We know that in other countries farmers have marched as a body on the cities looking for food; and in Queensland, without any definite outlook, the

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Government should not hamstring primary industries by imposing an award, especially when those industries are affected by all sorts of pests and diseases and are subject to the uncertainties of the seasons.

The SECRETARY FOR MINES (*Hon. J. Stopford, Maryborough*) [2.52 p.m.]: I had no intention of speaking, but I believe that an hon. member on the other side made some reference to an interjection I made, and said that I had stated that we paid 4d. per lb. more for our butter and sugar than we should. I called the hon. member a liar, not because I believed he was a liar, but because I believed he was an idiot.

Mr. PLUNKETT: Mr. Hanson, I ask that that expression be withdrawn.

Mr. KENNY: Apologise!

The CHAIRMAN: I ask the hon. gentleman to withdraw the expression.

The SECRETARY FOR MINES: I withdraw. I had in mind the case of hon. members who repeat the statements of other hon. members without knowing the facts. I have done it myself, and the only way an hon. member has of protecting himself is to adopt the attitude I did.

Mr. TOZER: Did you not say it?

The SECRETARY FOR MINES: Not in the way the hon. member put it.

Mr. ROBERTS: You said that 4d. per lb. too much was paid for butter and sugar.

The SECRETARY FOR MINES: Nothing of the sort. The hon. member has to accept my denial as I accept the denial of another hon. member. Under the Paterson scheme we pay 4d. per lb. more for butter than the economic cost of production. We are paying more for sugar, the only difference in the case of sugar being that we have had the protection of decent labour conditions for the workers. Whilst hon. members are clamouring all the while that the consumer should pay a higher price for the commodity that is produced, they should remember that the policy instituted by this Government under their pool system and subscribed to by hon. members opposite, has given them material advantages. I cannot understand the logic of hon. members opposite, who refuse to allow a free and impartial tribunal to decide what one section of the people, who are responsible for the production of that for which the consuming public are paying more than the economic cost of production, shall receive for their labour. If hon. members argue as they do, we must remember that a large section of the consumers—wage earning classes—are paying a higher price in many instances for the necessary things they consume in order to provide a cheap breakfast table overseas. The policy of the Labour Party, which they espoused from the beginning in the Federal arena, in respect of the sugar industry is what has become the policy of the Commonwealth—the New Protection—protection for the producer, who shall have the fullest return for his labour applied to the soil; protection for the consumer in order that he shall have his commodities at prices which enable him to encourage the producers; and protection for the worker. That was what I meant by my interjection. Hon. members opposite will introduce deputation after deputation to Ministers claiming

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that there should be a fixed price for a commodity; but, when we introduce a measure to allow a tribunal to determine the hours and the conditions of the true producer—the worker—who is called in spasmodically to assist in harvesting operations, there is a serious objection from hon. members opposite.

Mr. SPARKES: It is not possible to fix prices.

The SECRETARY FOR MINES: We do fix prices.

Mr. SPARKES: Then fix the price of my bullock.

The SECRETARY FOR MINES: The prices to be paid by the consumers are regulated per medium of pools. There would be some grounds for the objections of hon. members opposite if the Government decided, by legislative enactments, to fix the price to be paid for the services rendered for those engaged in the harvesting of crops or determined the hours of labour.

Mr. ROBERTS: You are laying that down.

The SECRETARY FOR MINES: No. We are giving the court power to determine those questions on the evidence placed before it; and, if the court functions properly—and I believe it will—it will function in the direction of adjudicating upon industry in accordance with the evidence placed before it. If the policy of the late Government had been allowed to run its course, it would have resulted in hardship upon the producers of this country. How can they expect the prevailing false prices—false in view of the reduced wages fund—to be maintained if that large body of consumers is deprived of a very big share of its purchasing power? If Parliament does not function in the direction of extending protection to these people, then sooner or later these people will function themselves in that direction.

Mr. PLUNKETT: Do you not think that the primary producers are at least entitled to the cost of the production?

The SECRETARY FOR MINES: That is the very policy of this Government. (Opposition dissent.)

The hon. member for Carnarvon referred to the fruit growing industry; but what Government was responsible for the organisation of the marketing scheme in relation to the fruit industry? What Government permitted them to organise so that they would be able to resist the activities of the middlemen and the commission agents who form a very large proportion of the supporters of the party opposite? That was made possible by the Labour Government. They permitted the farmers to organise so that they might secure a return for their labour, and to take from the middlemen that unearned increment of which the middlemen had been able, by virtue of their peculiar position, to rob the farmers.

Mr. KENNY: Who gave the tomato-growers the price for their tomatoes?

The SECRETARY FOR MINES: Who gave any producer in this State the opportunity to organise? I was a member of a Labour Government and a Labour Cabinet for many years prior to the advent of the Moore Government; and I know that the Labour Government expended £25,000 in an

endeavour to organise the farmers of this State. What would have been the position if the Government had decided to advance £25,000 to the Australian Workers' Union to organise the rural workers of Queensland, in the same way that they decided to expend £25,000 of public money to assist in the organisation of the farmers? What a howl there would have been! The Government expended upwards of £25,000 to enable the farmers to organise—against whom? The men who find the political fighting funds of hon. members opposite—the middlemen and commission agents. When the farmers were lifted from their old position, we were justly entitled to claim from the industry a living wage on behalf of those who operate it during the harvesting periods.

Mr. TOZER (*Gympie*) [3 p.m.]: State children are exempted from the operations of this Act, while the Governor in Council may, by Order in Council, also exempt any person or class of persons from its operations. The amendment has for its purpose the extension of these exemptions. It first of all desires to exclude persons engaged in domestic service. There are many domestic servants throughout the State who, if brought under an award of the court, would lose their positions. They cannot all be paid on the same basis. There are not many persons employed as domestic servants, because girls prefer employment in shops or in hotels, where their wages and hours are regulated by an award. Up to the present time the legislature has, in its wisdom, exempted domestic servants from the operations of an award.

The amendment also seeks to exempt persons engaged as gardeners, handymen, or yardmen in private homes. There are many men who are unable to obtain regular work under such headings, but who obtain a full week's work by working a half day or a full day for one person and another. They are employed for half a day, start when they like, and knock off when they like, provided they put in the period for which they are engaged. An industrial award will upset all such arrangements, and force these men into unemployment.

The amendment also seeks to exempt persons employed in farming operations on dairy farms, fruit farms, and agricultural farms. All those persons can be classified together. They have been exempted from awards up to the present time. They cannot be bound down to work any fixed hours in one day or in a week. They are quite willing to work the hours they do because invariably the employer works with them. If an award is introduced fixing definite commencing and knocking off times, rural occupations will be seriously interfered with.

With regard to the wages to be paid, the members of the Industrial Court, on the salaries of £2,000 per annum, have a totally different perspective from that of other people who have not such high salaries, and the members of the Industrial Court may regard the payment of £4 or £5 per week as a very small payment to a married man, although at the same time the industries cannot afford to pay that rate. After all, these industries are subject to seasonal conditions, and the incomes of those engaged in the industries fluctuate to a great extent. Were an award wage stipulated, it might

mean that the employees would receive practically the whole of the income, leaving little or nothing for the employer to live on, in which event the employees would be dismissed. As the representative of a district embracing agriculture, dairying, and fruit-growing, I enter my protest against the restrictions that are being placed upon the primary producers. I know that my protest will be of no avail, as the Minister has already stated he will not accept the amendment; nevertheless, I would be failing in my duty if I did not protest against the inclusion of the people whom the amendment seeks to exempt from the operations of this Bill.

Mr. NICKLIN (*Murrumbidgee*) [3.8 p.m.]: As the representative of a rural constituency, I protest against the action of the Minister in not accepting the amendment moved by the hon. member for Nanango—an amendment which aims to exclude rural workers from the ambit of the Industrial Court. Surely, with their previous experience of a rural workers' award, the Government should not wish to inflict another award on the rural industries of the State! Any one with a knowledge of conditions in those industries knows how impossible it is to work under award hours and conditions.

Several Government members have stated that working conditions in the rural industry are not as they should be. I deny that, and say that the workers in the rural districts receive equitable treatment and as good wages as the industries can pay. Where seasonal conditions prevail, particularly as regards the fruitgrowing industries, it is impossible for fixed hours to be observed. At Stanthorpe at the present time the fruit harvest has to be handled immediately, because a very perishable product is involved. If it were not marketed quickly it would deteriorate, and prove an economic loss to the grower.

The same remarks apply to the pineapple industry. Growers have to handle their crops very rapidly, particularly in the summer months. Canneries require pineapples in a certain state of ripeness, and during the summer months practically all the crop may ripen simultaneously. The crop must be harvested immediately, if no loss is to be incurred. Under those circumstances, how could award conditions be observed?

In apologising for his remarks, the Secretary for Mines asked why wages should not be fixed in the rural industries. If wages were fixed in those industries, why should not the selling prices be also fixed? We depend for the sale of our products on oversea and interstate markets, over which we have no control; therefore, it is not possible to fix the prices for our commodities. That being so, a standard of wages should not be imposed on rural industry which it cannot afford to pay. At all times we are told to produce and produce; but what encouragement will the producers have when they are restricted on all sides? At the present time we are being asked to increase the area under production; but, if a rural workers' award is imposed on the primary industries, it will mean a restriction of the areas, and consequently decreased production. I desire to enter a most emphatic protest against anything in the nature of a rural workers' award being imposed on the primary producers of this State.

*Mr. Nicklin.]*

Mr. G. P. BARNES (*Warwick*) [3.11 p.m.] : The amendment seeks to prevent a very serious injury being done to our primary producers. As a man who knows something about primary production, having lived in a farming district all my life, I can assure hon. members that there has been no exaggeration as to the serious effect that this Bill, unless amended, will have on the primary producing industries. No Government has been more directly up against bad conditions than the present Government; and the Secretary for Labour and Industry must be aware of the difficulties of the situation. By introducing this Bill he is adding to his responsibilities, and is defeating much that he is trying to do in connection with the placing of people on the land. What is going to encourage people to go on the land if we impose conditions such as this Bill will introduce? The Secretary for Mines indicated that 4d. per lb. too much was being paid by the consumers for butter. He was confusing things, because he has not kept in touch with the position. No doubt his ideas went back to other days altogether; but I cannot for a moment think that, even when butter was bringing a very much higher price than it is to-day, 4d. per lb. too much was paid for it. To-day dairy farmers receive about 10d. per lb. for their butter, which means about 1d. per quart for milk.

This amendment is moved to try to prevent a very serious injury being done. Strive as we may, we cannot apply the ordinary conditions which operate in industrial life to rural life. The difficulty with hon. members opposite is that they do not know the conditions in rural life, as they have not engaged in those undertakings. Why do they not, then, listen to men who have had some experience? Many hon. members on this side represent farming interests, and are conversant with the great difficulties that surround the men on the land. In addition to that, there are restrictive land laws; and, if hon. members opposite want to encourage settlement and production, they should give way and agree to the amendment. If the Government are really desirous of settling people on the land with success, that is the only thing to do.

The success of our State will more than ever depend in the future upon the development of our primary industries. The Government have past experience to guide them. They know the check to settlement caused by their previous legislation in connection with land taxation and various other matters. They put back settlement for years; yet they failed to realise that they were the prime movers in regard to the causes which have led men to leave the land to find work in the cities. We are carrying much less traffic on our railways, for instance, than we were carrying fifteen years ago, simply because during their regime of office the Labour Government practically discouraged settlement; and they must take the blame for the position in which our railways are to-day.

Mr. WIENHOLT (*Fassifern*) [3.19 p.m.] : Personally, it seems to me that the great difficulty is not so much the diversity of interest between employers and employees in rural industry in regard to the question of wages as the squandering and wasting of public moneys by both Federal and State Governments. We can get an award giving wages and conditions; but, if it causes a

man to lose the job itself, that is not a very satisfactory position. I sometimes wonder whether, if a referendum on the question of arbitration were put to the people free from political and party influences, it would be carried by the big majority that some hon. members opposite seem to think. Of course, arbitration is a plank in their platform; but I doubt whether a referendum on the subject on its merits would be carried in the way they think it would. Certain awards are given affecting certain industries, and then we try to bolster up other industries with bounties. The real trouble is that our primary products have to be sold on the other side of the world.

Mr. MOORE (*Aubigny*) [3.22 p.m.] : I regard this clause as one of the most important in the Bill. It is easy for a Government or for a court to say that so much must be paid; but no legislation that has yet been introduced in any Parliament in the world enables a man to pay out more money than he gets in; and, when we have to sell much of our primary products in open competition in the markets of the world, irrespective altogether of the question of whether some of it is sold at a somewhat higher price for local consumption, we cannot give wages higher than we can afford. It is all very well for the Minister to say that the court has a discretion as to the number of hours to be worked, but we know very well that in the dairying industry we must work indefinite hours. Nobody does it for fun. He does it because the cows have to be milked every day.

Moreover, the Bill definitely sets out certain conditions within which the court must decide. No discretion is allowed to it outside those limits. For instance, the Bill provides for a certain number of hours and the spread of hours and for certain other conditions; and that does not leave the court an opportunity to display common sense, reason, or anything else. The court can make awards within a very limited sphere; but, outside of that, the conditions are laid down by the Government in this Bill. There is no court which would endeavour to make an award granting the conditions which the Government lay down if it were allowed a free hand, because the evidence to the contrary that would be put before it would be conclusive. The Government take the initial step of laying down conditions as to hours and wages, and then they try to throw the responsibility on to the court and say that the court will not do so and so. The fact is that the court does not have a chance, because it is tied hand and foot before it reaches the real issues in the case.

One thing that hon. members opposite do not seem to realise is that the standard of living in Queensland to-day is only made possible by the prices which we receive for things we send overseas. If those prices are reduced, down drops our standard of living, and it cannot be kept up by doing anything we choose with the banks, the rate of interest, or anything else. This is purely an act in violation of all definite principles of government, by refusing to recognise that the primary industries carry on under totally different conditions from other industries which are sheltered by tariffs.

The Government are now imposing conditions which even the Labour Government of 1916 recognised to be impossible. The Act was amended in 1923, and an investigation

[*Mr. G. P. Barnes.*]

extending over some months was made into rural industries; but it was discovered that it was impossible in many industries to apply the terms and conditions set out in the Act. Now, at an infinitely worse time, a Bill is introduced far more extensive in its scope; and a greater number of primary industries are to be made subject to industrial arbitration. The whole thing seems to be either humbug or else the Government are riding for a fall. Perhaps they want to make the position so difficult that they can say they are unable to carry on unless there is nationalisation of banking, or something of that sort. I can understand their doing that; but I cannot understand their imposing conditions on the primary industries making it impossible for them to carry on profitably if the present system is to be maintained.

The SECRETARY FOR LABOUR AND INDUSTRY: You abolished the rural workers' award and other awards, and left a deficit of £4,000,000.

Mr. MOORE: What a marvellous brain! Marvellous! Fancy being able to tell me that! I suppose the hon. gentleman fails to realise that the deficit might have been £10,000,000 if that action had not been taken. Why, the Industrial Court had sufficient intelligence to postpone the operation of the new pastoral award until the March following the date of decision just to see what might happen in the meantime. If the late Government outlawed a number of industrial workers, why were they not restored to their former position immediately the present Government were returned to power. Preference to unionists was very quickly restored by Order in Council, but why were not the alleged outlawed industrial workers given the right of access to the court immediately?

The SECRETARY FOR LABOUR AND INDUSTRY: They were.

Mr. MOORE: The Government have not done it yet.

The SECRETARY FOR LABOUR AND INDUSTRY: They all have access to the court now.

Mr. MOORE: Not until this Bill is passed. Even then, the Government are watering down their proposals very considerably. At the elections they spoke very loudly about the advantages of a 44-hour week; but they now deem it advisable to postpone the date of its coming into operation. There is an absolute failure on the part of hon. members opposite to recognise the economic conditions of the country, the hard times through which the primary producers are passing, and the very low prices they are receiving for their products. They are prepared to shut their eyes to these facts, and to regulate and restrict industry by fixing working hours and rates of pay—a position that will be altogether impossible.

The SECRETARY FOR LABOUR AND INDUSTRY: Apparently, you are anticipating the court.

Mr. MOORE: I am not. I am considering the conditions laid down by the Legislature for the guidance of the court. The Bill provides that the court shall not grant more than a stated maximum number of hours in any one week of six days.

The SECRETARY FOR LABOUR AND INDUSTRY: No—the court has discretionary power.

Mr. MOORE: Only in those cases where the hours exceed forty-eight per week.

The SECRETARY FOR LABOUR AND INDUSTRY: You are wrong.

Mr. MOORE: That may be; but the hon. member was quite wrong the other night when he did not know the clause to which he was referring.

The SECRETARY FOR LABOUR AND INDUSTRY: You were very much wrong, too.

Mr. MOORE: No; I read the two clauses in conjunction, and I dealt with the discretionary power on the part of the court in relation to certain specified industries.

The SECRETARY FOR LABOUR AND INDUSTRY: We shall discuss that matter when we come to it.

Mr. MOORE: We certainly will do so. We are endeavouring to widen the scope of exemptions. I do not expect the Government will exercise their power of exemption by Order in Council until the industries concerned are right up against it, and then the damage will have been done.

The SECRETARY FOR LABOUR AND INDUSTRY: The amendment does not embrace as many sections of the community as were exempt from the Act passed by your Government.

Mr. MOORE: This morning the hon. gentleman said that hospital nurses were excluded from the operations of the 1929 Act, but he was quite wrong. They were exempt by Order in Council, and I shall tell the hon. gentleman why. At the Premiers' Conference at which the Premiers' Plan was inaugurated it was decided that all governmental expenditure, including wages, salaries, pensions, bonuses, etc., to various industries should be reduced by 20 per cent. All hospital grants had to be reduced by 20 per cent.; but we could not suddenly reduce these grants by 20 per cent. without giving the hospitals concerned an opportunity to reduce their wages costs to enable them to carry on under the altered conditions. That is why hospital nurses and other employees associated with those institutions were exempted from the operations of the Act. We recognised that, if the managers of the institutions were to keep to the definite agreement made under the Premiers' Plan, it was necessary to give them power to do so. The Government recognise to-day that it is necessary to get more money from primary production; but they are not encouraging our primary producers to increase production by passing legislation permitting restrictive conditions to operate in their industry.

The Government are asking producers to increase production, and at the same time are tying one of their hands behind their backs, forgetting that they must compete on the open markets of the world with producers who have both hands free. Those are impossible conditions to lay down for the development of industry. No responsible Minister should expect any class of people in Queensland to operate under conditions different from those under which the industry is being operated in other States of the Commonwealth. The producers in those States have an entirely free hand, whereas in Queensland they are to be fettered. There can be only one result, and that is that our primary industries in Queensland will go to the wall. Instead of having a modified competition as at present in butter and cheese, we shall have much greater competition, because production will be restricted in this State. That will lead to the protective price ruling for our butter

*Mr. Moore.]*

under the Paterson scheme being lowered, which will lead to the export of butter overseas being made unremunerative. The Minister has failed to realise his responsibilities. It appears to me that the only possible reason for this legislation is to bring the State to such a state of chaos as to admit of some other system being introduced.

The SECRETARY FOR LABOUR AND INDUSTRY: That is childish.

Mr. MOORE: It may appear childish to the hon. gentleman, but one hon. member on the back Government benches previously said "Hear, hear!" to that statement. The desire appears to be to make it impossible for industry to carry on, then blame the system instead of the Government who make that state of affairs inevitable by the legislation they are passing, and then make the way easy for a new system. I strongly object to the conditions laid down, and consider that the amendment is a sensible way out.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [3.33 p.m.]: The arguments which have been adduced by hon. members opposite have been heard in this Chamber over and over again in the past. In fact, we have heard the same argument in connection with every other industry.

Mr. O'KEEFE: We heard it when it was proposed to abolish the kanakas.

The SECRETARY FOR LABOUR AND INDUSTRY: That is so. I remember the first occasion when it was proposed to regulate the wages in the sugar industry. The hon. member for Mirani headed a deputation to the then Minister for Trade and Customs protesting against the regulation fixing the wages of field workers at 22s. 6d. per week. It was said then that the industry would be ruined if an attempt was made to regulate it industrially. The first evidence of progress and prosperity in the sugar industry synchronised with the time when it was brought under an award of the Industrial Court. I notice the Leader of the Opposition smiling at that statement.

Mr. MOORE: You could not have brought the sugar industry under an award unless it got protection from the Federal Government.

The SECRETARY FOR LABOUR AND INDUSTRY: Immediately the workers in the sugar industry resolved to organise, the farmers organised also for better conditions for themselves and a decent price for their product. As a result of those actions, we have the present scientific regulation of the sugar industry. No one would now say it would be better in that industry to revert to pre-arbitration days. Even my old friend, the conservative member for Mirani, would not like to go back to the days when there was no such thing as arbitration. Hon. members opposite are inconsistent in that, whilst they believe in arbitration for employers, they do not believe in arbitration for employees in the primary industries; but the employees are as much entitled to consideration as the employers. These people are all giving their labour in the direction of increasing the wealth of the country; and to argue that they should be excluded from the Industrial Court shows

a very poor attitude on the part of hon. members opposite. There is no reason why the worker in the rural industries should not have decent conditions. We believe the farmer should have decent conditions, and as has been pointed out the present Government were instrumental in the expenditure of £60,000 of public money to encourage and organise the farmers to obtain decent conditions for themselves.

If accepted, the amendment would exclude from the ambit of the Industrial Court a class of persons who are just as much entitled to protection as the city worker. The man who goes out to the remote parts of the State and is prepared to work under conditions which are not comparable to those of the city worker is surely entitled to some consideration. Past experience has shown that no great hardship was inflicted upon the rural industries when those industries were not exempted from industrial legislation. Notwithstanding the dismal prognostications of the Leader of the Opposition, blue ruin will not ensue from the refusal to accept the amendment. Primary producers cannot expect to get high prices from the consumers and at the same time advocate low wages for their own employees. I really consider that the observations made on this question by hon. members opposite do not represent the consensus of opinion of employers in the rural industries, where the majority of employers realise that the standard of living in the cities and other parts of the State is reflected in the prices obtainable for their commodities.

Mr. KENNY: You advocate the rural workers' award in the farming districts and see what will happen.

The SECRETARY FOR LABOUR AND INDUSTRY: I have travelled through the farming districts probably more than the hon. member; and I can say that the average employer in rural industries is prepared to pay as high wages as any other employer, provided he is assisted in doing that. The advocacy of a low wage for the consumer is an unscientific and indeed an insane way of looking at the position, because, unless a fair purchasing power is given to the workers, there will be no increased demand for primary products. We could consume a greater quantity of locally produced goods than we are doing at present if the purchasing power of the people was greater than it is to-day. Under a foolish policy we are compelled to export a surplus of our goods overseas at less than the economic cost of production. That is typical of the foolish attitude of hon. members opposite.

I say definitely that the policy of the Opposition is wrong. It is wrong when viewed from the angle of the people they say they are endeavouring to assist—the employers engaged in the primary industries. Why should the workers engaged in primary industries be deprived of the protection that is given to the man living a more sheltered life in the city? The policy of the Opposition is disastrous to the State. We must encourage our workers to go out into the remote parts of the country and develop the country as primary producers. We are only giving to the rural worker the same protection as is given to the worker in the city, and that is something that no broadminded person can take exception to.

[Mr. Moore.]

At 3.42 p.m.,

Mr. O'KEEFE (*Cairns*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Mr. EDWARDS (*Nanango*) [3.42 p.m.]: After the soap-box oratory we have listened to from the Minister, one can well understand that this amendment is not going to be accepted. It is impossible to expect anything at all from the Minister that is going to be of benefit to the primary producers of this State. While the hon. gentleman advocates looking at this matter in a broad-minded way, he looks at it in the most narrow-minded way possible. He put up arguments which everybody knows are so much tripe, because, if you have no money to pay, what is the use of fixing a high wage? The hon. gentleman knows that even in his own department he cannot pay a decent wage; so what is the use of trying to force the primary producers to pay a high wage when they have not the money to do it? Take the sugar industry as an illustration. First of all, the hon. gentleman said that the greatest prosperity in that industry was when arbitration was first introduced. What is the condition of the industry to-day? In the first place, it is necessary to get an assignment before you can grow cane. The farmers are not allowed to develop the country. You are beaten at your own game! You have taken yourselves down! It is not possible to export our surplus sugar to-day except at a huge loss. If every other industry was worked on the same lines, what position would we be in? Yet the hon. gentleman stupidly gets up and says that the people could eat all the commodities we produce if a decent wage was paid in the cities. They could eat 80 per cent. of the butter which goes overseas to-day, and use 90 per cent. of the wool! What sort of nonsense is that? What a stupid thing to come from a member sitting on the front Treasury bench, knowing as he does that if the true position was stated the Government cannot find the money to pay the public servants. Let the hon. gentleman get on a farm and see what wages he can pay! They are driving the women and children into the cowyard instead of making conditions good on the land. It is not only the direct payment which a man on a dairy farm is making; the farmer to-day is paying right through from the time the produce leaves the farm. The costs are too great. It is only honest and truthful to say that it cannot continue.

The SECRETARY FOR LABOUR AND INDUSTRY: They are not under an award at the present time.

Mr. EDWARDS: Is the hon. gentleman so stupid in regard to these matters that he does not know that the dairy farmer is paying for the award from the time the produce leaves the farm, in the factory, on the railway, and at the ship side?

Mr. SPARKES (*Dalby*) [3.46 p.m.]: It is useless for the Minister and other members of the Government to try to explain away the position. So far as awards are concerned, not only in the agricultural industries but in all industries, unemployment will increase if an award is brought in to which an industry cannot stand up; and we are all anxious to avoid unemployment.

It is easy to appeal to men and say what fine fellows they are, and that we would pay them a big wage; but, if industry cannot pay a certain wage, what is the use

of it? Immediately we bring in an award, the employer will say, "I am very sorry, old chap, but you will have to go." Does the Minister prefer to see men walking about the roads looking for a £3 a week job when it is not a £2 a week one? That is the position which will operate in the country in a very short time if the award comes into operation.

One hon. member interjected to-day and wanted to know if the farmer expected employees to be beasts of burden. That is an insult to the farming community, and the hon. member who made that stupid interjection should know more about farmers because he comes from a district where there are a good many farmers. The farmer does not want his employees to be beasts of burden, but he expects every man to do his work.

The SECRETARY FOR LABOUR AND INDUSTRY: You do not represent farmers.

Mr. SPARKES: I represent considerably more farmers than the hon. members does, and perhaps pay better wages than he does; and I do not get up on a soap box and talk about the wages like he does, saying what he would do for the men; and the very moment he employs a man he wants him to work for practically nothing. We meet a lot of the same kind as the hon. member in the country, who tell the worker he is a good fellow on the election day, but, as soon as we come down to hard facts—

The TEMPORARY CHAIRMAN: Order! The hon. member must confine his remarks to the amendment.

Mr. SPARKES: If the hon. gentleman will make intelligent interjections I will confine my remarks to the amendment. (Government interjections.)

The TEMPORARY CHAIRMAN: Order! I would ask the Minister and also other hon. members to allow the hon. member for Dalby to complete his speech.

Mr. SPARKES: I say that it is very easy to make wonderfully good men of ourselves in talking about the standard of living. I do not expect a man to work for nothing. I employ men, and I challenge the Minister who has been interjecting to visit any of the men who are in my employ. No industry can pay more than it gets; and the sooner we realise it the better for all concerned, especially the worker. If I am paying thirty-seven men £2 a week at ringbarking and an award says that I must pay them £2 10s. and those men are discharged, does it affect me very much? Whom does it affect? It affects the very men whom hon. members opposite would tell us they wanted to help, and for whom they wished to create a wonderful standard of living. The standard of living must be governed by the capacity of industry to pay. The standard which I might like for myself is determined by the industry in which I am engaged. If it will not allow me to spend more than a certain amount of money, I cannot enjoy that standard of living. That applies to the working man.

There is a section of the community to whom I think the Minister has not given due consideration—the boy on the dairy farm. I claim to know a little more about farmers than the Minister; and the sooner that he and some of his colleagues take up

*Mr. Sparkes.]*

land and do a little farming the sooner will they know something about it. Does the Premier not think it is better to have these boys engaged at £1 a week, which one hon. member said they were getting, than to have some foolish award imposed on the industry, with the result that the farmers let them go and they become unemployed? I am not blaming the unemployed; but we all know that, when men are concentrated in unemployment camps, trouble is likely to occur, as happened in Toowoomba; and it is much better to have men engaged in industry. Anybody is liable to hold you up, of course; but it is better to have men engaged in industry by private enterprise. The boy on the dairy farm at £1 per week is getting a certain amount of practical knowledge, and the knowledge he gains there is worth 100 per cent. more than that obtained by the boy who goes to Gatton College, in spite of the fact that the Premier may have a son there.

The SECRETARY FOR LABOUR AND INDUSTRY: I agree with you.

Mr. SPARKES: If an award is made in this industry, that boy leaves the farm, but the farmer still works his farm. The boy walks the road.

The PREMIER: What has this got to do with where my boy is?

Mr. SPARKES: I did not mean to offend the hon. gentleman.

The PREMIER: Why bring in such a thing?

Mr. SPARKES: I only mention it as an illustration, because the hon. gentleman is in a high position in the community, of what a man might do with his son. I do not know whether he has a boy there. I do not care whether he has.

The TEMPORARY CHAIRMAN: Order!

The PREMIER: In any case, why bring my boy into the debate?

Mr. SPARKES: I am sorry if the Premier objects. I did not bring it in with any idea of reflecting on the hon. gentleman or his son. Is the Premier satisfied?

The PREMIER: You could not reflect on him.

Mr. SPARKES: I do not want to reflect on him; but I say that the boy who goes to the college does not get the same grounding as the boy on a farm at £1 a week.

The PREMIER: They require both theoretical and practical knowledge.

Mr. SPARKES: Certain people cannot afford to send their boys to the college. The Premier may be in a position to send his boy there, but many people in the community cannot afford it, and their boys are getting a better grounding otherwise.

The PREMIER: Some of your party have no belief in the value of education.

Mr. SPARKES: I have not much belief in the value of the education provided at the Gatton College where forty-eight men are required to work 1,600 acres of country.

The PREMIER: Do you want the boys to do all the work?

Mr. SPARKES: I want the boys to do some of it. God Almighty, if you had forty-eight men to work 1,600 acres they are not doing much. Six men could work the country quite easily.

[Mr. Sparkes.

The TEMPORARY CHAIRMAN: Order!

The PREMIER: You cannot even use decent language in Parliament.

The TEMPORARY CHAIRMAN: Order! I ask the hon. gentleman to deal with the question before the Committee.

Mr. SPARKES: I have to admit that a wage of £1 per week is not very big; but the practical education received on a farm will stand the boys in good stead in after life. I hope the Minister will carefully consider the position of the boys engaged on the farms. It is inevitable that a number of employees will be dismissed in the grazing industry if an award is applied. I have no grudge against unionism.

The PREMIER: It would be a pity if you had.

Mr. SPARKES: A man is perfectly entitled to belong to a union so long as he does his work; but I do not see why he should be compelled to join a union if he does not wish to do so. He should have the right to work, and he should not be dictated to as to whether he shall work or not. Sooner or later, that will be the principle in operation in Australia, otherwise the people will work in defiance of the union.

The TEMPORARY CHAIRMAN: Order! I ask the hon. gentleman to deal with the question before the Committee.

Mr. SPARKES: The amendment seeks to exempt certain agricultural employees from the operation of this Bill. I understand that in 1916 the Labour Government introduced a Bill which provided for the exemption of a larger number of employees than are exempt under this Bill. I cannot understand why the exemption should be limited when times are infinitely worse.

Mr. SWAYNE (*Mirani*) [3.59 p.m.]: The Minister was entirely incorrect in his assertion that the progress of the sugar industry was most marked from the time when it became subject to an industrial award. The industry made its greatest strides when the old plantations operated by the Colonial Sugar Refinery Company and others were subdivided and sold to specially selected farmers. These farmers were provided with adequate financial accommodation until success was assured. Most certainly the progress in the sugar industry had nothing whatever to do with the obtaining of industrial awards. The prosperity was due to the establishment of the central mill system.

Question—"That the words proposed to be inserted in clause 5 (*Mr. Edwards's amendment*) be so inserted"—put; and the Committee divided:—

AYES, 25.

Mr. Barnes, G. P.	Mr. Nicklin
" Barnes, W. H.	" Nimmo
" Brand	" Peterson
" Clayton	" Plunkett
" Costello	" Roberts
" Daniel	" Sparkes
" Deacon	" Swayne
" Edwards	" Tozer
" Fadden	" Wienholt
" King, R. M.	
" Maher	<i>Tellers:</i>
" Maxwell	" Kenny
" Moore	" Russell
" Morgan	

## NOES, 27.

Mr. Barber	Mr. King, W. T.
" Bruce	" Larcombe
" Bulcock	" Llewelyn
" Conroy	" Mulian
" Cooper	" Pease
" Copley, P. K.	" Smith
" Copley, W. J.	" Stopford
" Foley	" Wellington
" Funnell	" Williams
" Gair	" Wilson
" Gledson	
" Hanlon	<i>Tellers:</i>
" Hanson	" Hayes
" Hynes	" Taylor, G. C.
" Keogh	

## PAYES.

AYES.	NOES.
Mr. Grimstone	Mr. Collins
" Sizer	" Dash
" Taylor, C.	" Bedford
" Walker	" Waters

Resolved in the negative.

Clause 5, as read, agreed to.

Clause 6—"Constitution of Industrial Court," etc.—

Mr. MOORE (*Aubigny*) [4.7 p.m.]: I move the following amendment:—

"On page 9, after line 42, insert the following new subclause:—

'(2) A person who, within a period of five years prior to the making of any such appointment, has been a member of Parliament or has occupied a paid position in any industrial union of employers or employees shall not be eligible to be appointed a member of the court.'

The clause deals with the constitution of the Industrial Court, and, in addition to the President of the court, permits the Governor in Council to appoint two other members on whose work a great deal will depend for the practical operation of this legislation. On their work also will depend the confidence with which the outside public regard the court. If the court is constituted as a manifestly one-sided court, naturally public confidence will not repose in it.

Let me review briefly previous appointments that were made when similar tribunals were constituted. We recall the appointment of the late Mr. Dunstan—a most excellent advocate so far as the Australian Workers' Union was concerned. That gentleman had appeared in many industrial cases, but his experience and his whole outlook was from one point of view. Unlike a barrister, the late Mr. Dunstan did not gain a knowledge of both sides of a case. He became obsessed with his viewpoint.

The SECRETARY FOR LABOUR AND INDUSTRY: He made a fair and impartial member of the court.

Mr. MOORE: He may have been impartial according to his lights, but a man trained in the way that the late Mr. Dunstan was trained has a natural bias towards one point of view. We want people who can see both sides of a question—people who have not been trained as paid organisers and union officials. It is recognised that there are two sides to every case.

After all, the members of the court do not require to have any particular knowledge of the industry. You cannot expect the members of the court to have a knowledge of all industries. Under the present Act the court has power to call in assessors who

have a knowledge of the particular industry they are adjudicating on. It is absolutely essential that the employers should be assured that the court is unbiassed and impartial, and is composed of members who have not been connected with one side or the other for at least five years. We believe that there should be an employers' representative and an employees' representative; but there are many objections to that. It really comes to the point that you do not want anyone but the judge, because if you have an employers' representative there definitely representing the employers, and an employees' representative definitely representing the employees, it only means that the referee, who is a Supreme Court judge, is going to make the award, so that you might just as well have the judge sitting alone. There are many objections to that system; but it is infinitely better than having the court composed of men whose whole training has been on the one side. If two laymen are to be appointed, they should be appointed for their ability, and quite apart from whether they are members of an employers' organisation or members of an industrial organisation.

This clause is the most important part of the industrial agreement. There is no appeal from the decision of the court and the prosperity or otherwise of industry will rest on its decision. The court will have power to put a large number of men in employment or out of employment. It will have more power than Parliament has. All sorts of questions will come before the court, which will have to make decisions in regard to the demarcation of work—as to what one section shall do and what another section shall do. The constitution of the court will be a very vital factor in the success or otherwise of this Bill. I note that the Minister has put in some restrictions. The clause provides—

"A person appointed to be a member of the court shall not be capable of being a member of the Executive Council or of the Legislative Assembly, and shall not act as a director or auditor or in any other capacity take part in the management of any bank, joint stock company, trade, or business."

Those restrictions do not go far enough; and I want to make sure that the Governor in Council will appoint a court that will be satisfactory to both sides, and one that will give a fair opportunity to both sides to state their case, and will not consist of members who are biassed in one direction, but of men who will give decisions in accordance with the evidence placed before them. I hope the Minister will accept the amendment so that the court will adjudicate fairly and honourably between both sections.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [4.15 p.m.]: I have no intention of accepting the amendment. I cannot see why the choice should be restricted in any way. I know that most hon. members opposite have referred to union secretaries as parasites; but I notice that in this particular amendment they have merged the politician with the so-called parasite. However, there is no reason why a politician or a member of Parliament who has had some experience in Parliament and has also had an opportunity of studying the various industries should not be a member of the court,

*Hon. M. P. Hynes.]*

for, after all, a successful member of Parliament has to pay attention to various industries in the State. There is no reason why he should not make as successful a member of the Industrial Court as any other member in the community.

With regard to the embargo on union officials some reference was made to the late W. J. Dunstan. He certainly had a very wide knowledge of Queensland industries in his capacity as general secretary of the Australian Workers' Union, and he was an advocate for many years.

At this stage the hon. member for West Moreton crossed the Chamber to where the hon. member for Toowoomba was sitting, and struck that hon. member while sitting in his place.

Hon. members intervening, the hon. member for West Moreton returned to his seat on the Opposition cross benches.

Mr. LLEWELYN (*Toowoomba*): Mr. O'Keefe, I would like to make a personal explanation.

The TEMPORARY CHAIRMAN: Order! I have to name the hon. member for West Moreton for the attitude he has just taken up in crossing the floor of the Chamber and assaulting the hon. member for Toowoomba.

Mr. GODFREY MORGAN: Let us know the details. Are we to be called upon to record a vote when we know nothing about the matter we are voting upon? I think you ought to allow both hon. members to make an explanation, Mr. O'Keefe.

The PREMIER: There is no explanation for assaulting an hon. member. It is the most dastardly attack I have seen in Parliament in seventeen years.

Mr. GODFREY MORGAN: Without knowing what it is about, how are we to record a vote?

The House resumed.

#### SUSPENSION OF MEMBER.

The TEMPORARY CHAIRMAN: Mr. Speaker, I have to report that I have named the hon. member for West Moreton for disorderly conduct in this Chamber by crossing the floor of the Chamber and assaulting the hon. member for Toowoomba.

Mr. SPEAKER: The Temporary Chairman reports having named Mr. Edmund Bede Maher, hon. member for the Electoral District of West Moreton, for disorderly conduct.

The PREMIER (Hon. W. Forgan Smith, *Mackay*) [4.20 p.m.]: The occurrence which has just taken place is the most disgraceful that I have seen during the seventeen years I have been a member of this Parliament. I saw the hon. member for West Moreton cross the floor of the Chamber and engage in an altercation with the hon. member for Toowoomba and assault him while sitting in his place.

Mr. SPEAKER: Order!

The PREMIER: While he was in his place.

Mr. SPEAKER: Order! Is the hon. gentleman moving a motion?

[*Hon. M. P. Hynes.*]

The PREMIER: I am stating reasons for moving a motion. In view of the heinous nature of the offence, I move—

“That Mr. Edmund Bede Maher, the hon. member for West Moreton, be suspended from the service of the House for the remainder of this session.”

Mr. GODFREY MORGAN: Mr. Speaker, I would like to raise a point of order.

Mr. SPEAKER: Order!

Mr. GODFREY MORGAN: I think those of us who were sitting in the Chamber when the incident occurred should be allowed to know what happened.

Mr. SPEAKER: The question is—

“That Mr. Edmund Bede Maher, the hon. member for West Moreton, be suspended for the remainder of the session.”

Such a motion must be put without amendment or debate.

Mr. GODFREY MORGAN: Mr. Speaker, I rise to a point of order. A number of us would like to record our votes as fairly as possible, but we do not know what happened. The Premier says that he saw something, and he is asking the House to record a verdict when a big majority of hon. members know nothing whatever about it. I think the hon. member for West Moreton should explain and also the hon. member for Toowoomba, so that we would know what we are voting on.

Mr. SPEAKER: Order! Whilst the occurrence may be regrettable, the Temporary Chairman has named the hon. member for West Moreton. The Standing Orders provide that any such motion must be submitted without amendment or debate.

Question put and passed,

Whereupon the hon. member for West Moreton withdrew from the Chamber.

#### INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

##### RESUMPTION OF COMMITTEE.

(*Mr. O'Keefe, Cairns, one of the panel of Temporary Chairmen, in the chair.*)

Clause 6—“*Constitution of Industrial Court*”—

On which Mr. Moore had moved the following amendment:—

“On page 9, after line 42, insert the following new subclause—

“(2) A person who, within a period of five years prior to the making of any such appointment, has been a member of Parliament or has occupied a paid position in any industrial union of employers or employees shall not be eligible to be appointed a member of the court.”

Mr. KENNY: Mr. O'Keefe, I rise to a point of order. The hon. member for Toowoomba referred to the hon. member for West Moreton, and said he had a filthy mind. I take it that was provocation for the action of the hon. member for West Moreton. I think that the hon. member for Toowoomba should be asked to withdraw that statement and apologise to the hon. member for West Moreton.

The TEMPORARY CHAIRMAN: The incident is closed, and I cannot allow it to be further debated. (Opposition dissent.)

Mr. LLEWELYN: I would like the consent of the Committee to make a personal explanation.

The TEMPORARY CHAIRMAN: Order! If the explanation has anything to do with the incident now closed, I do not propose to allow it.

Mr. LLEWELYN: It certainly has.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*): When the hon. member for Toowoomba was assaulted, I was saying that a man who had within five years been a member of Parliament was likely to make as successful a member of the Industrial Court as any other man. The same applies to union secretaries.

At 4.23 p.m.,

The CHAIRMAN resumed the chair.

The SECRETARY FOR LABOUR AND INDUSTRY: The late Lord Birkenhead, who was Lord Chancellor of England, was a party man in the House of Commons and the House of Lords. In his capacity as Lord Chancellor, he presided over the House of Lords in its appellate jurisdiction, and therefore occupied the highest judicial position in the British Empire. Nevertheless, although he was a party man, he put aside all party bias in that high office. Do hon. members opposite mean to insinuate that, because a person has been a member of Parliament and a partisan in that capacity, he would not be able to put away all party bias in connection with the exercise of his duties on the Industrial Court?

Mr. MOORE: We can only judge from experience.

The SECRETARY FOR LABOUR AND INDUSTRY: The same remarks would apply to a union secretary. The employers will admit that the late Mr. Dunstan was an impartial member of the court. It has not been suggested that he showed party bias or prejudice in connection with his decisions.

Mr. MOORE: Did you not hear of any?

The SECRETARY FOR LABOUR AND INDUSTRY: No.

Mr. MOORE: Then you must have been born deaf.

The SECRETARY FOR LABOUR AND INDUSTRY: I was associated with the court in the years gone by, and I always found that the person appointed to the court usually set aside all party bias or prejudice—

Mr. MOORE: Then why place any disabilities in the way of certain persons in the appointments to be made?

The SECRETARY FOR LABOUR AND INDUSTRY: In what way?

Mr. MOORE: Subclause (2) provides that a person who is a member of the Executive Council, the Legislative Assembly, or a person who is a director or auditor, etc., shall not be appointed.

The SECRETARY FOR LABOUR AND INDUSTRY: That is an entirely different grounds altogether, and there are good

reasons for those disabilities. Those reasons do not apply in connection with the amendment. A director of a company would be interested in the welfare of that company; and, if he were appointed to the bench, he would be considerably embarrassed in the hearing of an application which would affect his company. That is the reason for subclause (2). I intend to make the choice as wide as possible, and for that reason I cannot accept the amendment.

Mr. RUSSELL (*Hamilton*) [4.27 p.m.]: If the Minister wants to make the choice as wide as possible, why impose any restrictions at all? I believe that the system of appointment is altogether wrong. The court is not constituted in the right way at all. It should be constituted similarly to the Federal court where a judge presides. A man is appointed because of his legal knowledge and his ability to weigh evidence. Unfortunately, Industrial Courts have evolved into a system that the pioneers of arbitration never contemplated. To-day the two parties to a dispute face one another in court and utilise the best brains to present their respective cases. What we want to-day is a competent jurist who is able to weigh the evidence, and he should be assisted by men who have a knowledge of the business before the court. I think it would be far better to restrict the appointments to a judge who would call upon assessors to assist him in arriving at the truth in all problems presented to him.

This court is to be constituted by a judge and two laymen. The two laymen might be quite estimable citizens, but they may not have the knowledge of many cases that come before them. Consider the position of an intricate case like an engineering case. It would be difficult for a judge or two assistant judges to form a correct estimate of the evidence presented before them, because they would have very little knowledge of the subject itself. That is why I prefer to see assessors called in to assist the judge. As we are to have three judges, then let us appoint the best men we can get. The clause proposes to restrict the choice. It does not want directors of companies. As a matter of fact, it prohibits the appointment of representatives of the employers. At one time we did think that the court should be constituted by a judge, a representative of the employers, and a representative of the employees. It might be impossible for the court to arrive at a fair verdict if its members are to consist of representatives of either the employers or employees because of the bias, unconscious and otherwise, they might have; therefore, the proper constitution of the court should be by the appointment of judges.

This clause is designed to give the Government a chance of appointing one of their own favourites. They have had a fair spin, and we have never complained. We did think that it was a great mistake to appoint the late Mr. W. J. Dunstan to the court, although I believe he endeavoured to do his duty. I have nothing to say against him at all. If we do not agree to the previous proposition that there should be a representative of employers and a representative of employees appointed to the court, then let us get the best men without restriction. If the Minister will not agree to the amendment, let us wipe out all the other restrictions. A member

*Mr. Russell.]*

of Parliament might be versed in arbitration, but the public might be of opinion that, because a man has been a member of Parliament for a number of years, he has formed very strong prejudices. Let us look at the court as constituted by the Labour Party on previous occasions.

The SECRETARY FOR LABOUR AND INDUSTRY: Would you say the same thing about the present Chief Justice, who was a party man in the Chamber for a number of years?

Mr. MOORE: He has nothing to do with any court that might be constituted under this Bill.

The CHAIRMAN: Order!

Mr. RUSSELL: The present Chief Justice was in politics for a great number of years, and he does not care a tinker's curse how things go.

Mr. MOORE: He has to interpret the law.

Mr. RUSSELL: As the Leader of the Opposition points out, the present Chief Justice must interpret the law. There is no appeal from the decisions of the Industrial Court. We are setting up an Industrial Court consisting of a judge and two laymen, whose decisions might be faulty both as regards the principles of law and equity and justice; but there is no appeal from them. We are also going to appoint men who might be partisans and naturally biased. Seeing there is no appeal from the decisions of the court, we should be careful to give the widest choice possible in making the appointments. If we are to have any restrictions in choice, let those restrictions apply to members of Parliament, union secretaries, secretaries of employers' organisations, and men engaged in politics. Let us get men who are beyond reproach. We object to this clause, which aims at making appointments in the one direction only. We want the best men—men who will not be imbued with political motives. I think we can get such men. At the present time the court consists of a judge and Mr. Ferry, who was appointed by the Labour Party. Our party made no appointments to the court, principally owing to the exercise of economy. Let the Government make appointments from men not associated with the Labour Party or politics. They can get them. There is an opportunity here for them to appoint one of their own favourites. We want fair play in the Industrial Court. We want a court that will hold the scales evenly between the two parties. This Bill is a very drastic one, and tends to give every privilege possible to supporters of the Government Party. If the Bill is read carefully, it will be found that the employers are at a big disadvantage, every advantage being given to the employees. I plead for some consideration for the owners of capital and the owners of businesses. In the first instance I was impelled to move an amendment providing for the appointment of a representative of the employers, but it is our desire to see the Industrial Court constituted of absolutely impartial persons. We strongly object to the Government having the power to appoint one of their own proteges.

Question—"That the words proposed to be inserted in clause 6 (*Mr. Moore's amend-*

*Mr. Russell.*

*ment*) be so inserted"—put; and the Committee divided:—

AYES, 23.

Mr. Barnes, G. P.	Mr. Nimmo
" Barnes, W. H.	" Plunkett
" Brand	" Roberts
" Clayton	" Russell
" Costello	" Sparkes
" Deacon	" Swayne
" Edwards	" Tozer
" Kenny	" Wienholt
" King, R. M.	
" Maxwell	<i>Tellers:</i>
" Moore	" Daniel
" Morgan	" Fadden
" Nicklin	

NOES, 27.

Mr. Barber	Mr. Llewellyn
" Bruce	" Mullan
" Bulcock	" O'Keefe
" Conroy	" Pease
" Cooper	" Smith
" Copley, P. K.	" Stopford
" Copley, W. J.	" Taylor, G. C.
" Foley	" Wellington
" Gledson	" Williams
" Hanlon	" Wilson
" Hayes	
" Hynes	<i>Tellers:</i>
" Keogh	" Funnell
" King, W. T.	" Gair
" Larcombe	

PAIRS.

AYES.	NOES.
Mr. Grimstone	Mr. Collins
" Sizer	" Dash
" Taylor, C.	" Bedford
" Walker	" Waters

Resolved in the negative.

Clause 6, as read, agreed to.

Clause 7—"Jurisdiction of court"—agreed to.

Clause 8—"Provisions as to awards"—

Mr. RUSSELL (*Hamilton*) [4.40 p.m.]: I move the following amendment:—

"On page 12, lines 39 to 42, omit the following paragraph:—

(a) The same wage shall be paid to persons of either sex performing the same work or producing the same return of profit to their employer."

The effect will be to fix the same rate of wage for females as for males. I quite admit that in many vocations females are more effective than males, and can demand just as high a rate of pay; but I am wondering what the effect will be if this provision is carried out in its entirety. We know that in many callings to-day females have taken the place of males; and it may be the intention of the Government to put these females out of employment in order to give the work to males. If that is the intention of the Government, it is something very much to be deprecated. I am quite prepared to agree that females should get equal payment where they do the same class of work, or where they return the same amount of profit; but I object to an instruction being given to the court to provide for this sort of thing. I prefer to leave the whole matter to the court to decide as to what shall be the relative rates of pay for males and females. It is another attempt on the part of the Government to dictate to the court as to how it shall frame its awards.

I have the same objection to this provision that I have to many other paragraphs where, instead of leaving it to the court to decide, Parliament tells the court what it shall do.

I want to see an Industrial Court that is free and untrammelled. I am prepared to leave it to the court to fix all the conditions as to hours and wages. If the court considers that a female is giving the same return as a male in any industry, then I take it the court will award the same rate of wages; but I have a strong objection to making it a general rule. We know that in some callings followed by females there is a strong agitation to put males in their positions. We know that the liquor trade union is attempting to get rid of barmaids and substitute barmen on the plea that it is not a respectable calling for women. With that I do not agree, because I hold that we have in our bars women who are just as good as the women in other callings.

If that is the object of the clause, we must oppose it most strenuously. Women are entitled to recognition and to be employed in those callings which suit them, and there must be no interference by Parliament as to when or how they shall be employed. I want the court to decide the conditions relating to the employment of males and females and the wages to be paid. I cannot subscribe to the doctrine that Parliament should decide where females shall be employed, what they shall be paid, and what hours they shall work. If we want a court to be respected by all sections, and to be one that we can look up to and to hold the scales evenly, we must leave matters of this description to be decided by the court. Parliament has no right to dictate to the court as to what it shall do in regard to the employment of females in any industry. We know that, as a general rule, where a female is employed in industry she is more reliable than a man. I will give that credit to female workers; but there are certain walks of life they are not fitted for. We know that in many industries where a female is employed she does not give the same results as a male does. While she may be more steady in employment, she is not capable of the same physical endurance as a male, and in a case like that the wages, of course, are higher for a male than for a female. But in those callings in which a woman gives the same return and her work is equal to that of a man, the same rate of pay should prevail; but I want the court to decide that, and not Parliament. If the same rate of pay was prescribed for both sexes it would lead to the substitution of men for women in many callings.

Just now the question of whether it is best to employ barmaids or barmen is being discussed. If the same wages have to be paid in each case, the barmaids will probably disappear. There has been an agitation for many years for the displacement of barmaids by men in bars. The same thing might apply to waiters. It is a woman's job, and why should they be displaced by men? I do not like to see men carting sandwiches about on a tray, which is work that should be done by women. We want to conserve for women the jobs they are fitted for.

I resent the insertion of this paragraph, because I believe that the underlying motive on the part of some of the unions is to get rid of women in many vocations and substitute men for them. I have moved the deletion of the paragraph because I think these questions relating to employment of women and their wages and hours should be

left to the court to determine. If we trust the court in the main particulars, we should leave it to decide a question of this sort, instead of allowing Parliament to dictate what is to be done. The Minister says that we have an Industrial Court that is above reproach; yet here we say to the court that we are not prepared to trust it in this direction. This is not a matter of policy; it is a mere detail. Surely it should be left to the court to determine such a matter! What right has Parliament to step in and tell the court what it shall do with regard to the remuneration of females? I am prepared to trust the court to do the right thing, and that is why I move for the deletion of the paragraph.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [4.51 p.m.]: The provision to which the hon. member takes exception was part of the law from 1916 to 1929, and caused no disability to the people mentioned by the hon. member for Hamilton. The Bill provides that the court shall take into consideration the question of whether the female worker performs the same work or produces the same return or profit to her employer as a male worker would do. In the case of barmaids and barmen, for instance, the court decided that a barmaid did not return the same measure of profit to her employer as a barman, and in other cases, such as that of female clerks, it held a similar view and awarded lower rates to them than it gave to males. I do not anticipate that anything extraordinary will occur in the future to lead to any of the disabilities suggested.

Mr. MOORE: The court must follow the directions of the Act.

The SECRETARY FOR LABOUR AND INDUSTRY: There is no direction to the court except in respect of the factors I have mentioned. Broadly speaking, the female employee does not give the same return of profit to her employer, because for one thing she is likely to lose more time from sickness. In the next place, she may regard her calling as a stepping-stone to her natural sphere of matrimony, and, as a consequence, not take the same trouble to become efficient as men, who regard their calling as their whole career. The court will take such things into consideration. I do not know of any award which has been made in which a female worker has been awarded the same wage as a male worker, consequently, I do not think any disability will accrue to anybody by leaving the Bill as it stands.

Mr. WIENHOLT (*Fassifern*) [4.54 p.m.]: The hon. gentleman has said that such a provision was formerly the law for a considerable number of years; but it certainly opens up a big question, and one in which is bound up to a large extent the whole question of unemployment. In fact, it is probably the case that the introduction of women to many spheres formerly occupied by men only has had a lot to do with our troubles in this respect. I admit, being old-fashioned in my views, that I regard the man as the natural and essential breadwinner. The ordinary young man should have the zest and objective of providing a home to which he may take the girl he is fond of, if she will marry him, whilst she becomes mistress in her own household sphere. The Minister mentioned that many girls entered business in a temporary way, probably with a view

*Mr. Wienholt.]*

to matrimony in the future. That may be so; but, in pursuing that course, may they not temporarily prevent young men—their natural future husbands—from making a start in life. The young men should be permitted the chance to begin in business, and eventually to marry the girl of their choice. We have been told that two can live more cheaply than one. It seems that we have got into a very serious economic and social tangle by this particular trend of affairs. I should like the court to give the very fullest consideration to the question of placing girls on the same equal wage standard. That might be the most wholesome way of dealing with the matter, though I realise it might lead to serious consequences in times like the present. An unemployed man is bad enough, but an unemployed girl is a much more serious problem. I should not like to do anything that would in any way aggravate the position of unemployed girls. The whole position is a very serious one, and one that will yet have to be considered very seriously by the people and Parliaments of Australia.

Mr. FUNNELL (*Brisbane*) [4.58 p.m.]: I am entirely opposed to the amendment. I desire to pay a tribute to the splendid work achieved by the various industrial organisations throughout this State. The principle of unionism has been so well explained by the Minister that very little more need be said by hon. members on this side. The principles of preference to unionists—

The CHAIRMAN: Order! The hon. member will not be in order in making a second reading speech on one clause of the Bill. He must confine his remarks to the subject-matter of clause 8.

Mr. FUNNELL: The clause is very wide in its operation.

The CHAIRMAN: At the present time the question before the Committee is an amendment of clause 8.

Mr. FUNNELL: The amendment will not be in the best interests of the people whom it is designed to protect. It is necessary that protection should be extended to that class of workers to whom the hon. member for Hamilton has referred. I hope the clause will be carried in its present form.

Amendment (*Mr. Russell*) negatived.

Mr. MAXWELL (*Toowoong*) [5 p.m.]: I move the following amendment:—

“On page 14, lines 47 to 52, both inclusive, omit the words—

(2.) Where it is mutually agreed by the parties concerned or considered advisable by the court that preference be granted either generally or to any particular union or organisation, such preference shall be granted subject to such conditions as the court may approve.”

This subclause opens up a very big question. It means that only those individuals who belong to a union have a right to live. I and other hon. members associated with me do not object to a craftsman or a crafts-woman linking up with what is termed a trade union; but, when we find a trade union departing from the ordinary accepted meaning of the term and becoming a political union for the purpose of selecting and retaining men in Parliament, we say that no legislation should be passed assisting their aims in this direction.

[*Mr. Wienholt.*

I can speak from experience of my own calling as to how the system of preference works out. Men who are not expert tradesmen get their names on the books of the union, and, when employers require labour, the secretary selects that labour in the order of registration. The employer must take those men whether they are competent or not. That is ridiculous. This Bill contains many bad principles, but preference does not tend to efficient workmanship. The men whom the union secretary sends to the employer might be unsuitable, nevertheless they must be taken.

Mr. MAXWELL: There must be some cause for such an alteration in our industrial laws. I find the cause to be a motion passed at the Labour Convention held in Brisbane in January last, when the following motion proposed by Mr. J. C. Valentine, of the A.F.U.L.E., was carried:—

“Legislation to be enacted giving absolute preference to unionists and that when Labour got back people who dropped out of the unions when the Moore Government abolished preference be forced to pay the whole of the dues for the period during which they had been out of the unions.”

The whip had been cracked, and the Government had to carry out the wishes of that outside organisation. Further proof of that may be obtained from “The Militant” of 1st September, 1919. Hon. members opposite may say that is some time ago, but I would remind them that the sentiments are still the same. In a leading article, that periodical had this to say—

“THE LABOUR GOVERNMENT AND RAILWAYMEN.

“Certainly the Government must govern, but that Government must receive its instructions how to govern from those responsible for its creation. A Labour Government must govern, not according to the whim of Mr. Ryan, or to back up the unpardonable blundering of an egotistical junior Cabinet Minister, but according to the principles of the Labour movement.”

I remember a former Premier of a Labour Government saying that he had come to the conclusion that preference to unionists had done unionism a considerable amount of damage. Notwithstanding that we find men and women, boys and girls, being forced into unionism. They are told that, unless they join a union they will not get work, and, of course, if they do not get work they cannot eat. Where is this much vaunted principle of the right to work? It is all very well for hon. members on the Government side to talk about the privileges of unionism. I appreciate the fact that there are certain privileges attaching to members of a trade union; but I cannot shut my eyes to the fact that people are being compelled to join—not trade unions, but political unions—although their opinions are entirely dissimilar from those of the unions. I wonder what the Labour Party would have said if we had introduced a measure to force persons to join political organisations associated with what they term “Terrica House.”

The SECRETARY FOR LABOUR AND INDUSTRY: You give preference to non-unionists.

Mr. MAXWELL: I have had a great amount of experience, and I can tell the

Minister that, when I controlled my own business, every employee of mine was a unionist. The employees did their jobs well. I bought their labour—not their political opinions. I did not send to any union secretary for a man, because I claimed that the employer is the best judge of the type of man he wants. I go further, and say that no competent tradesman wants any union to get him a job.

Mr. G. C. TAYLOR: At what price can he get it?

Mr. MAXWELL: The competent man can command his own price. I know men who were earning £6 and £7 per week. I protest against this subclause, which I consider will do a considerable amount of injury to the Government. To show the extent to which the political element has crept in, I would cite the case of certain ladies who were asked to join a union. These ladies were clerks. They said they would not join. They were told they must. They did not want any union to get them a job. They had the ability to get work for themselves, but they were told that they would have to join the union. They were also told, "We will tell you something else. You will have to vote for the Labour Party at the next election." (Government laughter.) That is quite true.

The HOME SECRETARY: By whom? Tell the truth!

Mr. MAXWELL: After all this is nothing more nor less than a big organising scheme. The subclause reads—

"Where it is mutually agreed by the parties concerned."

If they cannot agree, they go to the court and state their case; but I would not like to go to the court under such conditions. This subclause is going to have a detrimental effect on industry. I can speak without bias because I am not an employer; but I have been, and I have had experience. I know of my own knowledge what has taken place, and I know the detrimental effect this is going to have on industry.

We object to preference to unionists. Hon. members opposite ridiculed what I said previously in regard to back money having to be paid. I saw a letter from one individual, and in one instance the amount of back money was £10. These people said, "If we do not make arrangements to pay, we have to lose our jobs." We have come to a sorry position in our industrial life when we have to resort to such tactics as this to bolster up organisations.

We used to hear a lot about the union boss. Well, we have got him to-day. Hon. members opposite have lost all sense of responsibility; and the unfortunate part is that, when the Government are in trouble, they cry out for assistance. We would not do anything to injure them; but they have to do what their convention tells them. There is not a man opposite who dare vote against this subclause. They are the tools of the organisations.

The CHAIRMAN: Order! The hon. member for Toowong made the remark that certain hon. members were tools of some organisation. I ask the hon. member to withdraw that expression.

Mr. MAXWELL: I withdraw; but I speak feelingly on this matter. I know the feelings of hon. members on this side in regard to unemployment. I know people who are doing their utmost to solve this

problem; but how is it possible to carry on when you restrict business and prevent men carrying on? It is one of two things, either hon. members opposite do not know or they do not care. I would impress upon the Minister the necessity for withdrawing this provision altogether, irrespective of the resolution moved at the convention which was held some time ago at the Trades Hall.

I wish to know from hon. members opposite whether the position of the "digger" will be wiped out altogether? Will the preference to returned soldiers still remain upon the statute-book, or will returned men have to link up with various organisations before they can get work? The boys were never asked when they went to the front whether they were unionists or non-unionists. We know that these men are worthy of every consideration. They responded to their country's call when wanted. I plead with the Minister to withdraw the provision, and allow people to carry on their business under reasonable conditions.

Mr. G. C. TAYLOR (*Enoggera*) [5.17 p.m.]: I had not intended to speak on this clause before hearing the hon. member for Toowong. The hon. member is suffering from employers' psychology, and, of course, anything that pertains to the betterment of industrial conditions for the employee is anathema to the hon. member, who claims that the preference clause should be deleted and his amendment substituted in its place. That would be an error from the Government's point of view that would be unpardonable by the majority of the people of Queensland. There is no doubt that an employer has, and should have, certain rights and privileges under this Bill in regard to dismissing a man who does not suit him, and the keeping of a man who suits him. Probably without subclause (2) employers could treat in an unscrupulous manner any worker who chose to accept a set of conditions below those prescribed by the court. We have had evidence in the past where unscrupulous employers have taken advantage of loopholes in awards to escape the payment of just dues, when it was the intention of the court to see that justice was done in respect to the payment of those dues.

The hon. member for Toowong said that no person would be able to get a job unless he became a member of a union. I can cast my mind back twenty five years, when people were sacked for joining a union.

Mr. GODFREY MORGAN: Now they will be sacked if they do not join a union.

Mr. G. C. TAYLOR: Employers had it all their own way in those days, and, even although the Federal Arbitration Court award of 1907 contained a preference clause for unionists, many of the employers attempted by devious methods to nullify that clause. On one occasion an old gentleman stood in his gateway with a gun and two wolf hounds and dared a union secretary to go in and enlist certain of his employees in his union. Such conditions cannot operate to-day. The Government must protect the workers, and, in protecting them, extend equitable consideration to the employers in industry. This provision has stood the test of time and has not interfered with the progress of industry or the production of the State.

Mr. RUSSELL: Oh yes, it has.

*Mr. G. C. Taylor.]*

Mr. G. C. TAYLOR: The hon. member for Hamilton cannot prove that statement, for in to-day's "Courier" there is a statement that primary production in Queensland has steadily mounted for a number of years until to-day it is worth £19,150,000.

Mr. MOORE: The workers in those industries are all out.

Mr. G. C. TAYLOR: That proves that the actions of the unions have not in any way interfered with the advancement of Queensland's industries or the friends of the Nationalist Party, notwithstanding the fact that hon. members opposite did their bidding when they sat on this side of the Chamber. On the other hand, we have the statement of the hon. member for Toowong that the Government of the day had to carry out the wishes of the Labour movement. I for one admit that I am here to carry out the wishes of the Labour movement. After all, the Labour movement is a broad one, and only excludes from its ranks those employers who have not enough brains to belong to the working class movement because they cannot subscribe to its doctrines. The fact remains that preference to unionists has been a factor not only in arbitration court awards but also in industrial conditions secured by direct action before arbitration became the policy of the unions and the Labour movement. From 1902 to 1906 the Australian Workers' Union was always able to enforce preference without recourse to a court; and so successful was that side of the union's activities that it was practically an accomplished fact before it was incorporated in the 1907 agreement registered in the Federal Arbitration Court.

Under preference to unionists a more equitable distribution of labour can take place, which in a time like the present is what the Government will have to bring about. During the last few years we have had instances of employers giving all the work they possibly could to one or two individuals at the expense of the others. Under preference that will be prevented, and the union can introduce a roster system whereby the men who have been out of employment the longest will get work. If one man has been out of work for eight or nine months and another man has been unemployed for only three months, then, all things being equal, the man who has been out of work for the longer period is entitled to the first job. The clause will enable the unions to work a roster in that manner.

The hon. member for Toowong has referred to the position of the returned soldiers, but I would remind him that the work in the army was distributed on the roster system. The "diggers" had to do guard or picket duty according to a roster which operated throughout the army. I do not think that any Government should be expected to give full preference to returned soldiers irrespective of any conditions. The war has been over now for a number of years, and there are to-day in industry a number of men with family responsibilities who were not eligible for service in the Great War which broke out in 1914. These persons are to-day the fathers of children, and they have assumed family responsibilities. The union organisations have always given the returned soldiers a fair spin. As president of a soldiers' league for ten and a-half years, I was associated with industrial matters which affected the returned soldier members of my organisation. We did not extend the pre-

[Mr. G. C. Taylor.]

ference to the returned soldiers outside of the industrial organisations; but on every occasion that the members of my organisation sought work through the unions, the unions were prepared to grant them preference with other members of the unions. That is a fair and just administration of the principle of preference. We might just as well go back to the South African war, or to the Crimean war, and say that these veterans who have the right to join a returned soldiers' organisation should be given preference in employment. We are living now in the year 1932—not the years 1914-18, or 1918-21. Why should not the returned soldiers from the South African war claim that the same principle should be applied to them in the year 1932? I hope the clause will be carried in its present form.

Mr. GODFREY MORGAN (*Murilla*) [5.28 p.m.]: This is the most vicious clause in the Bill. The hon. member for Enoggera stated that at one time it was an offence to belong to a union, and that, if anyone joined a union he would find it extremely difficult to obtain work. We have now gone to the other extreme; and it is to be a crime not to belong to a union, or, if one does not join a union he cannot obtain work. It simply means that the conscientious objector or the person who does not desire to join a political organisation must starve.

It cannot be denied that the unions to-day are political in their outlook. The Trades Hall has in the past, and will, to a greater extent after the passage of this Bill in the future, rule the State of Queensland. That cannot be denied by the organisers and the representatives of the unions. Hon. members opposite who belong to the different unions know perfectly well that what I say is absolutely true. The unions are running the Queensland Government to-day. They claim the right to do that in view of the fact that they provided the fighting fund for the Government during the election campaign. The income and expenditure account of the Australian Workers' Union discloses that £16,000 was contributed for this purpose during the last election campaign. That is probably only a very small proportion of the amount, that being only the publicly announced contribution. No doubt the other unions also contributed to the fighting fund of the Labour Party. It is admitted that funds are required by all political parties to fight an election campaign.

At 5.30 p.m.,

Mr. GLEDSON (*Ipswich*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Mr. GODFREY MORGAN: No matter what political party we belong to, we must recognise that money is required to fight a political campaign. It is only natural that unions, after providing funds for fighting an election, should look for a quid pro quo in the event of their candidates being successful at the polls. The unions usually see to it that good unionist organisers are selected as candidates in their interests; therefore, the unions not only control Parliament to-day, but they also controlled the plebiscites. They see to it that only financial members of a union affiliated with the Central Political Executive are allowed to vote at plebiscites. Workers who do not belong to unions are not permitted to vote in the selection of workers' candidates. It

very often happens that the representative of an electorate consisting of 12,000 voters is selected at a plebiscite where not more than 200 votes are cast. The successful candidate might receive 90 votes, and the next candidate on the list 50 votes. Unfortunately, the unions are more strongly represented in this Parliament than ever before. That is evidence of the fact that the unions dominate the Government. The Trades Hall, which comprises men who have not been elected by, or are responsible to the people, pass certain resolutions which are forwarded to the Labour representatives in this House. Those resolutions are discussed in caucus, and very often the desires of the Trades Hall are then embodied in a Bill. The fact remains that to-day we are under the domination of the Trades Hall, and unless a man is a unionist he cannot get work.

There are any number of men and women who are conscientious objectors. Recently a religious body waited on the Premier and placed before him their objections to joining a union, and asked to be allowed to have the right to work. We are fast approaching a state of affairs in which, unless we belong to a certain religion, we shall not be able to obtain work. The position to-day is that a man must be a unionist before he can obtain work; but the time will come when a man will need to belong to a certain religious body before he can get work. Religion should be a matter for the individual to determine according to his conscience. No Act of Parliament should dictate to him as to how he should worship. We should not, by legislation, interfere with the religious or political views of a man. He should be allowed to vote and worship according to the dictates of his conscience. We all know that unions find the funds for the Labour Party, therefore, a man is compelled, not only to join a union but to subscribe to the election funds of certain political candidates. He is also compelled to subscribe to the official organ of the Labour Party. Although the man will, perhaps, never read the paper and has no desire to read it, he is nevertheless compelled to subscribe to the upkeep of the paper. He is forced to supply the money to the union in order that he may live, because he cannot get a job unless he is a member of the union.

I would not object so much to preference to unionists if the Bill stipulated that the funds should not be used for political purposes. If such a clause were provided, it would really vitiate the Bill from the Labour Party's point of view, because the idea of hon. members opposite is to allow the unions to accumulate huge funds that will be used later on for political purposes. The Australian Workers' Union in New South Wales accumulated hundreds of thousands of pounds. The political Labour Party got hold of it, and persuaded the Australian Workers' Union to buy a newspaper. The newspaper was purchased, but it had a short life. Now the newspaper has gone, and presumably the money also has disappeared. Instead of utilising the money to find work for its members, the Australian Workers' Union did not find one job, but spent the money that had taken years to accumulate on establishing a paper that was short-lived. Are we going to tolerate a similar state of affairs in this State? I do not object to genuine unionism. If I were a worker, I would not hesitate to join a union; but the unions should not be politi-

cal. I remember years ago in Victoria the original intention of the unions. I was associated then with the printing trade, and, if we wanted a tradesman, we could always rely on obtaining a competent man from the Trades Hall in Melbourne. When we sent for a compositor thoroughly qualified for country office work, we could rely on getting a man who was competent to set up not only reading matter, but also advertising and job work. I daresay, if we sent to the Trades Hall to-day, we would most likely get a "red-ragger" or an agitator, who would not be ten minutes employed before he was making trouble with the rest of the workers. An employer sending to the Trades Hall to-day is more likely to get a Socialist or Communist than a reliable man. That is the trouble with present-day unionism. It is not a question of ability; it is whether the man can pay the money that is demanded by the union. What the union really says is this: "Are you a tradesman? What is your trade? Have you sufficient money to pay your union fees? If you have, then enter, brother!" And the 25s. or £2 which is collected from the man is used for political purposes. The unions want the money for political purposes, and do not care what happens to the man after he pays his fees. Unionism is political through and through, and after this Bill becomes operative, with the temperamentally fitted court that will be appointed, the Trades Hall will have full and complete control of the industries of Queensland.

I congratulate the extremists of the Labour Party on a Bill of this sort being brought forward. I did not think that the Premier, holding the moderate views he does, would have allowed himself to be coerced into bringing a Bill of this nature before Parliament. While some portions of the Bill are not to be put into operation for six months, yet the red-rag element of the Labour Party has won a great victory. It would have been a little more complete had they brought the 44-hour provisions into effect straight away; but, in order to protect the Premier from the Loan Council, and in order that he might endeavour—I use that word advisedly—to carry out the Premier's Plan during the next six months, they have been kind to the hon. gentleman, and said, "Mr. Premier, you made a promise to endeavour to carry out the Premier's Plan. You have presented your Budget to Parliament, and we will not interfere with it for the next six months. We will give you six months, but after that, whether it is going to affect the Premier's Plan or your Budget or not, this Bill is going to become law, and this provision must be carried out." I suppose the Premier thought it would be better to take half a loaf than no bread, and he accepted the conditions laid down by his party. The extremists have had a moral victory. They have succeeded in imposing their views upon the moderates.

No other Labour Party in any part of Australia, and I do not think any Labour Government in any part of the world, has introduced a Bill of such a drastic nature as this. One has only to go through the Bill clause by clause to see where the sting is. Some Bills have the sting in the tail, but in this case the sting is all over the Bill. (Laughter.) It is like a stinging nettle—the more gently you touch it the greater the sting.

The TEMPORARY CHAIRMAN: Order!  
*Mr. Morgan.*]

Mr. GODFREY MORGAN: This is the most vital clause of the Bill, and it is going to have an effect all over the State. Our employees in country districts are treated as members of the family and sit at the same table. We play tennis, football, and cricket with them, and take them along to different functions. This is going to mean that these employees will be compelled to join a union and contribute to political funds, which will cause discord amongst them.

The Bill will have a boomerang effect, and will eventually be responsible for putting hon. members opposite out of Parliament. I should be overjoyed to think hon. members opposite are bringing in a Bill of this description, because it is going to kill the Labour Party. The people of Queensland will not stand for compulsion, interference, or conscription, and that is what this Bill means.

We know that, when a referendum was taken on conscription during the war on the vital matter of life or death, the people turned it down. The hon. member for Enoggera stated that it was so many years ago that returned soldiers came back from the war that they had no more right to preference than men who had not gone to the war.

Mr. G. C. TAYLOR: Mr. Hanson, I rise to a point of order. The hon. member stated that I said the returned soldier who went to the war in 1914 had no more right to preference than a man who did not go to the war. What I said was that the returned soldier who went to the war in 1914 had a right to favourable treatment through the unions, which they get, other things being equal.

Mr. GODFREY MORGAN: I accept the hon. member's statement. What he said was that men who were too young to go to the war in 1914-1915 should be just on the same footing as the men who went to the war. I am not referring to the men who were eligible to go to the war and who did not go.

Mr. G. C. TAYLOR: You did not say that in the first place.

Mr. GODFREY MORGAN: I was coming to it. Had it not been for the returned soldiers who went to the war when they were young, we should not have had our freedom in Australia to-day.

Mr. G. C. TAYLOR: How old are you?

Mr. GODFREY MORGAN: I suppose the hon. member was eligible, but I do not wish to cast a stone at anyone who did not go to the war. I do not intend to do that, and I have never done so. It is a matter for a man's conscience—it is a matter for himself.

The SECRETARY FOR PUBLIC WORKS: Why don't you give a returned soldier preference to your seat?

Mr. GODFREY MORGAN: If a returned soldier came along and won my seat, well and good. (Laughter.) Most likely, if a returned soldier were nominated against me, I would consider retiring in his favour. The point I am making in regard to the statement of the hon. member for Enoggera is that he places the young men who failed to go to the war on the same footing as the man who went to the

war, but I say they are not on the same footing.

Mr. G. C. TAYLOR: They have all got to live.

Mr. GODFREY MORGAN: The returned soldiers are responsible for Australia being retained for the British race. If those young men had not gone to the war and succeeded, Australia to-day would be a German province. The young men of to-day are not entitled to the same treatment as the returned soldiers, who should be given preferential treatment. If the hon. member looks at the matter from that point of view, he will admit that the returned soldiers are entitled to preference without having to join a union. They are entitled to preference because they fought to save the country, and are more entitled than those who did not go.

Mr. KEOGH: How many went from your side?

Mr. GODFREY MORGAN: I say again that the returned soldier should not be compelled to join a union. They voluntarily offered their lives, and, after coming back, in some cases injured and maimed, they are conscripted to join a union and contribute to a political fund.

What would happen if another party came into power and reversed the order by providing that every man must contribute so much to the funds of the Country-Nationalist Party before he could obtain work? Yet that is exactly what the Labour Party are doing. It may be that a party will reverse the order of things in that way. It is done in the United States of America, where after an election one body of civil servants goes out and another comes in.

A GOVERNMENT MEMBER: Not all of them.

Mr. GODFREY MORGAN: A sufficient number to influence the vote. That would be a frightful thing to happen in Australia, but unfortunately things are moving in that direction, so that, when changes of Government take place, there will be changes in other spheres also.

Mr. WATERS (*Kelvin Grove*) [5.52 p.m.]: It is very interesting to hear the lamentations of hon. members opposite in reference to preference to unionists and their noble regard for the workers, although they are not concerned so much that they should join a union as that, by joining a union, they become members of a political organisation. They are horror-stricken at the idea of such a thing. They regard it as infringement of the liberties of the subject and a negation of everything for which the British people have fought for a number of years. What is wrong with members of a union contributing to the funds of the Labour Party? Hon. members opposite seem to wish to handicap the Labour Party out of the race. If they had their way, they would deny them the right to have any political influence or contribute any financial aid to the Labour Party at an election; yet the workers who, by their labour contribute to the huge profits of the exploiting section of the community—who enable them to earn their dividends every year by their purchases in the shops and stores, by their work on the stations, on the dairy farms, and in other avenues of production—it is they who, in effect, contribute indirectly to the funds of the Employers' Federation by supplying the sources of their

[*Mr. Morgan.*]

wealth. We all know that the Employers' Federation, the graziers and other wealthy sections of the exploiters, are the greatest subscribers to the funds of the Nationalist Party. It would be interesting if a balance-sheet could be published of the contributions to their funds. They have the advantage of the Labour Party in this respect—that, whereas the union funds and books are open to the public gaze and the inspection of members, the policy of hon. members opposite and their organisations is to hide the large contributions which are made to their party funds. Large contributions are made by the supporters of hon. members opposite because they realise that this investment with their party is a guarantee that no class legislation, as they term it, will be introduced. It is only natural that they should advocate the acceptance of an amendment which would have the effect of handicapping the Labour Party out of the political race. We cannot allow that to be done. The Labour Party has every right to adopt the principle of preference to unionists; and the unions should be permitted to assist the Labour Party by contributing to its funds.

It was interesting to hear the remarks of the hon. member for Murilla about preference to returned soldiers. The subject of returned soldiers is one that is very near and dear to hon. members opposite. They like to talk about how much the returned soldiers should be protected; but they overlook the fact that their political colleagues in the Federal Parliament had an opportunity to befriend the returned soldiers who had fought for and had done so much in the interests of this country. When a number of foreign immigrants arrived in this country from countries like Czecho-Slovakia and Jugo-Slavia and work was required to be done on the Adelaide wharves, preference in employment was given to these foreign immigrants over the returned soldiers of this country. That action clearly indicated how much sympathy existed between the employers of labour and the returned soldiers.

If a plebiscite of the returned soldiers were taken, it would be found that the majority of them believe in unionism. I make that statement without any fear of contradiction. When appeals were made from time to time to the Federal public servants to join their respective unions, they responded manfully to the appeal. Ninety-eight per cent. of those eligible to join the union to which I belonged became members before any preference was granted, and not one returned soldier refused to honour his obligation. That is proof positive that the returned soldiers, as a body, are in favour of unionism.

The Australian Workers' Union, which is so viciously attacked by certain hon. members opposite, has a very large number of returned soldiers within its ranks—probably the largest number of any organisation in Australia. That shows clearly that the returned soldiers as a body do not object to the principle of preference to unionists. They never have objected to such a principle, such objection existing only in the imagination of hon. members opposite, who seek to exploit them as occasion demands. The Labour Party was elected on certain pledges, and it is now giving effect to those pledges. There is nothing wrong in that. If we failed to honour our election promises, hon. members opposite would bitterly complain that we were not living up to our political obligations. We would also be subject to much

criticism from the people outside to whom the promises were made, and rightly so. The representatives of the exploiters in this Chamber are spurred on by their political bosses and by the fact that much criticism was levelled against them recently by the "Telegraph"—a journal that is prepared to criticise them for not attending to their jobs. They have been whipped up on this occasion and must obey the directions of their masters. I support the clause as it stands.

At 7 p.m.,

The CHAIRMAN resumed the chair.

HON. W. H. BARNES (*Wynnum*): Hon. members opposite have again and again repeated that we on this side are opposed to unionism. Our real reason for taking any steps against this particular clause is not that we do not believe in unionism. We say that people have the right to determine whether they shall be unionists or not, and not feel that they are bound hand and foot to do a certain thing whether they desire it or otherwise. This clause says that certain things must be done in a certain direction. This party is emphatically opposed to such a principle. We are against political unionism. We regard it as a most dangerous instrument. It is also an instrument that has no right to be used in a free country. What is the use of blinking at the real purport of this Bill? It is to assist party political funds very materially. It is setting up a system of political unionism of the worst type. It practically says to every person in the community seeking work—"You have to join a union; otherwise your position is going to become very precarious."

The SECRETARY FOR LABOUR AND INDUSTRY: You are against all progress.

HON. W. H. BARNES: The hon. gentleman is entirely wrong in making such a statement. We are against anything which goes in the direction of saying that people shall not have the right to exercise a free choice. This clause most emphatically sets out certain directions to the court.

Mr. FOLEY: You hold distorted views on the question.

HON. W. H. BARNES: It is the hon. member who possesses distorted views. He cannot get away from the wording of the clause, which is very definite indeed.

Mr. W. T. KING: The clause throws the onus on the court.

HON. W. H. BARNES: The clause does not even say that. The only onus it throws on the court is that a man has to be a unionist, and the court must grant preference to unionists.

Mr. P. K. COPLEY: Rot!

HON. W. H. BARNES: It is not rot.

Mr. P. K. COPLEY: The clause says definitely . . . "subject to such conditions as the court may approve."

HON. W. H. BARNES: The hon. member, who scarcely ever speaks except by interjection, must know that the clause gives no option; a person must belong to a union.

Mr. W. T. KING: No.

HON. W. H. BARNES: The hon. member for Maree must have a very disturbed conscience, because he is always interjecting "No." The other day he said the same

*Hon. W. H. Barnes.]*

thing when I stated that certain people had nothing to eat at certain periods. What right has a person to be called upon to find funds for a political organisation with which he is not in sympathy?

MR. W. T. KING: The court has to bring about that condition of affairs.

HON. W. H. BARNES: The hon. member, who has a legal training to enable him to do so, will not make a speech. Is the matter so unimportant from his point of view? The hon. member will learn before he finishes his public life that the matter of the employment of people counts for a great deal.

People are being compelled to pay subscriptions to unions. During this debate abundant testimony has been given that people, after being out of work for months and with the prospect of securing some work, were told that, before they could commence that work, they would have to pay the union subscription.

MR. W. T. KING: After the court says so.

HON. W. H. BARNES: Block them at every turn and prevent them from getting food; that is the policy of the Government in regard to the genuine unemployed person desiring work. It is all very well for hon. members opposite to say that permission can be given; but are they to go all round the country in order to get permission? The next thing will be that non-unionists will have to get permission in order that they may eat.

MR. W. T. KING: Oh, no. (Government laughter.)

HON. W. H. BARNES: The way we are going I would not be surprised if a man keeping stock had to belong to a certain organisation and had to have his stock valued before he could deal with it. Indeed, I would not be surprised some morning to read an advertisement in the press that tenders were invited for a patent branding machine that would brand people in such a way as to indicate whether they were unionists or non-unionists. (Opposition laughter.)

THE SECRETARY FOR LABOUR AND INDUSTRY: Do you remember instances where you blackballed workers and starved their children?

HON. W. H. BARNES: The hon. member is making a statement that is untrue. Any blackballing that is done is the work of Government members. The Moore Government blackballed no one, but opened the door for all. Fancy the hon. gentleman having the audacity to talk about blackballing in view of the fact that a provision to that end exists in this Bill!

MR. W. T. KING: Blackbirding, too! (Government laughter.)

HON. W. H. BARNES: I would not put even blackbirding past the hon. member, who is probably an adept at it. I would not be at all surprised if some morning, when we go to some of the Government offices, we find a notice such as this: "No one permitted to see the Minister without a union ticket." Then, later on, when an election takes place, we shall see notices to this effect: "No candidate can be nominated who is not a member of a union."

THE SECRETARY FOR PUBLIC LANDS: That would be a very good thing. You are making some very valuable suggestions to-night.

[Hon. W. H. Barnes.]

HON. W. H. BARNES: It seems to me that it all comes round to something like this: Speed the way that leads to Russia! How can legislation be worth while unless our comrades hasten the day to Socialism of the true Russian type? That is where we are facing.

We are told sometimes about freedom of conscience. While freedom of conscience is talked about, it is very seldom practised, and freedom of conscience appears to be regarded as a thing of the past. We are told that one of the best things to do is to get right into line with the politics of hon. members opposite. If we are to have much legislation such as is revealed in this clause, by and by the word "freedom" will have to be removed from the dictionary; and we shall be told that it got into the dictionary by mistake—that it should never have been in the dictionary, and that it ought to be removed.

We are asked in connection with legislation of this kind to help in the recovery of Queensland. How can it make for the recovery of Queensland when everything is being done that will hinder and retard progress? This is one of the vital clauses of the Bill.

It was stated this afternoon by hon. members opposite that we on this side do not care for the worker. If we go back to find out which party had to do with measures for helping the worker, we shall see that Liberal Governments were primarily concerned in the interests of the workers. There is not an hon. member on this side whose personal concern is not for the worker.

MR. W. T. KING: That is not correct.

HON. W. H. BARNES: I wonder what is correct with the hon. member. Hon. members opposite have said that we on this side are out to exploit the workers. We are not out to exploit them; but we do not want to see them out of work, and we feel that this legislation is going to help to kill the worker. One hon. member opposite asked what we would find if we took a vote of the soldiers. I unhesitatingly say that, if a vote of the soldiers who fought for us was taken—and all honour to them, it seems to me that some hon. members opposite treat them as if they did not count at all, as if they had never gone to the help of the country—it would be found that they would prefer to have freedom of action, because they fought for freedom. Their very training has been along those lines. We know what was said by leading Labour men during the conscription campaign about exploiters. Who are the exploiters? Certainly not the men who tell them that they are going to give them freedom. The exploiters are those who are taking advantage of them politically—hon. members opposite, who are tying their hands in every way. That is the idea of freedom on the part of hon. members opposite. We on this side have not that conception of freedom, and we say that the returned soldiers should receive consideration.

What is the court likely to do with industries? It looks only at the position in Queensland. What are the needs to-day so far as Queensland is concerned in regard to industries? We have to bear in mind that we have to compete with other States of the Commonwealth.

MR. W. T. KING: Is that an argument for lower wages?

HON. W. H. BARNES: The hon. member may talk about low wages, but I am not talking about them. I say that every consideration should be given to conditions as they are. The hon. member talks about low wages; but, when Mr. Scullin and other Labour Federal Ministers met the members of the Loan Council, it was not a question of low wages, but a case of making ends meet. I am not advocating low wages. Where has the court to show its realisation of the effects of interstate competition on Queensland industries? It seems to me that it has been surrounded in its judgments along those particular lines by things which have hindered it from coming to a decision.

Mr. W. T. KING: Are you accusing it of being partial?

HON. W. H. BARNES: It has been surrounded in its judgments by these things, and has not explored the various difficulties that operate in connection with commerce. No one can say that we want to see our industries languishing. We want to see them flourish. The Premier has been urging the necessity for such a result again and again; yet, whilst, on the one hand, he talks sweetly to the people who he thinks may help to bring it about, on the other hand he loses no opportunity to kick them.

Mr. FUNNELL (*Brisbane*) [7.20 p.m.]: The views of the Opposition are so extraordinary that it seems to me that they express not only the views held by a majority of the employers throughout the State but also the views held by employers' associations. Their opinions are more reactionary and conservative than those of the House of Lords in Great Britain.

The Secretary for Labour and Industry explained clearly and definitely the benefits to be derived from industrial organisations of employers and employees. Through such organisation on sound lines many of the benefits enjoyed by employer and employee in industry have come about. Instances can be quoted, particularly in the sugar industry, where, had it not been for the fact that the workers organised and were able to demonstrate to the employers that they should do likewise and thus bring about a better and more satisfactory state of affairs, the industry would be more or less in the hands of certain large exploiters of labour or be a black labour industry.

I do not wish to associate with a better body of men than the union secretaries and executives of the Trade Union movement. I am perfectly satisfied from close association with them that they are thoughtful men, and have all those fine qualities which go to the making of a good trade union official or a representative of the people in this or some other Parliament of Australia. It is a really good training ground, offering the opportunity to get a thorough grip of all social, industrial, and political matters. In Queensland we have a really good body of union organisers, secretaries, and other executives in the Labour movement, and I resent the unfair criticism of them by hon. members opposite.

The hon. member for Murilla referred to the question of compelling non-unionists to become members of the unions which have been responsible for bringing about the benefits which they enjoy. In my experience the non-unionist or the conscientious objector

referred to by some hon. members opposite is always to be found in any industry where the best wages prevail. As a matter of fact, there are always occupations which can be followed by non-unionists or conscientious objectors when there are no awards with preference clauses operating. They simply like to be on the best paid jobs so as to obtain the best results of their labour, without subscribing to union funds.

The hon. member for Murilla and other hon. members opposite complained that the industrial organisations extend political support to the Labour Party in this State. That is quite true. The constitution of a large percentage of the industrial organisation throughout the State and the Commonwealth provides for political and industrial action; and they have as much right to do that as any organisation of employers. The trade unionists receive not only industrial support but they are able to reap, and have reaped, a benefit from the effects of political support in the interests of the industries or callings in which they are engaged. If the matter were left entirely to me, I would not extend the preference to any industrial organisation or trade union in this country that was not affiliated with the Australian Labour Party. I am satisfied that the clause could be extended so far without any harm to any industry or citizen in the State.

Mr. EDWARDS: There would then be two Labour Parties.

Mr. FUNNELL: The hon. member for Nanango has complained that the farmers were harassed by union organisers, but I would inform him that no award and no provision for preference will apply to the farmer working his own property with his own family labour. The actual position with the farmer and by the hon. member is the work is being done by share or tenant farmers. That position obtains on hundreds of farms throughout the State. The owners of the land are not engaged in the actual production; too much is expected from the property, and there is not sufficient to maintain two families. That is one reason why the various primary industries are not able to provide the return which is expected of them. They are over-capitalised.

Quite recently the wonderful benevolent spirit of trade unionism was fully demonstrated in this city when the financial members of the Queensland postal mechanics union voluntarily undertook to install radio sets in the Brisbane General Hospital and the Mater Misericordiae public hospital, and ear-phones were attached to every bed for the use of the inmates of those public institutions. If that was not a very fine display of benevolence and unselfishness, then I do not know what it was. Similar action has already been carried out in the other capital cities of the Commonwealth, Brisbane being the last capital city where this very fine work was accomplished to benefit suffering humanity. The action of those members was a very high tribute to the laudable ideals that permeate trade unionists generally. The inmates of those institutions who benefited by this voluntary and kindly act will, upon reading the speeches of hon. members opposite, at once decide that their condemnation of trade unionists generally is prompted only by prejudice and bitterness.

I have in my possession a ticket issued by the Associated Workers' Union to the present

*Mr. Funnell.]*

hon. member for Charters Towers, as far back as 1891. We have all known the hon. member for Charters Towers for many years. We know his make-up and his personal qualities. We know that he was one of the pioneers of the industrial union movement, and was for many years a paid official of that and other organisations. That is a further argument in refutation of the statement made by hon. members opposite in reference to trade union secretaries and organisers.

I read a report in the newspapers of 5th November last stating that Mr. Sidney Myers, managing director of Myers' Emporium, Melbourne, who last year donated £5,000 towards creating work at Christmas time for the unemployed workers had this year donated £10,000 for a similar purpose. That illustrates the view held by one of the largest employers in Melbourne. He has shown practical sympathy for the unemployed worker. In contrast to that action we have had the action of hon. members opposite who indulge in criticism in an attempt to belittle good trade unionists in this State.

In discussing this question of preference, I recall an article which appeared in the Brisbane "Courier" recently, in which there appeared the statement that primary industries throughout this country had been aided by way of subsidy since 1920 to the extent of £11,651,387. In the face of those figures, does any hon. member opposite believe that protection should be afforded to primary industries to that extent, and that at the same time preference and protection should be denied trade unionists engaged in them? The best possible market for our primary industries is the local market. If the trade unionist is receiving good wages and protection under this preference clause, he can afford to purchase primary products at a reasonable rate.

I agree with the statement made by the Secretary for Mines that the workers of this country are paying 4d. per lb. over and above the price paid by workers overseas for butter manufactured in this State. That being so, why should not the workers engaged in that industry in this State be adequately protected? The trade unionist in this State is acquainted with the position of the primary industries, and does not object to paying such rates provided that the workers engaged in them receive a measure of the benefit afforded.

I sincerely believe that preference to unionists will result in much good, and will be the means of assisting the employer to organise his industry, and that the employer and employee will be able to understand each other better, and will be prepared to see that each benefits from the industry. Industrial peace will be cultivated under this clause. Much of the blame of industrial unrest can be attached to the minority of employers—much more so than is attachable to trade unionists. If the propaganda of hon. members opposite were taken any notice of by the employers, there would be a great deal more industrial unrest than has been the case in the past. Hon. members opposite seem to take every opportunity to widen the breach between employer and employees. If those tactics were not resorted to, there would be very little, if any, industrial trouble. Preference to unionists is the right thing, and it should not be denied to trade unionists of this State.

[Mr. Funnell.

Mr. SWAYNE (*Mirani*) [7.35 p.m.]: We on this side realise the grave danger there is in granting preference or a monopoly in certain avenues of employment. In considering all these matters it seems to me that, instead of thinking of one section, it is our duty to think of the whole of the people.

When it comes to deciding whether preference should or should not be granted, it is advisable to consider what has happened in the past when the power has been held by unions. The overwhelming evidence is that time after time this very great privilege has been abused and the community has suffered. What happened was that a body of men working in a key industry could make any demand they liked, and could hold the community by the throat and starve them into submission. We know under what trifling excuses our railway services were held up and opened the door for serious motor competition. Had it not been for motor transport, the plight of some of the western districts would have been a serious one.

Quite recently unfortunate happenings were experienced in our exporting industries. For example, we know how desirable it is to have continuity of operations in the meat industry; yet in that industry within the last few weeks there have been several hold-ups, go-slow strikes, etc. These irregular practices have been made effective by reason of the fact that preference to unionists prevailed.

It was during the Great War that the most shocking example of abuse of the power that is granted under the preference clause occurred in Australia. Hon. members will recall the 1917 strike, which originated in the State railway workshops in Sydney over the introduction of the Taylor card system. That strike extended to the shipping industry; but no one seemed to know for what specific reason the men had gone on strike. As a matter of fact, some of the leading union officials were opposed to the strike, but, unfortunately, they could not control it. Whether enemy money was in circulation or not I do not know; the fact remains that transports engaged in carrying reinforcements, foodstuffs to our troops, and also hospital ships were held up. I was in Sydney at the time, and I counted 60,000 tons of coastal shipping hung up in Sydney. I do not know the tonnage of the overseas transports that were held up; but I do know that reinforcements and food for the assistance and succour of the troops at the front could not be sent whilst the strike lasted.

Much has been said during this debate about the high regard in which the unions hold returned soldiers; but it is significant that the unions involved in the 1917 strike did their best to prevent our soldiers getting that help of which they were in such desperate need. That should be a lesson to us not to give any great power to any body of men who have shown themselves to be irresponsible and careless as to the welfare of the rest of the community; in fact, they are a national danger. I claim that right from the time preference was first granted the evidence has been against this power being placed in the hands of any body of men. I am quite aware of all the arguments in favour of preference. I am quite aware that the unions have done good. I believe that organisations of the workers,

properly carried out and kept within sane bounds, are desirable. These organisations have done good to their members; but it is only human nature when you have power to be tempted to use that power for evil; and all the evidence up to the present shows that, in the interests of the community as a whole, preference should not be granted. It is no good talking about the interests of the workers. Nearly every man and woman in Australia is a worker, and we must do what is in the interests of the community as a whole.

Now take the political atmosphere in connection with unions. No reason whatsoever can be advanced why a man's right to work and earn his living should depend on whether he belongs to a certain political creed or not; whether he subscribes to a certain newspaper or not; or whether he is willing to subscribe to the expenses of a certain political candidate or not. I have here a copy of the 1919 rules of the Australian Workers' Union, and, according to these rules, one of the objects of the Australian Workers' Union is—

“To advocate, gradually replacing the competitive system by the collective ownership of the means of production, distribution, and exchange.”

That means the total abolition of private ownership and the bringing about of State ownership. Some people may believe in that doctrine; others do not. It should not be made a condition that a man's right to earn his livelihood should depend on his willingness or not to subscribe to that doctrine. No one can justify tyranny of that kind. Yet one of the largest unions in Australia—I think it includes all our country industries—insists that, unless a man is prepared to subscribe to that doctrine, he shall not be allowed to work. On page 8 of the rules of the Australian Workers' Union under the heading “Contributions and Finance,” there is a rule fixing the annual contribution at a certain amount, and it provides that—

“Five shillings from each contribution received by the Southern branches shall be set apart exclusively for the ‘Australian Worker’ newspaper, and five shillings from each contribution received by the Queensland branch shall be set apart exclusively for the ‘Northern Worker’ newspaper.”

Everybody should be free to subscribe to any newspaper he thinks fit, but he should not be compelled to pay part of his wages, whether he likes it or not, to the support of a newspaper he does not approve of, and whose political doctrines he does not agree with; nor should he be compelled to subscribe to such a paper as a condition of obtaining and retaining employment. It is tyranny of the worst type to say that a man shall not be allowed to work unless he subscribes to such a newspaper. We find the following on page 11 of the Australian Workers' Union rules with reference to political funds:—

#### “POLITICAL FUND.

“Where any branch by a two-thirds majority on plebiscite has authorised the expenditure of any sum not exceeding one shilling per financial member per year for political purposes, the executive thereof from time to time, as it shall think fit, shall set aside from its general funds and place to the credit of a parlia-

mentary fund such amount as it shall deem necessary for the purposes of political organisation, and for securing the return of Labour representatives to Federal or State Parliaments, and municipal councils;”

The CHAIRMAN: Order! The hon. member is getting away from the clause, which deals with the powers conferred upon the court. The immediate question before the Committee is the amendment moved by the hon. member for Toowong taking away the power of the court to grant preference. I hope the hon. member will come back to the question before the Committee.

Mr. SWAYNE: Yes, Mr. Hanson, I am supporting the amendment, and am giving reasons why I think it should be carried, and why the right to grant compulsory preference should be refused. We are debating the question of whether preference should be allowed or whether it should not. I am showing that the constitution of the Australian Workers' Union contains rules that must be objectionable to some of their members, and therefore, the union should not be able to obtain preference, and subscriptions to a political paper should not be made a condition of obtaining work in Queensland.

Again, the members of the Australian Workers' Union have to subscribe to a fund for the purpose of securing the return of certain candidates to Parliament. What right have people to obtain preference when amongst their rules is one to compel all their members willy-nilly—whether they like it or not, and whether or not the rule is objectionable to their conscience—to subscribe so much money to a political paper or for the return of a political candidate? If they do not do so, they will not be allowed to become members of the union; and, if a man is not a unionist, he cannot get work and must starve, as the union has compulsory preference. No one can justify rules like that.

It is unjust to say that a man shall not get work unless he subscribes to a fund for the return of a Labour supporter to Parliament. From our experience in years past, we find that the unions have been a menace to the community. We remember the case of the South Johnstone sugar mill, where, as reported by responsible Government officials, for many years a financial loss occurred each year through direct action on the part of the employees, and yet preference was given to those responsible for the trouble.

One of the reasons advanced in favour of preference is that it brings about industrial peace. It does nothing of the kind. There have been far more industrial disputes since preference was granted than ever before. It will be recognised that during the three years the Moore Government were in power scarcely any industrial disputes occurred; if they started, they never attained any dimensions or did any harm to the community. I have given good reasons why the amendment should be carried. Perhaps in a party Parliament like this that is too much to hope for; but, if hon. members opposite allowed themselves to be influenced by common sense, they would vote for it.

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) [7.50 p.m.]: I wish to say at the outset that hon. members on this side have at all times advocated preference to unionists.

*Hon. M. P. Hynes.]*

I would like to point out to the wiseacres who moved and supported the amendment that, even if it were carried, the court would still have the power to grant preference, and the position would be similar to what it was some years ago, when the court decided that it had power to grant preference, notwithstanding that a clause specifically giving it that power had been excised by the Legislative Council.

Preference to unionists has been in vogue in this State since 1916, in New Zealand for the last thirty-five years, and in other States of the Commonwealth for the last twenty years, so that it is nothing new. It is rather extraordinary that hon. members opposite recognised the principle in 1929. In fact, their direction to the court was of a more drastic nature in some respects than the provision in the Bill which they are now so earnestly criticising. For their edification, I would remind them that section 57 of "The Industrial Conciliation and Arbitration Act of 1929" reads—

"Where it is mutually agreed by the parties concerned, or considered advisable by the court or board to grant preference to any particular union or organisation, such preference shall be granted only subject to the following conditions, that is to say:—

(i.) If any employer shall hereafter engage any worker coming within the scope of an award who shall not be a member of the union, and who shall not have made application to become a member thereof within fourteen days after his engagement and remain such member, the employer shall dismiss such worker from his service if requested to do so by the union, provided there is then a member of the union equally qualified to perform the particular work required to be done, and ready and willing to undertake the same."

Mr. MOORE: Why do you not read the proviso?

The SECRETARY FOR LABOUR AND INDUSTRY: We hear some talk about preference being taken away from returned soldiers; yet the 1929 Act was amended in 1930 by hon. members opposite; and, when they then had the opportunity to continue preference to returned soldiers, this is the only provision they made for them:—

"Provided always that any subsisting award or industrial agreement or order awarding preference to employees who are returned sailors and/or soldiers shall, to the extent to which such award, agreement, or order awards such preference, have and continue to have full force and effect."

Hon. members will see that refers to subsisting awards; yet they now have the audacity to endeavour to chastise this party for not including preference to returned soldiers in this Bill. We have made provision by which the court has full power to give equal preference to returned soldiers and other workers in the calling. It provides—

"Where it is mutually agreed by the parties concerned or considered advisable by the court that preference be granted either generally to any particular union or organisation"—

That means an organisation that is not registered in the court as a union—

"such preference shall be granted subject to such conditions as the court may approve."

That gives the court full power to grant preference to returned soldiers.

I should also like to mention that, since the issue of the Order in Council which gave the court the power to grant preference to unionists in this State, equal preference to returned soldiers has been granted by the court in awards relating to wholesale warehousemen and storemen and to lift attendants. Both these awards were made recently by the court.

Mr. MOORE: The Bill is not in force yet.

The SECRETARY FOR LABOUR AND INDUSTRY: Acting under the Order in Council referred to, the court has granted equal preference to returned soldiers in those cases.

Mr. MOORE: The Order in Council contained a special provision.

The SECRETARY FOR LABOUR AND INDUSTRY: When the returned soldiers made applications to the court for equal preference, the Storemen and Packers' Union did not oppose it; it agreed to it. I should like to ascertain from the genuine returned soldiers whether there is any rooted objection on their part to joining an industrial organisation. Many of them were members of working-class organisations before they went overseas. At that time I was actually engaged as a union organiser; and almost every letter that I received from the comrades who went over to the other side asked me to maintain the industrial conditions that they had left behind. They expressed the hope that the workers in Australia would not be subjected to the conditions that were imposed on the industrialists overseas; and I found that, when they returned to Queensland—I refer to those who belonged to the working-class movement prior to their departure—they were only too anxious to join up with their organisations again. Invariably it was found that, where a group of men belonged to any organisation, a returned soldier was the representative of the group. That has been my experience, and I am sure that it is the experience of every hon. member on this side who was actively engaged in the organisation of the workers of Queensland during and after the war period.

Hon. members opposite are becoming more reactionary every day. In 1929 they provided a certain type of preference to members of industrial organisations; then they cut it down to returned soldiers operating under subsisting awards; now they come forward with a more reactionary proposal to cut out preference altogether. It has been truly stated—not by union organisers or people vitally interested in industrial organisations—that it is essential for the proper functioning of industrial laws that these stable conditions should be provided.

The whole basis of industrial arbitration is unionism. The employers' unions and the employees' unions were the foundations of our arbitration system. The late Chief Justice McCawley on one occasion very aptly pointed out that, if it were not for the unions, it would be impossible for arbitration to function. Many of the judges who have awarded preference in industry did so

in order that the unions could discipline their members. They realised that large industrial organisations, particularly those organisations which embraced callings extending over the whole State, found it most difficult to compel their members to observe the awards of the court strictly. The organisation of which I am still proud to be an executive officer—the Australian Workers' Union—has at all times endeavoured to enforce the industrial awards. It found after it had been awarded preference that its hands were considerably strengthened. It then had some power to compel its members to observe the awards of the court and maintain discipline within the ranks of the workers. The court on many occasions for that very reason awarded preference to that and other organisations.

The attack which has been made on unionism throughout this debate reminds me of the attacks which were made on unionism thirty and forty years ago. I cannot remember that far back, but, on reading "History and Progress of Industrial Unionism," I found the same arguments used to-day were adduced nearly half a century ago. The author of that work, like hon. members opposite, stated that industrial unionism interfered with the freedom of the subject, that the worker wanted freedom of contract, freedom of conscience, and had a conscientious objection to the authority exercised by union parasites.

The keen business man who has organised his business along scientific lines acknowledges that it is to his interest to have preference to unionists because he then has some control over his employees. That control is exercised by the influence of the union over its members. I found as a union organiser, and those hon. members who have been union organisers have also found, that on many occasions the union official has been the means of averting big industrial upheavals by getting the representatives of the two parties together and adjusting the differences in a conciliatory manner. If preference were not granted in a legal manner, it would still exist in another form. Notwithstanding the fact that preference to unionists was abolished in the 1929 Act, the unions still retained their membership. Their members realised that this was the only hope they had of securing a betterment of their conditions and ultimately reaching their objective. It is better to have legal preference than compel workers to go on strike on the job in order to compel non-unionists to join their organisation.

I was reading an article to-day in an English magazine. The contributor of the article stated that the despicable creature who would take the benefit a union offered him and would refuse to pay his quota of the expenditure incurred in securing that benefit was a parasite of industrial democracy. I think the term is an appropriate one. The man who will hold out his hand on pay day and take the benefits that the union has spent its money to get—and in many instances members of the union have had to starve to secure those benefits—and will refuse to contribute to the expenditure incurred in getting those benefits is a parasite of industrial democracy.

The freedom of contract argument does not hold water. That means preference to

non-unionists, which inevitably means the worsening of the living standards of the working class. The big maritime and shearers' strikes which took place in 1890-1891 were fought on the question of freedom of contract. The employers of the time took exception to the unions becoming stronger in their organisation and compelling people working in the industry to contribute their quota to the expenditure incurred in securing and maintaining improved conditions. The employers foresaw that, if the unions became strong enough, they would be able to put up a better fight when the employers sought to impose worse conditions on the employees. That was the cause of those two strikes. The aftermath of those strikes was the birth of the Australian Labour Party; and probably a contributing factor to Labour having control of the Treasury benches to-night is the fact that in the early "nineties" the employers endeavoured to prevent the workers from becoming unionists. The freedom of contract fight was on then.

I would like to make some reference to those hon. members opposite who have made disparaging remarks anent organisations which use funds for the purpose of supporting their propaganda papers. There are several good union papers in this State. They expound the doctrines of organised Labour, engage in educational work, and do a great deal of good to the working-class movement generally. There is nothing wrong in a member of a union subscribing to the upkeep of his paper. The employers subscribe to their papers because they realise that these papers serve their interests. Singularly, there is no objection to members of the Australian Workers' Union supporting the Queensland "Worker," which is one of the finest Labour journals published in the Commonwealth. Hon. members opposite attack this form of industrial organisation because of its ability to educate the working class of this State in political matters. The result of such education is that hon. members opposite find themselves in the cold shade of opposition. That is the reason why hon. members opposite are so averse to the continuance of a policy that asks the workers to contribute to the support of the Labour journal.

I have no intention of accepting the amendment. Preference to unionists has done a lot of good. Through its agency in the past, we have been able to wipe out the sweating evil to a very large extent. We certainly have not reached the millennium, but we have made the conditions of the workers a great deal better than they were. It has also brought harmony into industry; and the fact of having legal preference does away with the necessity for men going on strike in order to compel non-unionists to join a union. After all, men are human; and, if they see a man working alongside them getting the benefits that they have fought for and made sacrifices for, is it not only human nature for them to use every means at their disposal to compel this man to pay his contribution to the union and thus assist in preserving the conditions they have secured?

If they do not have legal preference, they will have preference by direct action. We are going to have preference to unionists

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in this country whether it is legal preference or not, because the organisations are so strong that they are in a position to demand it from the few non-unionists who are despicable enough to hold out their hands and take the benefit of the better conditions that the unionists have fought for. In the interests of industrial peace and in the interests of the great mass of the workers of Queensland, it is essential to have this clause retained in the Bill.

Mr. WIENHOLT (*Fassifern*) [8.12 p.m.]: The matter of preference really goes back to the time when Mr. King O'Malley introduced it in the Federal Parliament in 1913. I did not believe in it then. I have not believed in it all along, and I do not believe in it now, and I disagreed all along with the Nationalist Government in the Federal sphere keeping preference to unionists in their measures.

It seems to me that in looking at a question of this sort it is logical and perhaps useful to find out the exact opposite. The opposite to giving statutory preference to unionists is statutory preference to non-unionists—both very bad things as far as I can see. The argument the Minister and other hon. members opposite have used on those occasions when the matter has been before this Parliament has been that the unionists have borne the expense and the heat and burden of the struggle, and it is wrong for others to share in the advantages undoubtedly gained by their efforts. One can quite understand that argument; but, as a matter of fact, it is exactly the same argument which is used by members of the Graziers' Association. There are members of the Graziers' Association, as the late Premier should know, who believe in and advocate compulsory membership of the Graziers' Association by pastoralists and graziers. I do not believe in it myself, but many do. I want to put this question to the Minister—fortunately the Secretary for Public Lands is also present: "If you believe that unionists should get preference because they have borne the heat and burden of the struggle, would you then give it to members of the Graziers' Association who have put up a struggle and have found the funds? Would you give them preference in the opening of pastoral leases?"

The SECRETARY FOR PUBLIC LANDS: That is a matter worth consideration.

Mr. WIENHOLT: There is a Grazing Farmers' and Selectors' Association which takes up the same attitude as the Graziers' Association. Would the Secretary for Public Lands, when he opens grazing farms for selection, give preference to members of the Grazing Farmers' and Selectors' Association? That seems to be logical if anyone believes in the principle of preference. It seems to me that, if we use force in questions of politics or anything else, there is in the end going to be a recoil. There is an old adage which runs—

"A man convinced against his will  
Remains of his opinion still."

I believe hon. members opposite are making a political mistake, and will do themselves harm in the future. I can understand unionists wanting to get preference and force others into the union to share the work of the movement in improving the conditions of the workers.

I am not of the opinion of some members on this side that unionism should be separated

[*Hon. M. P. Hynes.*

from politics. That seems to me to be a matter for the unionists themselves to decide. Personally, I think the Graziers' Association should be more political than it is. I think conferences and commissions on these things without political action is like taking a gun and only loading it with toothpowder. You miss the force behind the trigger. When it comes to Parliament, it is a very different thing. I think Parliament will be right if it keeps to the sound principle of not giving any statutory preference to any one set of citizens over their fellows.

At 8.18 p.m.,

Mr. W. T. KING (*Maree*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Mr. LARCOMBE (*Rockhampton*): I can understand the argument of the hon. member for Fassifern against the clause of the Bill when dealing with ethical considerations based upon the element of force or compulsion, but we must realise that, with the limitations of human nature, society is based upon compulsion and force. The principle of compulsion is embedded not only in this Bill but in every law that is passed. We know that citizens are not free to pass down the street and use what language they like; there is a limitation in that regard. There are limitations concerning the conscientious objection to paying taxation. We are forced to pay taxation. We are forced in every circle and ambit of life to obey the laws of the country which are based upon compulsion and force. It will be many centuries before we reach that idealistic state which was pictured by Professor Huxley—the state of philosophic anarchy—when every man shall be a law unto himself, and there will be no need for compulsion.

The hon. member for Fassifern spoke of political unionism, and, unlike hon. members on the other side, said he believed in political unionism.

Mr. WIENHOLT: I said it should be a matter for the members of the unions themselves to decide.

Mr. LARCOMBE: The hon. member spoke in favour of the general principle of political unionism, labour and anti-labour. He said he would like to see the graziers more political in their actions. I believe in the principle he affirms. It is pure piffle and bunkum to say that unions should not be political. We know that the Employers' Federation is political, and we know that unionism, unless it be political, is ineffective. Hon. members opposite say: "We do not want political unionism. Some forms are effective." When we have this strong, virile, fighting force backed up by political action, with political and industrial forces associated, hon. members object. In other words, they object to effective unionism. They seem to be obsessed with a fear complex. They have a mortal dread of unionism—why any intelligent citizen finds it difficult to understand, because we can find in the pages of men like John Stuart Mill and Professor Marshall ample evidence that unionism has been one of the most effective civilising forces of the human race. That is not the mere assertion of a party politician, but the detached and philosophical view of men such as I have mentioned.

It is time that this industrial vendetta ceased. It contains no spirit of conciliation or co-operation. The basis of the Bill is a

recognition of unionism; so the principle of allowing the court to grant preference to unionists is the natural corollary of the basic principles of the Bill.

The hon. member for Wynnum said that the clause is one of the most vital in the Bill. It is not very often that I agree with the hon. gentleman, but I agree with him up to that point, because, after all, the right to grant preference to unionists is but the right to protect unionists and unionism.

The hon. member for Wynnum invited us to go back into history to ascertain whether the principle contained in the clause was sound or unsound. Let us do so. Let us scan the pages of industrial history in Queensland and Australia. Let us consult "Australia's Awakening" by W. G. Spence and other authorities on industrial unionism, and we find that the pages of Australia's industrial history have been stained by the Employers' Federation and the Tory Governments in their victimisation of unionists both industrially and politically. We know that the very principle contained in this Bill is a continuance of those abhorrent conditions which existed in 1890 and 1891 and in 1912—a period when the police force and the military forces of the country were used to keep down the industrialists of Queensland, and when black lists were circulated throughout Western Queensland; when men who displayed union tickets were compelled to walk round the limits of Australia looking for work; when, according to Spence's work, a police constable in Western Queensland stated in evidence that he found a union ticket upon one of his prisoners, and that fact was regarded with peculiar significance. The man was a unionist, and therefore to be outlawed, industrially and socially.

Hon. W. H. BARNES: What are you quoting?

Mr. LARCOMBE: From "Australia's Awakening," by W. G. Spence.

The hon. member for Wynnum spoke of citizens who were unemployed being forced to buy union tickets before they were allowed the right to live. That statement is not in accordance with fact. We know that the industrial unions are tolerant and considerate to those who seek employment, and extend to them the greatest latitude and consideration in respect to their union tickets.

Hon. members opposite do not express any opposition to the long list of questions embracing every phase of life which is submitted by some employers before a man can secure a job. What about the list issued by the Toowoomba Foundry Company, Limited, and the other lists issued by various employers throughout the State? On that subject hon. members opposite are eloquently silent—if I may be permitted to use that contradictory phrase.

The psychology of fear displayed by hon. members opposite reminds me of an excellent lecture delivered by Professor Seymour, at the Queensland University, in which he pointed out that the obsession of fear of unionism, of taxation, and other obsessions suffered by many members of the community are never realised in fact, yet drive thousands to an untimely grave. Hon. members opposite are really obsessed with the supposed Frankenstein of unionism—a power that has proved itself to be a benefactor of the human race, and has assisted

to maintain order and peace in industry not only in Queensland but also in Australia and elsewhere—conditions it would not otherwise have obtained but for its powerful force. That observation is not an isolated one, nor is it one of a party politician only, but it is one that comes from the finest authorities, industrially and otherwise, throughout the world.

The principle underlying this clause which is challenged is not that of absolute preference to unionists, but preference at the discretion of the court. There are ample safeguards. The court may, in its discretion, grant preference, and may, in its discretion, cancel preference. There are examples on record where the court has cancelled preference because certain conditions laid down by it were not observed. There is a limited application of the principle in that the court may grant it and the court may take it away. There is a good deal of industrial restraint and industrial discipline required to retain preference granted by the court.

The hon. member for Fassifern said that the logical antithesis of preference to unionists was preference to non-unionists; and he said it would be most unfair to make preference to non-unionists the law of the land.

Mr. WIENHOLT: It would be a very bad principle.

Mr. LARCOMBE: It is unnecessary to embrace preference to non-unionists in the law of the land; if you refuse the court the right to grant preference to unionists, preference is, in effect, and according to the history of Queensland and Australia, granted to non-unionists. We know that the unscrupulous employer wishing to destroy unionism and the power of that vital force has widely circularised the other employers to the effect that any employee with a union ticket should go through the gate. That is a positive fact which has been proved time and again in Queensland and other parts of Australia. There has been persecution and victimisation of those holding union tickets.

We know that one man who suffered that fate was an ex-Prime Minister of Australia, the late Andrew Fisher, one of the finest characters that ever entered the Federal Parliament. He was compelled to walk about the country in 1893 because he was an industrial unionist and demanded the right to hold a union ticket. Another victim—and I pay a tribute to his intelligence and his character—was Mr. William Hamilton, who sat in this Parliament. Mr. David Bowman was similarly treated in years gone by. We hear to-day the cry of hon. members opposite for protection for the poor non-unionist; but nothing is said about the right of the unionists—those people who believe in the ideals of their cause and profess a belief in unionism. They are refused the right to live because they possess union tickets.

The policy of preference to unionists embraces two sound principles. The first is protection to unionism and the second is the principle that those who obtain benefits should contribute to the cost of providing them. Unionism has in the past twenty years been responsible for shovelling, if one may use that term, millions of pounds into the pockets of the workers of Queensland. The amount paid for the union ticket has been a mere fraction compared with the enormous

*Mr. Larcombe.]*

benefits that unionism has been responsible for in this State. Through peaceful action through the courts, the workers, as the result of the policy of preference to unionists, have been able to build up strong organisations and protect themselves against the arrogant attacks of the exploiter and sweater. By this means unionists have been able to build up a good standard of living. Is it unreasonable to ask those workers who stand out to contribute to the cost of these immense benefits? Compulsion is exercised in various ways of life.

Mr. SPARKES: Do you believe in compulsion?

Mr. LARCOMBE: The hon. member shows in every law he assists to pass that he believes in compulsion.

Mr. R. M. KING: The law is general; but preference to unionists is not.

Mr. LARCOMBE: That is not correct. For instance, the workers in a city may not believe in the wheat bounty; nevertheless they are compelled to pay their share of it, although they receive no benefit from it. When hon. members opposite were in power, they passed a law enabling the court to fine a citizen who did not cast his vote, notwithstanding that there are thousands of conscientious objectors in Queensland. That is another form of compulsion.

The principle of preference is recognised by all parties. Hon. members opposite, as well as hon. members on this side, frequently talk of preference to Queensland industries. That principle is a sound one. We believe in preference, not only to Queensland industries but to Australian industries. In various ways we compel people to acknowledge laws to which they are opposed. The logical antithesis of the defeat of this clause would be that no protection would exist for unionists. There would be a persecution and victimisation of unionists. Even those who were prepared to buy a union ticket might—if preference is not granted—continue to remain non-unionists. Those workers do not wish to evade their responsibility, but they do not wish to offend the boss and face the risk of dismissal.

As the Minister pointed out, preference is no new principle. Even the Leader of the Opposition embraced in the law he passed in 1929 the principle which he now condemns. Nearly thirty years ago the Federal Parliament passed an Act granting the Federal Arbitration Court the right to grant preference to unionists. It has never been repealed. As the hon. member for Fassifern correctly said, that law still remains in force; and he objected to the party he was associated with in the Federal Parliament not repealing that law when they had the opportunity. Logically they should have done so, if they believed in what they said when discussing the matter in the Federal Parliament. The Federal Parliament was right in permitting the court to grant preference to unionists.

We know that hon. members like the hon. member for Gympie are very intolerant in their attitude towards preference to unionists; yet that hon. member is a member of a close corporation and a strong union—the lawyers' union.

Mr. NIMMO: It is preference by examination.

Mr. LARCOMBE: The hon. member for Oxley says that it is a matter of the lawyers

[Mr. Larcombe.

passing an examination; but that does not affect the principle at all. The principle of preference is right or it is wrong. If it is right in the case of a lawyer, it is right in the case of the average industrial worker. Why do hon. members opposite shirk the real logical and ethical issue? The fact that lawyers pass a very high standard of examination, which is a tribute to their scholastic attainments, in no way affects the question. The fact remains that they have absolute preference. You cannot conduct a case in the court unless you are a member of the legal union. We know the same principle obtains in regard to the medical profession, and that it is jealously guarded. The intolerance of those who get that absolute preference is astonishing to a degree. They deny to the industrial worker the right they claim for themselves; and it matters not whether the doctor or the lawyer passes a particular examination. However, that is by the way, the real test being as to whether the principle of preference is sound. I believe it is.

I wish to speak for a few moments upon the question of unionism as an investment. That is another important aspect of this question. If the non-unionist in the State to-day would realise the splendid investment that follows his association with a union, he would not hesitate for a moment to take out a union ticket. I believe that the great majority of unionists in Queensland, if assured of protection by law and by the court, would not hesitate for a moment to contribute their fair share to the investment that unionism undoubtedly brings to those who are working under our industrial laws to-day.

Again, hon. members opposite drag in the question of returned soldiers, suggesting that we on this side are opposed to preference to returned soldiers. One would expect that argument to come from those who gave absolute preference to returned soldiers; but we know that, when the Moore Government were in power, there were bitter complaints from the executive officers of the returned soldiers' organisations because preference was not given to returned soldiers.

Mr. MAXWELL: That is not so; preference was given.

Mr. LARCOMBE: We know quite well that the same objection was urged against the Federal anti-Labour Government. The strongest possible objection was urged against both the State and Federal anti-Labour Governments for their refusal to grant preference to returned soldiers. On the other hand, the Labour Government, without much talk about their work for the returned men, were responsible for generous legislation and sympathetic administration, which won for them the support of the returned soldiers' organisations. In the various State departments, including the Railway Department, there are striking examples of the evidence I have mentioned in the shape of letters of appreciation and thanks from returned soldiers' organisations for the splendid work done by Labour Governments on behalf of returned soldiers.

Mr. SPARKES: The returned soldiers' organisation is non-political.

Mr. LARCOMBE: I am not saying that these organisations are political or non-political; I am asserting that they appreciated the work of Labour Governments, and

that there is no ground for the suggestion of some hon. members opposite that there has been, or is, any hostility on the part of the Labour Government to the returned men.

To accept the amendment would be foolish in the extreme. It would be denying a right that has long existed in both the Federal and State law—a right which an authority like the late Justice Higgins laid down was essential and imperative to protect the unionists of Australia. He drew a comparison between the power of the employer and the power of the employee. He pointed out that the employer had a great preferential right and force in the power he possessed to refuse employment. He pointed out that, on the other hand, the workers having a surplus supply were not able to enforce their claim for employment if the court did not have the power to grant preference to unionists. We know that there is a surplus of employees, and they have to fight for employment; and that fact is taken advantage of by unscrupulous employers, who wish to defeat the ends of unionism and break down one of the finest forces that has stood for the protection of the citizenship rights of Queenslanders and Australians. There have been a few exceptions to the argument I am using. We know that in England, after the Black Death, there was a deficiency of employees and a surplus of employers, as it were. But, with increasing population, that accidental condition soon disappeared, and, broadly speaking, we know that what the late Justice Higgins said is correct—that there is a surplus of employees endeavouring to procure employment, and, in the absence of effective protection, they are victimised and tyrannised over by the unscrupulous employer, who is concerned only about high profits and has no higher conception of life than to grind out of the worker the highest rate of profit it is possible to extort from him.

Mr. NIMMO (*Ozley*) [8.42 p.m.]: The hon. member for Rockhampton adduced a few arguments that I could not follow. Solicitors and medical men do not get preference; but a certain standard is set, and a man must qualify before he can follow either of those professions. No preference is given to those professions, because the general public can select whom they like. Compulsory unionism and compulsory preference are altogether wrong, and are going to do more damage to this State than any other measure that has been brought before this Parliament. Our main object should be to create work for those who are seeking it; but, if we take the power of running industries out of the hands of those who have embarked their capital in industry, then I say very definitely that industry is not going to progress in this State. It is all very well for hon. members opposite to say, "We are going to make wonderful conditions for the workers." If there is no work offering, what conditions can they make?

What does preference to unionists mean? The organiser will tell the worker that it is going to be a fine thing, and that the men who are registered in a certain union will definitely get employment and everything will be quite all right. If there is a surplusage in the union, they will accept no more members; therefore the members will be sure of getting employment. If all the workers in any industry are forced into a union, and preference is given to unionists, then the employer who is running the busi-

ness will have no say as to whom he shall employ. Is any person going to embark in industry when these conditions apply?

We have had preference in operation for some years prior to the introduction of this measure. What benefit has been achieved by preference to unionists? The mining industry, for instance, has been one of the closest corporations in the whole of Australia, and there has been preference to unionists in that industry. No one could get into the industry unless he was a member of the union; but what do the wonderful benefits amount to which are said to have been achieved by preference to unionists? During the period of the war, when boom times obtained in Australia, every one of those workers could have commanded the same wage without unionism and without paying union fees. If any man offended against the union, he was penalised by being fined a large sum of money, which was stopped out of his wages. Many of them had to pay fines for breaches of union rules which they had committed. Once all these men are conscripted into the different unions and marshalled into an army, we shall have a monopoly which will be very hard for the general public to put up with. There is this ray of hope, however, that in every case where conscription has taken place in the past the population has risen in arms and swept away the party which has been responsible for conscription, whether in connection with war or anything else.

A few officials run the unions. It has been stated to-night that if men voted for certain privileges for the union it would be all right; but we know that officials get control of the union. Practically no notices are sent out to the rank and file, who know nothing of what is going on until the end of the year, when they are told what has been done. They pay the piper, while the officials play the tune. They are very often men who have the gift of the gab; but in many cases they cannot speak our ordinary Australian language correctly.

When the public servants formed a union, they were forced to affiliate with the Trades Hall. They voted against affiliation, but the union officials carried out the affiliation, and the public servants' wishes were ignored. How were their funds spent? I have here a statement of expenditure of the Public Service Union for the twelve months ended 31st December, 1925:—

	£	s.	d.
Purchase of "Standard" Shares...	500	0	0
Workers' Educational Association	2	2	0
Trades Unions Research Committeees	22	18	4
Trades and Labour Council	24	10	0
Trades Unions Conference (Adelaide)	1	1	0
Q.C.E. of Australian Labour Party	27	8	6
A.L.P. Convention	1	0	0
Trades Hall Building Fund	10	0	0
Labour Day Band Contest	5	0	0
A.L.P. (Federal Campaign)	21	0	0
Relief British Seamen (on strike)	30	0	0
T. J. Ryan Statue Fund	25	0	0
Display Labour Day	10	2	0

£680 1 10

Yet the total subscriptions from members of the public service in that year were £2,384 2s. 9d.! I say definitely that the

*Mr. Nimmo.]*

rank and file were not consulted about that expenditure at all, the whole of which was incurred by the officials.

At 8.50 p.m.,

The CHAIRMAN resumed the chair.

Mr. NIMMO: The Minister quoted from the 1929 Act in an endeavour to show that the Moore Government had recognised the principle of preference, but he did not read the whole of the clause. Let me supply the omission—

“(ii.) The provisions of the foregoing clause (i.) shall operate only if and so long as the rules of the union shall permit any worker coming within the scope of the award concerned, of good character and sober habits, to become a member of the union upon payment of an entrance fee not exceeding 5s. (which sum shall be deemed to be part of the annual subscription) upon a written application, without a ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding sixpence per week, unless the court shall certify that sixpence per week is insufficient for the financial purposes of the union: Provided, however, that in no case shall the weekly contribution be more than one shilling per week.”

There is nothing wrong with a preference clause which has that proviso in it. There is a definite limit to the subscription of sixpence a week except on the certificate of the court. I do not know what the Australian Workers' Union charges, but I understand that it collects 25s. a year from unemployment relief workers. If the provision I have read were included in this clause, I would vote for it, because under it any man who pays his fees can become a member of a union, otherwise the books could be closed, and workmen capable of an honest day's work could be prevented from getting in, and the employer might be compelled to take any man sent along to him. In the majority of cases he would not do so, and industry would suffer. The clause is not calculated to give employment.

With regard to the compulsory registration with unions of female workers and others round the city, it is a scandalous thing that a young woman, who possibly has a widowed mother at home, should be called upon to suffer a reduction in her earnings.

Mr. G. C. TAYLOR: Do you want them to work for nothing?

Mr. NIMMO: No, and I wish I could get employment for another 600 of them. There is no sweating or underhand graft so far as the employers are concerned. Girls earning 30s., or £2, or £2 5s. a week are definitely forced to make a contribution to union funds. If they will not do so, they are to be allowed to starve. Later on, if they decide to come into the union, the possibility is that they will not be admitted.

It has been stated that strikes did not occur when there was a preference clause in awards, and that it therefore was a specific against industrial trouble. Yet this Bill definitely legalises strikes. How, then, can that argument hold water?

Let us analyse the question from the point of view of the benefit we are to get from preference to unionists. If the Minister can show that any benefits will accrue to industry, we should like to hear of them. The

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only benefits that will be derived will be those enjoyed by union organisers, who will be assured of their positions because of their monopolistic control. They will become virtual dictators, and will be in a position to insult members of unions as they like. If the members complain, they will be passed out of the union. The unions should be concerned about the welfare of the workers. If that was the aim and object of a union, and if the officials were always solicitous about the conditions of the members of unions, it would be the desire of every worker to become a unionist. But that is far from the case.

As soon as the principle of preference to unionists is restored, the same tyrannical rule as obtained during the time of the McCormack Government will again become the order of the day. During that time the preference clause was in full operation. The country had not then felt the effects of the depression, but industrial conditions in this State were very bad indeed. Those conditions were created because the employers were not able to conduct their businesses in the proper manner owing to the operation of the preference clause. To-day all workers are compelled to join a union. I do not know whether it is intended to constitute a member of Parliament union and compel all members to contribute to the administrative costs of the Trades Hall. The hon. member for Enoggera suggested that a member of Parliament should be charged £5 to become a member of that union. It reminds me of what I was told a few days ago. Two young people educated as musicians proceeded to the Continent for further study. A considerable amount of money was expended on their education by their parents. They returned to Australia, but they were compelled to contribute £5 per annum to a union before they were allowed to earn their livelihood as professional musicians. A poll tax of £5 a year was levied on their earnings.

The hon. member for Kelvin Grove said that a union had every right to contribute a portion of its funds for political purposes. The Minister has also asked what is wrong with that. Does he not appreciate the fact that industry is to be charged with the maintenance of a certain political party?

THE SECRETARY FOR LABOUR AND INDUSTRY: The Employers' Federation contributes to the support of its political party.

Mr. NIMMO: It is not compelled to contribute to any party. Certain people may contribute voluntarily. After this Bill has been in operation for twelve months, I am sure that a large number of union members will be contributing to our political party so that this clause may be removed. It will definitely lead to more unemployment, and I charge the Minister with deliberately including a clause in the Bill which will make for more unemployment.

Mr. P. K. COPLEY (*Kurilpa*) [9 p.m.]: There is no questioning the fact that preference is right in principle. Certain anomalies may arise, but anomalies will arise where any principle is in existence. I emphatically state that preference is one of the greatest safeguards that can be conceived of to maintain the standard of wages, hours, and conditions throughout the length and breadth of Queensland.

I have heard statements made to-day by members of the Opposition which have really

astounded me. They said, in effect, that the Industrial Conciliation and Arbitration Act of 1929, which was passed by the members of the party who have been criticising this clause to-day, did not contain the right to grant preference. I shall point out the similarity in the wording of the section in question and this clause. The Minister has very definitely dealt with certain of their features. Clause 8 (2) reads—

“(2.) Where it is mutually agreed by the parties concerned or considered advisable by the court that preference be granted either generally or to any particular union or organisation, such preference shall be granted subject to such conditions as the court may approve.”

Section 57 of the Industrial Conciliation and Arbitration Act of 1929 reads—

“Where it is mutually agreed by the parties concerned or considered advisable by the court or board to grant preference to any particular union or organisation, such preference shall be granted only subject to the following conditions,”

That is to say, that Act made very definite regulations that the court was bound to follow. Under the clause now under discussion there is no such mandatory provision, and no hamstringing of the powers of the court. The court can definitely grant preference subject to such conditions as it may approve. That is only right. As a matter of fact, this Bill gives much more latitude to the court than the previous Act, either to grant or refuse preference.

I have heard hon. members opposite speak of bias on the part of members of the court. Such a statement from members of a political party is to be deprecated. I heard one hon. member say that the returned soldiers' organisation was a non-political body. In its very essence, because it is an organisation, it is a political body, but it may be non-party-political, and, in fact, says it supports no party in politics. It may know no party, but at the same time the very fact that they are banded together as an organisation makes them a political body.

When the question of unemployment was being dealt with, I heard the hon. member for Toowong say that there was no necessity for men to be unemployed to-day, provided they were competent workers. I resent such a suggestion coming from any hon. member, and I cannot allow it to go unchallenged. I know that there are many competent men in the great army of unemployed workers to-day. Many men who are walking our streets and our countryside are able and willing to do work. Despite the world-wide depression and despite everything that has happened throughout the world, the three years' administration of the Moore-Barnes Government accentuated the difficulties of those men.

The hon. member for Toowong negated one of his own statements when he said that he never obtained one man from the union, showing clearly that the union boss is only a bogey raised by hon. members opposite for the purpose of political propaganda.

The hon. member for Toowong also made a statement that he heard that the people who were forced to join the Federated Clerks' Union were told that they would have to vote Labour. Did one ever hear the like? Everyone knows that one prerogative that

every citizen in the British-speaking world has is the right to exercise his vote in a free and untrammelled way. The citizen has the right to go into the polling-booth and, in all the secrecy of that polling-booth, cast a vote according to his own conscience, and not according to the dictates of someone else. I cannot conceive that any hon. member was serious when putting up that point of view.

We heard quite a lot from the hon. member for Wynnum when dealing with this clause. The provisions of this clause are not so drastic as the provisions in the 1929 Act. Furthermore, prior to the granting of preference by the Moore-Barnes Administration, a large section of the workers of Queensland had actually been removed from the ambit of the Industrial Court, and therefore preference was of little or no value to them. Even after the passing of the Act, when the controlling organisations having representatives at Terra House made representations to the Government, certain Orders in Council were issued under section 64 of “The Industrial Conciliation and Arbitration Act of 1929” taking the workers out of the Industrial Court and withholding the preference and protection given to them under the section so loudly quoted by hon. members opposite to-day. Half the workers of Queensland were politically outlawed; yet we have the hon. member for Wynnum talking about political freedom! The hon. gentleman said that we would have the workers tied hand and foot. During the three years of the Moore-Barnes Administration they were hamstringed in every possible way. By way of interjection, an hon. member opposite said to-day that we might as well brand the workers. In the three years of the Moore-Barnes Administration the workers were branded in such a way that they will never be able to efface the marks placed upon them. In a recent debate I stated that certain things were engraved on the hearts of the people as a result of the trials, tribulations, suffering, and misery brought about by the deflationary policy of the Moore-Barnes Government. That may be a very strong comment to make, but the actions of that Government in deflating in the way they did will remain in the memories of people who can recall how their children looked when starvation was practically rampant in the community, and of how parents felt when their unmarried sons had to put on their swags and walk the country in order to live.

I would like to point out that to-day things are different, in that line particularly. Families are receiving better consideration; husbands are receiving some assistance, and preference will see that the average worker in any industry will receive some just reward for his labour. It is only right that a man who is accepting the benefits of organised labour should help to pay for them. Take the instance of the K.M. Construction Company, Limited. This is by way of illustration to show how preference will deal with the conditions affecting different awards. The K.M. Construction Company, Limited, were able to tender for the steel girders in the State Insurance building at a price cheaper than firms in Queensland were able to quote. There is no information available at the moment as to how the K.M. Construction Company was able to do the work cheaper, but I have here a monthly report of the Amalgamated Engineering Union. It is a Melbourne report dealing with the K.M.

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Construction Company, Limited, and it says—

“The anomalies regarding juvenile labour, as prescribed by a Federal award, have become more pronounced in the last few months as the competition has developed for the few jobs that have been going. As an illustration—the contract for the supply of window frames for the new building to be erected on the corner of Collins and Swanston streets was given to a firm whose price for the job was £2,800. The highest tenderer submitted a price of £5,300. The difference in the prices, generally speaking, represents the class of labour employed. The first company mentioned, the K.M. Construction Company, employs almost entirely lads. The despicable tactics of this particular concern are of the lowest order, and Judge Beeby undoubtedly places his imprimatur upon the ruthless sweating that is continuing in this trade by continuing the present provisions governing boy labour.”

Had preference applied in Queensland in that trade, the K.M. Construction Company, Limited, would not have been able to do the work so much below the Queensland tenders. We have firms in Queensland competent to do the work, but juvenile labour was employed, and I am prepared to state that the work has not been satisfactorily completed; and that is not an isolated instance. I know that it is not right to argue from the particular to the general; but in this instance I think we can, with confidence, argue that this particular instance is typical of the general conditions that were applying not only in the building trade but in other phases of industrial life in Queensland. Men were prepared to work at the cheapest rate possible. The Moore Government were prepared to allow men to accept the very lowest wage possible, and, if a man would accept a few shillings less than another man, he was put on the job and the other man dismissed immediately. Certainly that had the effect of reducing the standard of living, and, had preference been in force at that time, and had the Moore-Barnes Government not outlawed the workers of Queensland by taking them outside the ambit of the Industrial Court, conditions would not have got to such a low ebb as they did during the three years of the Moore-Barnes Administration.

The hon. member for Oxley saw fit to take up the question of the Public Service Association, and he instanced the case where a poll was taken on affiliation, and, after being defeated, it was carried out at the wish of the officials. I would like to state that on a very small ballot of the members that poll was defeated by 146 votes. After some considerable time had elapsed, certain things arose in the affairs of the union that made it mandatory for the governing body to effect political affiliation. They, therefore, acted on it, and, just as the directors of a bank meet their shareholders, the officials of the organisation met their members at the end of the year. They explained their case to the members, and it may be surprising to the hon. member for Oxley to know that in every department in Brisbane and in every district centre throughout Queensland an election was held as between men who were pledged to the affiliation part of the question and those opposed to it; and, as a result, we had a

three to one majority in favour of the affiliation. The next thing that happened was the annual conference, which is the directing body of the union. Of forty-nine members assembled at the conference there were not more than five members who voted against the action of the governing body of the officials in effecting the affiliation.

I would like to state that conferences were held, and action taken for affiliation by the officials was endorsed on each occasion.

In every instance mentioned by the hon. member for Oxley there is a very good reason for the amount expended. Probably he is so small minded as to think that the £25 donated to the T. J. Ryan statue memorial fund was a scandalous thing from a union point of view. I make no bones about it, and I am proud to be associated with any union which has at any time been associated with an endeavour to perpetuate the memory of a man who did so much, not only for unionists but for every person in Queensland. Every other item of expenditure dealt with the affiliation or with matters in connection with which members received some particular benefit. Even the Workers' Educational Association was mentioned. Hon. members opposite, perhaps, do not know that the one guinea paid for affiliation allows every member the use of a free library at a price considerably lower than can be obtained anywhere else in the State.

We are happy to know that, so far as affiliation is concerned, the members have placed absolute confidence in the officials from time to time. As a matter of fact, when the Moore Government took over the reins of office they immediately cancelled the affiliation. Hon. members opposite said that was quite a right thing to do; but I venture to say that the public service will re-establish themselves in the industrial world by rejoining and reaffiliating both with the Australian Labour Party and the Trades and Labour Council. I believe that, if this preference clause were taken away from the Bill, we would be only perpetuating the iniquitous system established by the Moore Government.

Question—“That the words proposed to be omitted from clause 8 (*Mr. Maxwell's amendment*) stand part of the clause”—put; and the Committee divided:—

AYES, 26.

Mr. Barber	Mr. Larcombe
“ Bruce	“ Llewelyn
“ Bulcock	“ Mullan
“ Conroy	“ O'Keefe
“ Cooper	“ Pease
“ Copley, P. K.	“ Smith
“ Foley	“ Stopford
“ Funnell	“ Taylor, G. C.
“ Gair	“ Wellington
“ Gledson	“ Williams
“ Hanlon	
“ Hayes	<i>Tellers:</i>
“ Hynes	“ Copley, W. J.
“ King, W. T.	“ Keogh

NOES, 22.

Mr. Barnes, G. P.	Mr. Nicklin
“ Barnes, W. H.	“ Nimmo
“ Clayton	“ Plunkett
“ Costello	“ Roberts
“ Daniel	“ Russell
“ Deacon	“ Swayne
“ Fadden	“ Tozer
“ Kenny	“ Wienholt
“ King, R. M.	
“ Maxwell	<i>Tellers:</i>
“ Moore	“ Edwards
“ Morgan	“ Sparkes

[*Mr. P. K. Copley.*]

PAIRS.		AYES.	NOES.
Mr. Collins	Mr. Grimstone		
" Dash	" Sizer		
" Bedford	" Taylor, C.		
" Waters	" Walker		
" Wilson	" Brand		

Resolved in the affirmative.

Clause 8, as read, agreed to.

The House resumed.

The CHAIRMAN reported progress.

Resumption of Committee made an Order of the Day for to-morrow.

#### ORDER TO HON. MEMBER TO APPEAR AT BAR OF HOUSE.

Mr. SPEAKER: Before the adjournment of the House is moved, I desire to say that it is my most unpleasant duty to have to draw attention to a regrettable incident that occurred in the Committee of the whole House this afternoon, and, as the custodian of the rights and privileges of hon. members of this House, to point out the grave nature of the abuses that might arise if this type of offence is to be persisted in. I did not see the occurrence, but one of the Temporary Chairmen of Committees, the hon. member for Cairns, who was in occupancy of the chair at the time, has since informed me that the hon. member for West Moreton walked from his place in the Committee to where the hon. member for Toowoomba was sitting and struck him—with, I understand, no provocation.

OPPOSITION MEMBERS: No! No.

Mr. SPEAKER: I was not present at the time, so I do not know; but it is a fact that he struck the hon. member for Toowoomba. The Temporary Chairman did not hear any altercation, nor did the Clerk of the Parliament, but both assure me that the hon. member for Toowoomba did not attempt to retaliate. This is the first occasion in the history of the Queensland Parliament that an occurrence of this sort has taken place, and I would be lacking in my duty if I did not make every endeavour to assure myself that it would be the last. In other Parliaments when stern measures have not been taken to quell this sort of thing, frequent fistic bouts have taken place during the deliberation of debates, which have not been for the good of the Legislative Assemblies concerned. I wish to say, hon. members, that, after giving this matter a great deal of consideration, I am of the opinion that the suspension of an hon. member for two days is not the type of punishment that will adequately imbue hon. members with the feeling that that sort of thing cannot be done in Parliament. This is a Parliament, and not a stadium. I leave the further consideration of the matter to hon. members.

The PREMIER (Hon. W. Forgan Smith, Mackay) [9.23 p.m.]: I move—

"That Edmund Bede Maher, member for the electoral district of West Moreton, be ordered to attend at the bar of this House pursuant to the provisions of section 45 of the 'Constitution Act of 1867' and of Standing Order No. 317 at 5 o'clock p.m. on Wednesday, the 14th instant, to answer a charge of having assaulted the hon. member for Toowoomba during the sitting of a Commit-

tee of the whole House on Tuesday, 13th instant, notwithstanding that he has been suspended from the service of the House during the remainder of this session."

Standing Order No. 317, which deals with the situation, provides—

"When it is made to appear to the House that any person has committed any of the offences enumerated in the forty-fifth section of the 'Constitution Act of 1867' a motion shall be made, and question put, that such person be ordered to attend at the bar of the House, on a day and at an hour to be named, and if the question passes in the affirmative, a copy of the order of the House, specifying the nature of the offence, in the words of the Act or in similar words, and requiring the attendance of such person, and certified by the Clerk, shall be served upon him either personally or by prepaid post letter addressed to him at his usual or last known place of abode in Queensland."

The following Standing Orders set out the procedure that shall be adopted in such cases. The "Constitution Act of 1867" deals with this class of offence. The matter is specifically dealt with in section 45, which is the relevant section mentioned in Standing Order No. 317, and is as follows:—

"Each House of the said Parliament is hereby empowered to punish in a summary manner as for contempt by fine according to the Standing Orders of either House and in the event of such fine not being immediately paid by imprisonment in the custody of its own officer in such place within the colony as the House may direct or in Her Majesty's gaol at Brisbane until such fine shall have been paid or until the end of the then existing session or any portion thereof any of the offences hereinafter enumerated whether committed by a member of the House or by any other person."

It deals with disobedience to any order of the House, and sets out the various offences. The relevant offence is—

"The assaulting obstructing or insulting any member in his coming to or going from the House or on account of his behaviour in Parliament . . ."

Mr. GODFREY MORGAN: Then the whole lot of us should be fined for using insulting remarks.

The PREMIER: The Standing Orders provide for the proper conduct of the debate. They provide for every possible situation that may arise. Parliamentary practice over a period of years has set up the manner and method of dealing with anything that might occur in the House in a manner befitting Parliament. No matter what offence any hon. member may receive at the hands of another of a verbal character, the hon. member has his remedy in the forms of the House; but to engage in a form of assault is a type of conduct that cannot be permitted in this Parliament if it is to remain a deliberative Chamber. One can readily understand that in the heat of debate words may be said from time to time which hon. members in their cooler moments would not think of using; but, when it comes to assaulting a member of Parliament, that sets up a line of conduct which is liable to

*Hon. W. Forgan Smith.]*

be followed by others, and, instead of Bills being debated on questions of fact and in the public interest—that is the basis of a deliberative Assembly—Parliament ceases to be a deliberative Assembly and becomes an object of contempt and derision. We expect citizens of Queensland to obey the law, and carry out the sanctions of the law, and, where aggrieved, to seek redress from the courts. That is the procedure we expect ordinary citizens to adopt; and, unless we adopt similar methods, Parliament will become degraded in the eyes of the people. For that I regret the necessity for moving the motion.

Mr. MOORE (*Aubigny*) [9.30 p.m.]: This seems to be very nicely staged in an endeavour to make the most of a regrettable position.

Mr. SPEAKER: Order! I cannot permit the Leader of the Opposition to make any reflection on the Chair.

Mr. MOORE: I have no intention, Mr. Speaker, of making any reflection on the Chair; but you, Sir, have made a statement with which I must differ. You, Mr. Speaker, said that there had been no provocation because the Clerk of the House and the Temporary Chairman of Committees did not hear it. That does not prove that there was no provocation.

OPPOSITION MEMBERS: Hear, hear!

A GOVERNMENT MEMBER: That does not justify an assault.

Mr. MOORE: The provocation was, unfortunately, worse.

Mr. SPEAKER: Order! The Leader of the Opposition misunderstood me. I said that I understand there was no provocation, but I said that I was not present in the Chamber when the incident occurred.

The PREMIER: Provocation does not justify an assault.

Mr. MOORE: I want to disabuse Mr. Speaker's mind that there was no provocation. Statements were made across the floor of the House to the hon. member for West Moreton on several occasions, and he lost his temper.

The SECRETARY FOR PUBLIC LANDS: And broke the law.

Mr. MOORE: As many other people have done, and the hon. member for West Moreton has been punished for it by being suspended from this House for the remainder of the session. If this House wants to make the most of a more or less trivial matter, it can do so. It is quite competent for the majority to belittle any member of the Opposition Party, if they desire.

The PREMIER: He has belittled himself by his conduct.

Mr. MOORE: There is no doubt in my mind that, if the hon. member for West Moreton considers he has done so, he will be ready to apologise to Mr. Speaker for what he has done.

The SECRETARY FOR MINES: Why try him to-night?

Mr. MOORE: I am not trying him. The Premier has moved a motion demanding that the hon. member for West Moreton attend at the bar of the House in order possibly that the Government of the day may inflict a fine upon him, or endeavour to make the most of an incident that would be far better forgotten. If the Government

desire to do that sort of thing, they have the numbers that enable them to do it; but I do not think there is much advantage to be derived from such action. The hon. member was, perhaps, hasty tempered, but he received very great provocation. I have seen hon. members of this House very close to the same action. I remember the present Premier on one occasion rushing across the Chamber to the ex-Secretary for Mines. I think it is even worse when it happens in debate, because when an hon. member is sitting in his place and, though not heard by other hon. members, can make insulting remarks, it is only reasonable that the hon. member who is insulted—

The PREMIER: He has his remedy under the Standing Orders.

Mr. MOORE: He has a remedy in which the Chairman says, "I heard nothing." The hon. member for West Moreton has been punished for the dereliction which took place. I regret the incident which occurred, because it is a pity when a person's temper gets the better of him. At the same time, it is not wise to make a mountain out of a molehill. I object to the principle adopted to-night in calling the hon. member for West Moreton to the bar of the House, because I think sufficient has been done to provide an example to all hon. members.

Mr. R. M. KING (*Logan*) [9.38 p.m.]: I regret very much the incident which occurred this afternoon, and I regret that an hon. member so far forgot himself as to take the law into his own hands. I do not justify that in any shape or form. At the same time, while I do not profess to pose as an authority on the action that the Government are taking, it appears to me that the action proposed by the Government to bring the hon. member for West Moreton to the bar of the House and to pass sentence upon him is not legal. I am very much inclined to think that it is a futile action altogether. We have to bear in mind that parliamentary procedure makes provision for action being taken in a case of this sort. Parliament cannot go on exercising remedy after remedy, but has to elect to take what steps it proposes to take. Parliament has already acted, and elected to have the hon. member for West Moreton named and suspended from the House. Having done that, Parliament has exhausted its remedy so far as the Standing Orders and the Constitution are concerned. So far as the hon. member for Toowoomba and the hon. member for West Moreton are concerned, the matter is entirely different. This afternoon Parliament dealt with the matter so far as the matter concerned the House. Whatever personal rights the hon. member for Toowoomba has is a matter for him to say. The matter is then one of personal right; but the House, having exercised and exhausted its remedy, cannot adopt the procedure in this motion without being made to look as foolish as the Premier was made to look over the sedition proceedings.

Mr. WIENHOLT (*Fassifern*) [9.40 p.m.]: I was not in the House when the incident occurred; therefore I have no first-hand knowledge of what happened. Naturally we all regret very much that the incident should have occurred; but it does strike me that the hon. member has already been punished by his suspension. He has been tried once, and it seems to me that we are breaking one of the greatest principles of British

justice if we now turn round and take the grave step proposed by the Premier. I do not know whether it would be right for you, Mr. Speaker, to guide us with your advice on this question. You mentioned that two days' suspension was not sufficient; the hon. member was very lucky, and, had the Premier moved the suspension of the hon. member for a longer period, I certainly would have been compelled to support it; but I put it to the House that we should be a little careful as to what we do now. To call anyone to the bar of the House is a very serious thing indeed; and we do not want to draw more attention to the incident than will be given to it by the papers in the morning. I think parliamentary prestige at the present time is not so high that we should particularly emphasise anything that happened to-day; and I think it would be wise for the Premier to consider the matter further. I have no doubt that the hon. member for West Moreton, when he thinks over the position that has arisen, will not hesitate to send a personal apology to the House and also to the hon. member for Toowoomba. I do not think it would be wise to take the action suggested by the Premier.

Mr. GODFREY MORGAN (*Murilla*) [9.43 p.m.]: I feel sure that no one regrets the incident more than the hon. member for West Moreton. The hon. member, like most of us at times, no doubt saw "red," and unfortunately he lost his head and committed an offence. There is no man more sorry for it than the hon. member, who is one of the best behaved members we have in the House. Just on the spur of the moment he committed an offence. Other hon. members in the past, although they have not gone quite so far as to strike another hon. member, have gone very near it. Since I have been in the House I have heard challenges thrown across the Chamber to go outside and engage in fisticuffs, but it generally comes to nothing. The hon. member for West Moreton has been punished, and he is the most sorry member of this Chamber owing to the action he committed. He has gone away feeling that he has disgraced himself, and he certainly disgraced the House, and the punishment he is suffering to-night will perhaps be ever so much greater than any we can inflict by bringing him before the bar of the House. I feel sure that the Leader of the Government will look at it from a different point of view, and decide that the hon. member has been sufficiently punished, and that there is no necessity to take any further action in the matter.

Mr. KENNY (*Cook*) [9.45 p.m.]: I was sitting alongside the hon. member for West Moreton this afternoon, and I regret that he took the action which he did; but there comes a time when a man must assert himself, even if he is in Parliament, despite the Standing Orders. If you were sitting on one of these back benches, Mr. Speaker, and heard the insinuations and insults at times hurled across at hon. members on this side, you would take action. Those insults are hurled at hon. members in the low tone of voice that cannot be heard by yourself or the Chairman of Committees. I have had insult after insult hurled at me, and challenges to come out to fight.

Mr. SPEAKER: Order!

Mr. KENNY: I am stating the position of the hon. member for West Moreton this

afternoon. A reflection was made on the hon. member's character, and he forgot himself for the time being, and did not take advantage of the rules of the House. He may not have known them. However, Parliament dealt with him. He had provocation even if the Chairman of Committees did not hear it. I was sitting alongside the hon. member for West Moreton and heard everything that was said, and I cannot blame the hon. member for breaking loose, because a man must protect his own honour if nobody else is going to look after it. It is all right for the Government to say they have the power—they have the majority—it is all right if they want to get the advantage of a man politically through the unfortunate incident that happened this afternoon. The onus is on the Government members—the provocation came from them. If it was the first time, I could understand it; but it is not the first time the hon. member for West Moreton has had to put up with insults from hon. members opposite. Insults were cast at hon. members on this side to day by reason of the fact that hon. members opposite allowed the debate to proceed with only the Minister in charge of the Bill present. Can we wonder at hon. members on this side feeling that insult is cast upon them?

Mr. SPEAKER: Order! The hon. member's remarks are quite irrelevant.

Mr. KENNY: I am pointing out what led up to this. If the Premier allows his party and individual members of his party to throw insults across the Chamber at hon. members of this side, you cannot blame them for forgetting themselves and protecting themselves and standing up for their own rights. That being the case, I think the hon. member for Toowoomba should have been dealt with this afternoon; but that was not done. The hon. member for West Moreton has already been dealt with. It would be wise for the prestige of Parliament if the whole matter were dropped and an apology obtained from the hon. member for Toowoomba.

HON. W. H. BARNES (*Wynnum*) [9.48 p.m.]: I was not in the House when this unfortunate incident occurred. No member who has been associated with the House for the number of years that I have been would for one moment approve of conduct such as that which has taken place. No one who stands for the high character of Parliament will for one moment endorse the action taken by the hon. member for West Moreton; but I think—and I commend this to the Premier—that the publicity which of necessity must be given to the incident will be sufficient punishment. We have already learnt from the hon. member for Murilla that the hon. member who transgressed is deeply sorry, so that the best service will be rendered to Queensland by the Premier himself allowing the incident to close.

Again let me say that I am not justifying the hon. member for West Moreton. I believe that, when the Premier has slept on it, he will realise that the punishment which has been inflicted is sufficient. The hon. member for West Moreton has been punished, and there is a record of it in the House. If the Premier and those associated with him would take a kinder view of the unfortunate incident, it would be very

*Hon. W. H. Barnes.]*

much better in the interests of the Queensland Parliament, because, after all, as another hon. member has said, I suppose there are times when all of us—and I do not exclude myself—have said things we should not have said. Probably the Premier—and I do not wish to be personal—has done so, just as I have; and I suggest that the Premier would be wiser not to persist in requiring the hon. member for West Moreton to attend at the bar of the House. I do not suggest that ample apology should not be made, but I think that, in the interests of the Government themselves, it would be very much better if the record now being made is a final record in the matter, and I am sure the hon. member for West Moreton will never do the like again.

Mr. SPARKES (*Dalby*) [9.52 p.m.]: As one who closely witnessed the incident, and also parted the two hon. members, I can bear witness to the fact that they were both rather heated. I think the hon. member for Toowoomba realises that a certain amount of provocation was given. The two were sitting practically touching one another there, and I was sitting here, and the offence was repeated three times. The hon. member for West Moreton rushed across and merely made a swipe with his hand like this—(Government laughter)—and I stepped in between them. (Renewed Government laughter.) I am describing the incident exactly as I saw it. I am not biased in favour of either hon. member. In the heat of the moment the hon. member for West Moreton made that swipe; but nothing was done which could injure anyone very much. That, hon. members may say, was bad luck. When I parted them, I pushed the hon. member for West Moreton back with my right hand and the hon. member for Toowoomba back with my left hand. Both were greatly excited. I think that the hon. member for Toowoomba will admit that he was excited at the time, and at such a time things may have happened which in calmer moments possibly the hon. member for West Moreton would not have done. Had he been sitting further back than he was, he would not have heard what was said. The fact that both hon. members were practically sitting together meant that in the heat of the moment one man was practically on top of the other man before he realised what he had done.

I think the Premier has the full details, and the hon. member for Toowoomba will admit that it was a very regrettable incident.

Mr. KENNY: Are we not to hear from the hon. member for Toowoomba?

Mr. SPEAKER: Order!

Question—"That the resolution (*Mr. Smith's motion*) be agreed to"—put; and the House divided:—

## AYES, 26.

Mr. Barber	Mr. King, W. T.
" Bruce	" Larcombe
" Bulcock	" Mullan
" Conroy	" O'Keefe
" Cooper	" Pease
" Copley, W. J.	" Smith
" Foley	" Stopford
" Gair	" Taylor, G. C.
" Gledson	" Wellington
" Hanlon	" Williams
" Hanson	
" Hayes	<i>Tellers:</i>
" Hynes	" Copley, P. K.
" Keogh	" Funnell

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## NOES, 22.

Mr. Barnes, G. P.	Mr. Nicklin
" Barnes, W. H.	" Nimmo
" Clayton	" Plunkett
" Costello	" Roberts
" Daniel	" Russell
" Deacon	" Swayne
" Edwards	" Tozer
" Fadden	" Wienholt
" King, R. M.	
" Maxwell	<i>Tellers:</i>
" Moore	" Kenny
" Morgan	" Sparkes

## PAIRS.

AYES.	NOES.
Mr. Collins	Mr. Grimstone
" Dash	" Sizer
" Bedford	" Taylor, C.
" Waters	" Walker
" Wilson	" Brand

Resolved in the affirmative.

The House adjourned at 9.59 p.m.